

Regulations made by the Department for Employment and Learning and laid before the Assembly under section 172(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 for approval of the Assembly before the expiration of six months from the date of their coming into operation

STATUTORY RULES OF NORTHERN IRELAND

2010 No. 302

**EMPLOYMENT
WORK AND FAMILIES**

The Additional Statutory Paternity Pay (Weekly Rates) Regulations (Northern Ireland) 2010

Made - - - - 9th September 2010

Coming into operation 3rd October 2010

The Department for Employment and Learning makes the following Regulations in exercise of the powers conferred by section 167ZEE(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(a) and section 5(1)(m) of the Social Security Administration (Northern Ireland) Act 1992(b).

Citation and commencement

1. These Regulations may be cited as the Additional Statutory Paternity Pay (Weekly Rates) Regulations (Northern Ireland) 2010 and come into operation on 3rd October 2010.

Weekly rate of payment of additional statutory paternity pay

2. The weekly rate of payment of additional statutory paternity pay shall be the smaller of the following two amounts—

- (a) £124.88;
- (b) 90% of the normal weekly earnings of the person claiming additional statutory paternity pay, determined in accordance with regulations 31 and 32 of the Additional Statutory Paternity Pay (General) Regulations (Northern Ireland) 2010(c).

(a) 1992 c. 7. Section 167ZEE was inserted by Article 12 of the Work and Families (Northern Ireland) Order 2006 (S.I. 2006/1947 (N.I. 16)).

(b) 1992 c. 8. Relevant amendments to section 5 were made by paragraph 2(1) of Schedule 2 to the Employment (Northern Ireland) Order 2002 (S.I. 2002/2836 (N.I. 2)) and paragraph 23 of Schedule 1 to the Work and Families (Northern Ireland) Order 2006 (S.I. 2006/1947 (N.I. 16)).

Rounding of fractional amounts

3. Where any payment of additional statutory paternity pay is made on the basis of a calculation at—

- (a) the weekly rate specified in regulation 2(b); or
- (b) the daily rate of one-seventh of the weekly rate specified in regulation 2(a) or (b),

and that amount includes a fraction of a penny, the payment shall be rounded up to the nearest whole number of pence.

Sealed with the Official Seal of the Department for Employment and Learning on 9th September 2010.

Sir Reg Empey
Minister for Employment and Learning

EXPLANATORY NOTE

(This note is not part of the Regulations)

This Statutory Rule contains only regulations made by virtue of Articles 12 and 13 of and paragraph 23 of Schedule 1 to the Work and Families (Northern Ireland) Order 2006 ([S.I. 2006/1947 \(N.I. 16\)](#)), provisions which come into operation on 3rd August 2010. The Rule is made before the end of the period of 6 months beginning with the coming into operation of those provisions. The regulations in it are therefore exempted by section 150(5)(b) of the Social Security Administration (Northern Ireland) Act 1992 ([1992 c. 8](#)) from the requirement under section 149 of that Act to refer the proposals to make regulations to the Social Security Advisory Committee. They are therefore made without reference to the Committee.

These Regulations set the weekly rates for additional statutory paternity pay payable under Part 12ZA (ordinary and additional statutory paternity pay) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 ([1992 c. 7](#)), as amended by the Work and Families (Northern Ireland) Order 2006.

Regulation 2 sets the weekly rate of payment of additional statutory paternity pay at the smaller of £124.88 and 90% of the employee's normal weekly earnings. Regulation 3 provides for the rounding of fractional amounts.