
STATUTORY INSTRUMENTS

2000 No. 688

The Social Security (Maternity Allowance) (Earnings) Regulations 2000

Specified payments for employed earners

2.—(1) Subject to paragraph (2), for the purposes of section 35A(4)(a) of the Contributions and Benefits Act, the payments specified for a woman who is an employed earner in any week falling within the test period shall be all payments made to her or for her benefit as an employed earner including—

[^{F1}(za) any amount retrospectively treated as earnings by regulations made by virtue of section 4B(2) of the Contributions and Benefits Act,]

(a) any sum payable in respect of arrears of pay in pursuance of an order for reinstatement under section 114 or re-engagement under section 115 of the Employment Rights Act 1996 (orders for reinstatement and re-engagement) ^{M1};

(b) any sum payable by way of pay in pursuance of an order made under section 129 of the Employment Rights Act 1996 (procedure on hearing of application and making of order) for the continuation of a contract of employment;

(c) any sum payable by way of remuneration in pursuance of a protective award under section 189 of the Trade Union and Labour Relations (Consolidation) Act 1992 (complaint..... and protective award) ^{M2};

(d) any sum payable by way of statutory sick pay, including sums payable in accordance with regulations made under section 151(6) of the Contributions and Benefits Act (employers' liability) ^{M3};

(e) any sum payable by way of statutory maternity pay, including sums payable in accordance with regulations made under section 164(9)(b) of the Contributions and Benefits Act ^{M4}.

[^{F2}(f) any sum payable by way of statutory paternity pay, including any sums payable in accordance with regulations made under section 171ZD(3) of the Contributions and Benefits Act;

(g) any sum payable by way of statutory adoption pay, including any sums payable in accordance with regulations made under section 171ZM(3) of the Contributions and Benefits Act[^{F3};]

[^{F4}(h) any sum payable by way of statutory shared parental pay, including any sums payable in accordance with regulations made under section 171ZX(3) of the Contributions and Benefits Act;]

[^{F5}(i) any sum payable by way of statutory parental bereavement pay, including any sums payable in accordance with regulations made under section 171ZZ8(3) of the Contributions and Benefits Act]

(2) The payments specified shall not include any sum excluded from the computation of a person's earnings under regulation [^{F6}25, 27 or 123 of, or Schedule 3 to,] the Contributions Regulations (payments to be disregarded).

Textual Amendments

- F1** Reg. 2(1)(za) inserted (6.4.2007) by [Social Security, Occupational Pension Schemes and Statutory Payments \(Consequential Provisions\) Regulations 2007 \(S.I. 2007/1154\)](#), regs. 1(1), **7(3)(a)**
- F2** Regs. 2(1)(f) & (g) inserted (8.12.02) by [S.I. 2002/2690](#), **reg. 1(1)(c)**, 16
- F3** Word in reg. 2(1)(g) substituted (31.12.2014) by [The Shared Parental Leave and Statutory Shared Parental Pay \(Consequential Amendments to Subordinate Legislation\) Order 2014 \(S.I. 2014/3255\)](#), arts. 1(2), **8(a)**
- F4** Reg. 2(1)(h) inserted (31.12.2014) by [The Shared Parental Leave and Statutory Shared Parental Pay \(Consequential Amendments to Subordinate Legislation\) Order 2014 \(S.I. 2014/3255\)](#), arts. 1(2), **8(b)**
- F5** Reg. 2(1)(i) inserted (6.4.2020) by [The Parental Bereavement Leave and Pay \(Consequential Amendments to Subordinate Legislation\) Regulations 2020 \(S.I. 2020/354\)](#), regs. 1, **9**
- F6** Words in reg. 2(2) substituted (6.4.2007) by [Social Security, Occupational Pension Schemes and Statutory Payments \(Consequential Provisions\) Regulations 2007 \(S.I. 2007/1154\)](#), regs. 1(1), **7(3)(b)**

Marginal Citations

- M1** 1996 c. 18.
- M2** 1992 c. 52.
- M3** Section 151(6) was amended by paragraph 9 of Schedule 1 to the [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#).
- M4** Section 164(9)(b) was amended by paragraph 12(2) of Schedule 1 to the [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999](#).

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Maternity Allowance) (Earnings) Regulations 2000, Section 2.