
STATUTORY INSTRUMENTS

2014 No. 884

**The Social Security (Maternity Allowance)
(Miscellaneous Amendments) Regulations 2014**

The Social Security (Maternity Allowance) Regulations 1987

2.—(1) The Social Security (Maternity Allowance) Regulations 1987⁽¹⁾ are amended as follows.

(2) In regulation 1(2) (citation, interpretation and commencement), at the end add—

““the 1992 Act” means the Social Security Contributions and Benefits Act 1992.”.

(3) For regulation 2 (disqualification for the receipt of a maternity allowance), substitute—

“2.—(1) A woman shall be disqualified for receiving a maternity allowance under section 35 of the 1992 Act if during the maternity allowance period she does any work in employment as an employed or self-employed earner, for more than 10 days, whether consecutive or not, falling within that period.

(2) The disqualification referred to in paragraph (1) shall be for such part of the maternity allowance period as may, in the opinion of the Secretary of State, be reasonable in the circumstances, provided that the disqualification shall, in any event, be for at least the number of days on which she so worked in excess of 10 days.

(3) A woman shall be disqualified for receiving a maternity allowance under section 35B of the 1992 Act if during the maternity allowance period—

(a) she works with S (as defined in subsection (1)(b) of that section); or

(b) she does any work in employment as an employed or self-employed earner.

(4) The disqualification referred to in paragraph (3) shall be for such part of the maternity allowance period as may, in the opinion of the Secretary of State, be reasonable in the circumstances and in any event shall be for at least the number of days she so worked.

(5) A woman shall be disqualified for receiving a maternity allowance under section 35 or 35B of the 1992 Act if during the maternity allowance period she fails without good cause to take due care of her health or to answer reasonable enquiries (not being enquiries relating to medical examination, treatment or advice) by the Secretary of State or his officers directed to ascertaining whether she is doing so.

(6) The disqualification referred to in paragraph (5) shall be for such part of the maternity allowance period as may, in the opinion of the Secretary of State, be reasonable in the circumstances.

(7) A woman shall be disqualified for receiving maternity allowance under section 35 or 35B of the 1992 Act if at any time before she is confined she fails without good cause to attend for or to submit herself to any medical examination for which she was given at least 3 days notice in writing by or on behalf of the Secretary of State.

(8) The disqualification referred to in paragraph (7) shall be for such part of the maternity allowance period (being a part beginning not earlier than the day on which the failure occurs)

as may, in the opinion of the Secretary of State, be reasonable in the circumstances, except that in the event of her being confined after such failure the woman shall not by reason of such failure be so disqualified for the day on which the confinement occurs or any day thereafter.”.

- (4) In regulation 3 (modification of the maternity allowance period)—
- (a) in paragraph (1), for “the following provisions of this regulation”, substitute “paragraph (2A)”;
 - (b) at the end, add—
 - “(2B) The provisions of section 35B of the 1992 Act which relate to the maternity allowance period shall, in relation to a woman who—
 - (a) is not entitled to maternity allowance at the 11th week before the expected week of confinement;
 - (b) subsequently becomes entitled to maternity allowance before being confined; and
 - (c) has ceased to work with S,
- be modified in accordance with paragraph (2C).
- (2C) The maternity allowance period shall be a period of 14 weeks commencing—
 - (a) on the day after she ceases work, or, if later, the day she becomes entitled to maternity allowance; and
 - (b) no later than the day following the day on which she is confined.”.