



## 2002 CHAPTER 10

### **Rate of maternity allowance**

**4.—(1)** In section 35A of the Contributions and Benefits Act (appropriate weekly rate of maternity allowance)—

(a) for subsections (1) to (3) there is substituted—

“(1) For the purposes of section 35(1) above the appropriate weekly rate is (subject to subsection (5A) below) whichever is the lower rate of—

(a) a weekly rate equivalent to 90 per cent. of the woman's average weekly earnings; and

(b) the weekly rate for the time being prescribed under section 162(1)(b) below.” ;

(b) in paragraph (c)(i) of subsection (5), for “the lower earnings limit” there is substituted “ an amount 90 per cent. of which is equal to the weekly rate prescribed under section 162(1)(b) below that is ”; and

(c) after that subsection there is inserted—

“(5A) Where subsection (5B) below applies the appropriate weekly rate is the weekly rate for the time being prescribed under section 162(1)(b) below.

(5B) This subsection applies where a woman is treated by virtue of regulations under sub-paragraph (i) of paragraph (c) of subsection (5) above as having received a payment in respect of each week in the specified period equal to the amount mentioned in that sub-paragraph.” .

(2) In relation to any time before the coming into operation of section 2, the reference to section 162(1)(b) of the Contributions and Benefits Act in section 35A(5)(c)(i) of that Act (as amended by subsection (1)(b)) is a reference to section 162(3) of that Act.

**Changes to legislation:**

There are currently no known outstanding effects for the Social Security Act (Northern Ireland) 2002, Section 4.