

2015 No. 211

SOCIAL SECURITY

**The Social Security (Maternity Allowance) (Earnings)
(Amendment) Regulations (Northern Ireland) 2015**

Made - - - - *1st April 2015*

Coming into operation - *6th April 2015*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 35A(4) and (5) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(a), and now vested in it(b).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Maternity Allowance) (Earnings) (Amendment) Regulations (Northern Ireland) 2015 and shall come into operation on 6th April 2015.

(2) The Interpretation Act (Northern Ireland) 1954(c) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of the Social Security (Maternity Allowance) (Earnings) Regulations (Northern Ireland)

2.—(1) The Social Security (Maternity Allowance) (Earnings) Regulations (Northern Ireland) 2000(d) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 1 (citation, commencement and interpretation) in paragraph (2) omit the definition of “certificate of small earnings exception”.

(3) In regulation 3 (specified payments for self-employed earners)—

(a) in paragraph (a)(e) omit “and she does not hold a certificate of small earnings exception in respect of that week”; and

(b) in paragraph (b) for “, where she holds a certificate of small earnings exception” substitute “if she could have paid but has not paid such a contribution”.

(a) 1992 c. 7; section 35A was inserted by Article 50(3) of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11)) and was amended by paragraph 6 of Schedule 1 to the National Insurance Contributions Act 2015 (c. 5). Section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)

(b) See Article 8(b) of S.R. 1999 No. 481

(c) 1954 c.33 (N.I.)

(d) S.R. 2000 No. 104; relevant amending Regulation is S.R. 2002 No. 354

(e) Paragraph (a) was amended by regulation 6(2) of S.R. 2002 No. 354

Sealed with the Official Seal of the Department for Social Development on 1st April 2015

(L.S.)

Anne McCleary
A senior officer of the Department for Social Development

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Maternity Allowance) (Earnings) Regulations (Northern Ireland) 2000 (“the principal Regulations”) in consequence of section 2 of and Schedule 1 to the National Insurance Contributions Act 2015 (c. 5). The principal Regulations provide for payments which are, or are to be treated as, earnings for the purpose of determining entitlement to maternity allowance under the Social Security Contributions and Benefits (Northern Ireland) Act 1992.

Regulations 2 makes amendments to regulations 1(2) and 3 of the principal Regulations in order to remove references to “certificate of small earnings exception”, as these certificates no longer exist. These certificates have been abolished under provisions in the National Insurance Contributions Act 2015.

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.

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