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STATUTORY RULES OF NORTHERN IRELAND

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**1994 No. 176**

**The Maternity Allowance and Statutory Maternity  
Pay Regulations (Northern Ireland) 1994**

**Rate of, and conditions of entitlement to, maternity allowance**

**2. –**

(1) In section 35 of the Contributions and Benefits Act (state maternity allowance), in subsection (1)–

- (a) for “the weekly rate specified in Schedule 4, Part I, paragraph (4)” there is substituted “the appropriate weekly rate determined under subsection (1A) below”; and
- (b) in paragraph (b) (employment condition) for “52 weeks immediately preceding the 14th week before” there is substituted “66 weeks immediately preceding”.

(2) After that subsection there is inserted–

“(1A) For the purposes of subsection (1) above the appropriate weekly rate is–

- (a) in the case of a woman who is engaged in employment as an employed earner in the week immediately preceding the 14th week before the expected week of confinement, a weekly rate equal to the lower rate of statutory maternity pay for the time being prescribed under section 162(3) below or the weekly rate specified in Schedule 4, Part I, paragraph 4, whichever is the higher; and
- (b) in any other case, the weekly rate specified in Schedule 4, Part I, paragraph 4.”.

(3) At the end of subsection (3) of that section there is added–

- “(c) that subsection (2) above shall have effect subject to prescribed modifications in relation to cases in which a woman fails to satisfy the conditions referred to in subsection (1)(b) and (c) above at the commencement of the 11th week before the expected week of confinement, but subsequently satisfies those conditions at any time before she is confined.”.

(4) In Schedule 3 to the Contributions and Benefits Act, in paragraph 3 of Part I (contribution condition for maternity allowance) in sub-paragraph (1)(a) for “52 weeks immediately preceding the 14th week before” there is substituted “66 weeks immediately preceding”.