
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Fund Maternity and Funeral Expenses (General) Regulations (Northern Ireland) 2005 (“the 2005 Regulations”) and the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987.

Regulation 2 amends the 2005 Regulations to provide that a Sure Start Maternity Grant is payable only where the child in respect of whom the Grant is claimed is the sole member of the claimant’s family who is under sixteen years of age, except where (a) the claim relates to a child who is one of two or more children born as a result of the same pregnancy, and it is those siblings who are under sixteen; or (b) the child’s mother (or other parent if the child is living in their household and not with the mother) is under twenty years of age, has no other child of theirs in the household (except in the case of a multiple birth) and is the claimant’s dependant. (These amendments in relation to eligibility for Sure Start Maternity Grants have effect subject to the transitional provisions in regulation 3).

Regulation 2 also adds to the 2005 Regulations a definition for the purposes of Sure Start Maternity Grants as to when a person is to be treated as “responsible for” a child; and amends regulation 5(3) to make clear that a claimant responsible for a parent of a child (who is not the mother) may be awarded a Sure Start Maternity Grant for the child. (These changes are not subject to the transitional provisions in regulation 3).

Regulation 4 amends Schedule 4 to the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987 so that the time for claiming for a claimant to whom regulation 5(3)(b) of the 2005 Regulations applies is 3 months from the date on which the claimant becomes responsible for the child.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c.8), are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

Changes to legislation:

There are currently no known outstanding effects for the The Social Fund Maternity and Funeral Expenses (General) (Amendment) Regulations (Northern Ireland) 2011.