
STATUTORY INSTRUMENTS

1981 No. 1157

The Social Security (Maternity Grant) Regulations 1981

Amendment of the Social Security Benefit (Persons Abroad) Regulations 1975

3.—(1) The Social Security Benefit (Persons Abroad) Regulations 1975(1) shall be amended in accordance with the following provisions.

(2) In regulation 1(2) (definitions) the year “1979” shall be substituted for “1975” in the definition of “the Contributions Regulations”.

(3) In regulation 3 (modifications of the Act relating to maternity grant):—

(a) in paragraph (1) for the words “Subject to the provisions” to “if either” there shall be substituted:

“Subject to paragraphs (2) and (3) of this regulation, where a woman is confined outside Great Britain and the date of confinement is on or before the 3rd July 1982 she shall not be disentitled to maternity grant by reason of the fact that on the date of confinement she is outside Great Britain, if either—”

(b) in paragraph (1)(b) the words “of the Contributions Regulations” shall be substituted for “of the Social Security (Contributions) Regulations 1975” and “Schedule 3” shall be substituted for “Schedule 5”.

(c) after paragraph (3) the following paragraphs shall be added:—

“(4) Subject to paragraphs (5) and (6) of this regulation, where a woman is confined outside Great Britain and the date of confinement is on or after 4th July 1982, she shall not be disentitled to maternity grant by reason of the fact that on the date of confinement she is outside Great Britain, if—

(a) she is entitled to child benefit for the week which begins with the first Monday following the date of confinement; or

(b) her absence from Great Britain is for a temporary purpose and was not when it began intended to last for more than 4 weeks; or

(c) in respect of the last complete tax year ending more than 3 months before the date of confinement, either she or her husband has an earnings factor derived from contributions either paid or credited which is not less than that year's lower earnings limit multiplied by 50; or

(d) on the date of her confinement her husband is a serving member of the forces as defined in paragraph (1)(b) of this regulation

and any such woman shall, in addition, not be disqualified for receiving a maternity grant by reason of her being absent from Great Britain.

(5) The provisions of paragraph (4)(c) of this regulation shall not apply in cases where a woman's entitlement to maternity grant is dependent upon her husband's earnings factor, unless she is residing with him on the date of confinement, or, if he is dead, unless she was residing with him at the time of his death.

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(6) The provisions of paragraph (4)(a), (b) and (c) of this regulation shall not apply to maternity grant in expectation of confinement.”

(4) In regulation 7(1)(g) the words “of regulation 72” and “of regulation 76” shall be omitted.