1992 No. 394

SOCIAL SECURITY

The Social Fund (Maternity and Funeral Expenses) (General) (Amendment) Regulations (Northern Ireland) 1992

Made . . . . . *10th September 1992*

Coming into operation . . *1st October 1992*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 134(1)(*a*) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**a**) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Social Fund (Maternity and Funeral Expenses) (General) (Amendment) Regulations (Northern Ireland) 1992 and shall come into operation on 1st October 1992.

(2) In these regulations "the principal regulations" means the Social Fund (Maternity and Funeral Expenses) (General) Regulations (Northern Ireland) 1987(**b**).

(3) The Interpretation Act (Northern Ireland) 1954(**c**) shall apply to these regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of regulation 2 of the principal regulations

2. In regulation 2 of the principal regulations (interpretation)—

(*a*) in the definition of "confinement" for "28 weeks" there shall be substituted "24 weeks";

(*b*) after the definition of "responsible member" there shall be inserted the following definition—

" "still-born child" shall be construed in accordance with the definition of "still-birth" in the Births and Deaths Registration (Northern Ireland) Order 1976;"(**d**).

Amendment of regulation 4 of the principal regulations

3. In regulation 4 of the principal regulations (entitlement to a maternity payment)—

(**a**) 1992 c. 7

(**b**) S.R. 1987 No. 150; relevant amending regulations are S.R. 1988 No. 22 and S.R. 1990 No. 132

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

(**d**) S.I. 1976/1041 (N.I. 14) as amended by Article 3 of the Still-Birth (Definition) (Northern Ireland) Order 1992 (S.I. 1992/1310 (N.I. 10)) from 1st October 1992

(*a*) in paragraph (1)(*b*)(i) after "child" there shall be added "or still-born child";

(*b*) for paragraph (2) there shall be substituted the following paragraph—

"(2) Subject to Part IV, the amount of a maternity payment shall be—

(*a*) where the claim is made before confinement, £100 in respect of each expected child;

(*b*) where the claim is made after confinement, £100 in respect of each child, including any still-born child;

(*c*) where the claim is made after a child has already been adopted, £100 in respect of that child.".

Revocation

4. Regulation 4(3) of the Social Fund (Miscellaneous Amendments) Regulations (Northern Ireland) 1990(**a**) is hereby revoked.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 10th September 1992.

(L.S.) *A. N. Burns*
Assistant Secretary

(a) S.R. 1990 No. 132

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend the Social Fund (Maternity and Funeral Expenses) (General) Regulations (Northern Ireland) 1987 to incorporate the meaning of "still-born child" resulting from the amendment to the meaning of "still-birth" in the Still-Birth (Definition) (Northern Ireland) Order 1992/1310 (N.I. 10), to enable maternity expenses to be paid in respect of such a child and to state the amount of a maternity payment under the regulations.

These regulations make in relation to Northern Ireland only provision corresponding to provision contained in regulations made by the Secretary of State for Social Security 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 (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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This Order has been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. A summary is given in the List of Statutory Rules of a Local Character under the heading ROADS.