
STATUTORY INSTRUMENTS

2000 No. 528

SOCIAL SECURITY

**The Social Fund Maternity and Funeral Expenses
(General) Amendment Regulations 2000**

Made - - - - 29th February 2000
Laid before Parliament 6th March 2000
Coming into force - - 27th March 2000

The Secretary of State for Social Security, in exercise of the powers conferred upon him by sections 138(1)(a) and (4) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992(1) and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(2), 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 2000 and shall come into force on 27th March 2000.

(2) In these Regulations, “the General Regulations” means the Social Fund Maternity and Funeral Expenses (General) Regulations 1987(3).

Amendment of regulation 3 of the General Regulations

2. In regulation 3 of the General Regulations (interpretation), after the definition of “funeral payment” there shall be inserted—

““health professional” means—

- (a) a registered medical practitioner;
- (b) a midwife, nurse or health visitor registered as a midwife, nurse or health visitor with the United Kingdom Central Council for Nursing, Midwifery and Health Visiting under the Nurses, Midwives and Health Visitors Act 1997(4);”.

(1) 1992 c. 4; section 138(1) was substituted by section 70 of the Social Security Act 1998 (c. 4). Section 138(4) is an interpretation provision and is cited because of the meaning ascribed to the word “prescribed”. Section 175(1) and (4) was amended by paragraph 29 of Schedule 23 to the Transfer of Functions Act 1999 (c. 2).
(2) See section 172(1) of the Social Security Administration Act 1992 (c. 5).
(3) S.I. 1987/481; relevant amending instruments are S.I. 1992/2149 and 1999/2566.
(4) 1997 c. 24.

Amendment of regulation 5 of the General Regulations

3.—(1) Regulation 5 of the General Regulations (entitlement to a payment to meet maternity expenses) shall be amended in accordance with the following paragraphs of this regulation.

(2) In paragraph (1), after sub-paragraph (b) there shall be inserted the following sub-paragraph—

“(bb) subject to paragraph (3)—

(i) the claimant or partner has received advice on health and welfare matters relating to the child from a health professional; and

(ii) where the claim is made before the child is born, the claimant or partner has received advice on health and welfare matters relating to maternal health from a health professional; and”.

(3) In paragraph (2) (amount of a maternity payment), in each place where the amount “£100” appears there shall be substituted the amount “£200”.

(4) After paragraph (2) there shall be added the following paragraph—

“(3) Paragraph (1)(bb)(i) shall not apply where a claim is made after the birth of a still-born child.”.

Supplemental amendments

4. In regulations 3, 4, 5, 6 and 9 of the General Regulations, in each place where the words “maternity payment” occur, there shall be substituted the words “Sure Start Maternity Grant”.

Transitional arrangements

5.—(1) Subject to paragraph (2), these Regulations shall not apply in a case where a claim is made and—

(a) the expected date of confinement;

(b) the date of birth of the child (including any still-born);

(c) the date of the adoption order; or

(d) in the case of a child in respect of whom an order has been granted pursuant to section 30 of the Human Fertilisation and Embryology Act 1990⁽⁵⁾, the date of the order,

are both before 11th June 2000.

(2) Subject to paragraph (3), where a payment has been made on the basis that the expected date of confinement is before 11th June 2000 and the date of birth of that child (including any still-born) occurs after 10th June 2000, a further payment may be made in accordance with these Regulations.

(3) The amount payable as a consequence of paragraph (2) shall be reduced by a sum equal to the payment already made.

(5) 1990 c. 37.

Signed by authority of the Secretary of State for Social Security.

29th February 2000

Angela Eagle
Parliamentary Under-Secretary of State,
Department of Social Security

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Fund Maternity and Funeral Expenses (General) Regulations 1987 (S.I.1987/481).

Regulation 3 imposes a new condition for entitlement to a payment to meet maternity expenses. The new condition is that the claimant or claimant's partner has received advice on health and welfare matters relating to the child, and where the claim is made before the child is born, the mother has received advice on maternal health.

The amount of a maternity payment is to increase to £200.

Regulation 4 amends regulations 3, 4, 5, 6 and 9 to provide that a payment to meet maternity expenses is to be known as a Sure Start Maternity Grant.

Regulation 5 makes transitional provisions.

These Regulations do not impose any charge on business.