

STATUTORY INSTRUMENTS

**1987 No. 416**

**The Social Security (Maternity Allowance) Regulations 1987**

**Modification of the maternity allowance period**

3.—(1) [<sup>F1</sup>Section 35(2) of the Social Security Contributions and Benefits Act 1992] (which relates to the maternity allowance period) shall be modified in accordance with [<sup>F2</sup>paragraph (2A)].

<sup>F3</sup>(2) .....

[<sup>F4</sup>(2A) In relation to a woman who—

- (a) is not entitled to maternity allowance at the 11th week before the expected week of confinement; and
- (b) subsequently becomes entitled to maternity allowance before being confined; and
- (c) has stopped work

the maternity allowance period shall be a period of [<sup>F5</sup>39 weeks commencing no earlier than the day she becomes entitled to maternity allowance and no later than the day following the day on which she is confined]].

[<sup>F6</sup>(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.]

<sup>F7</sup>(3) .....

<sup>F7</sup>(4) .....

<sup>F7</sup>(5) .....

<sup>F7</sup>(6) .....

**Textual Amendments**

**F1** Words in reg. 3(1) substituted (24.11.2002 with effect in accordance with reg. 1(2)) by [Social Security, Statutory Maternity Pay and Statutory Sick Pay \(Miscellaneous Amendments\) Regulations 2002](#) (S.I. 2002/2690), regs. 1(1)(a), **15(2)**

**F2** Words in reg. 3(1) substituted (18.5.2014) by [The Social Security \(Maternity Allowance\) \(Miscellaneous Amendments\) Regulations 2014](#) (S.I. 2014/884), regs. 1, **2(4)(a)**

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**Changes to legislation:** *The Social Security (Maternity Allowance) Regulations 1987, Section 3 is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- F3** Reg. 3(2) omitted (24.11.2002 with effect in accordance with reg. 1(2)) by virtue of [Social Security, Statutory Maternity Pay and Statutory Sick Pay \(Miscellaneous Amendments\) Regulations 2002 \(S.I. 2002/2690\)](#) , regs. 1(1)(a) , **15(3)**
- F4** Reg. 3(2A) inserted (11.6.1994 with effect in accordance with reg. 1(3)) by [The Social Security Maternity Benefits and Statutory Sick Pay \(Amendment\) Regulations 1994 \(S.I. 1994/1367\)](#) , regs. 1(2) , **7(2)**
- F5** Words in reg. 3(2A) substituted (1.10.2006) by [Statutory Maternity Pay, Social Security \(Maternity Allowance\) and Social Security \(Overlapping Benefits\) \(Amendment\) Regulations 2006 \(S.I. 2006/2379\)](#) , regs. 1(2) , **4(3)** (with reg. 1(2) )
- F6** Reg. 3(2B) - Reg. 3(2C) added (18.5.2014) by [The Social Security \(Maternity Allowance\) \(Miscellaneous Amendments\) Regulations 2014 \(S.I. 2014/884\)](#), regs. 1, **2(4)(b)**
- F7** Reg. 3(3)-(6) omitted (7.4.1997) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No.2\) Regulations 1997 \(S.I. 1997/793\)](#) , regs. 1(1)(b) , **18**

**Changes to legislation:**

The Social Security (Maternity Allowance) Regulations 1987, Section 3 is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- reg.3(4)(c) head (ii) substituted by [S.I. 1994/1882 reg.9](#)