

SCHEDULE  
CONSEQUENTIAL AMENDMENTS

PART II  
REGULATIONS AND ORDERS

*The Statutory Maternity Pay (National Health Service Employees) Regulations 1991*

**3.—**(1) The Statutory Maternity Pay (National Health Service Employees) Regulations 1991(1) are amended as follows.

(2) In regulation 1 (citation, commencement and interpretation), after paragraph (2) insert—

“(3) In these Regulations, “Primary Care Trust” means a Primary Care Trust established under section 16A of the National Health Service Act 1977.”

(3) In regulation 2 (treatment of more than one contract of employment as one contract), after “two or more contracts,” insert “or where an order under paragraph 23(1) of Schedule 5A to the National Health Service Act 1977 provides that a woman’s contract of employment is so divided.”

(4) In regulation 5 (treatment of two or more employers as one), for paragraphs (a) and (b) substitute—

“(a) in the case of a woman whose contract of employment is treated by a scheme under Part I of the National Health Service and Community Care Act 1990 or the National Health Service (Scotland) Act 1978 as divided—

(i) the Health Authority or Primary Care Trust from which the woman was transferred, in a case where any one of the contracts of service is with that Health Authority or Primary Care Trust; or

(ii) the first NHS trust to which a contract of service was transferred in a case where none of the contracts of service are with the Health Authority or Primary Care Trust from which she was transferred;

or

(c) in the case of a woman whose contract of employment is divided as provided by an order under paragraph 23(1) of Schedule 5A to the National Health Service Act 1977—

(i) the Health Authority, NHS trust or Primary Care Trust from which the woman was transferred, in a case where any one of the contracts of service is with that body; or

(ii) the first Primary Care Trust to which a contract of service was transferred in a case where none of the contracts of service are with the body from which she was transferred.”.