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Clerk to the Committee  
Committee for Employment and Learning  
Parliament Buildings  
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**Our Ref: COR/1449/15**

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Dear Cathie

**EMPLOYMENT BILL: CLAUSE 22**

When officials pre-briefed the Committee on the Employment Bill on 2 December, an undertaking was given to provide information on the purpose of the amendment to the Work and Families Act (Northern Ireland) 2015 that is set out in clause 22. The purpose of this letter is to provide that information.

Subsection (1) of clause 22 provides generally for the amendment of Part 12ZC of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 ("the 1992 Act"), which deals with statutory shared parental pay.

Subsection (2) corrects references in sections 167ZV(2)(a) and 167ZX(2)(a) of the 1992 Act. The purpose of so doing is to correct references in powers contained within these provisions. The powers are intended to allow regulations to deal with calculation of the length of a mother's or adopter's statutory shared parental pay entitlement, taking into account the person's return to work. The calculation must account for situations where the mother's or adopter's own pay entitlement is curtailed to facilitate sharing of the entitlement with another person. Relevant conditions are set out in section 167ZU(2)(g) and 4(h) and section 167ZW(2)(g) and (4)(h) of the 1992 Act. The existing erroneous references are to section 167ZU(2)(h) and 4(i) and section 167ZW(2)(h) and (4)(i).

Subsection (3) makes comparable corrections to section 167ZZ(1)(a) of the 1992 Act, which is a general power allowing regulations to be modified in their application for particular cases. The following provisions were unintentionally included within this general power: sections 167ZU(2)(o), 167ZU(4)(p), 167ZW(2)(o) and 167ZW(4)(p). These provisions do not exist in the final Act and thus it is incorrect to refer to them, although doing so is of no material consequence.

The erroneous references, in each case, should have been corrected during the passage of the Work and Families Bill, as it then was, in consequence of the removal of cross-references to welfare reform legislation which it had originally been

anticipated would be progressed in advance of the work and families legislation. The need for these adjustments was not picked up at the time due to an oversight.

The amendment is purely technical and corrective; it has no implications for work and families policy.

Yours sincerely

**FIONA STANLEY**  
**Departmental Assembly Liaison Officer**