

2000 No. 691

SOCIAL SECURITY

**The Social Security (Maternity Allowance) (Work Abroad)
(Amendment) Regulations 2000**

Made - - - - - *9th March 2000*
Laid before Parliament *10th March 2000*
Coming into force *2nd April 2000*

The Treasury, with the concurrence of the Secretary of State for Social Security, in exercise of the powers conferred on them by sections 119, 122(1) and 175(1) to (4) of the Social Security Contributions and Benefits Act 1992(a), and in exercise of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security (Maternity Allowance) (Work Abroad) (Amendment) Regulations 2000 and shall come into force on 2nd April 2000.

Amendment of the Social Security (Maternity Allowance) (Work Abroad) Regulations 1987

2.—(1) Regulation 2 of the Social Security (Maternity Allowance) (Work Abroad) Regulations 1987(b) (special provision for certain persons who have been employed abroad) shall be amended as follows.

(2) In paragraph (2)—

- (a) for the words from “Where a woman has paid” to “at the reduced rate either” there shall be substituted the words “Where a woman has paid, or is treated as having actually paid, Class 1 contributions under the Act either”;
- (b) for the words from “and as having actually paid Class 1 contributions” to the end there shall be substituted the words “and for any such week, and for any weeks following the period of that liability and before the date of her return to Great Britain so far as those weeks are relevant to her claim for a maternity allowance, as having received an amount of specified payments for the purposes of section 35A(4)(c) of the Social Security Contributions and Benefits Act 1992 equal to the lower earnings limit in force on the last day of that week”.

(3) In paragraph (3)—

- (a) in sub-paragraph (a) the words “otherwise than at the reduced rate” shall be omitted;
- (b) for the words “and as having actually paid Class 1 contributions for each week of her absence” there shall be substituted the words “and for each week of her absence as having received an amount of specified payments for the purposes of section 35A(4) of the Social Security Contributions and Benefits Act 1992 equal to the lower earnings limit in force on the last day of that week”.

(a) 1992 c. 4. Section 119 was amended by paragraph 69 of Schedule 7 to the Social Security Act 1998 (c. 14), paragraph 25 of Schedule 3, and paragraph 7 of Schedule 7, to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2) (“the Transfer Act”). Section 122(1) is cited because of the meaning ascribed to the word “prescribe”. Subsections (1) and (4) of section 175 were amended, and subsection (1A) of that section was inserted, by paragraph 29 of Schedule 3 to the Transfer Act.

(b) S.I. 1987/417; the relevant amending instrument is S.I. 1994/1367.

(c) Section 35A was inserted by section 53(3) of the Welfare Reform and Pensions Act 1999 (c. 30).

(4) In paragraph (4)(a)—

- (a) in sub-paragraph (a) the words “otherwise than at the reduced rate” shall be omitted;
- (b) for the words “and in which she actually paid Class 1 contributions” there shall be substituted the words “and in each week of which she received an amount of specified payments for the purposes of section 35A(4) of the Social Security Contributions and Benefits Act 1992 equal to the lower earnings limit in force on the last day of that week”.

(5) In paragraph (6) for the words “and as having actually paid Class 1 contributions” there shall be substituted the words “and as having received an amount of specified payments for the purposes of section 35A(4) of the Social Security Contributions and Benefits Act 1992 equal to the lower earnings limit in force on the last day of each of those weeks”.

*Bob Ainsworth
Greg Pope*

8th March 2000

Two of the Lords Commissioners of Her Majesty’s Treasury

Alistair Darling

9th March 2000

The Secretary of State for Social Security hereby concurs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Maternity Allowance) (Work Abroad) Regulations 1987 (S.I. 1987/417) (“the principal Regulations”). The amendments are in consequence of changes made by section 53 of the Welfare Reform and Pensions Act 1999 (c. 30) to the conditions for a maternity allowance under section 35 of the Social Security Contributions and Benefits Act 1992 (c. 4). The purpose of the amendments to the principal Regulations is to ensure that they continue to enable women who are ordinarily resident in Great Britain but who have worked abroad to satisfy, in specified circumstances, certain of the conditions for a maternity allowance.

Regulation 1 provides for citation and commencement.

Regulation 2 amends regulation 2 of the principal Regulations.

These Regulations do not impose any charge on business.

(a) Amended by S.I. 1994/1367, regulation 8.

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