BENEFITS

1953 No. 848

The National Insurance (Additional Days of Unemployment Benefit) Regulations, 1953

Made - - - -	18*th May*, 1953
Laid before Parliament	21*st May*, 1953
Coming into Operation	5*th July*, 1953

The National Insurance Joint Authority(a), in conjunction with the Treasury, in exercise of the powers conferred by sections 12 (1) and 65 (2) of the National Insurance Act, 1946(b), and of all other powers enabling them in that behalf, hereby make the following regulations:—

PART I

GENERAL

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance (Additional Days of Unemployment Benefit) Regulations, 1953, and shall come into operation on the 5th July, 1953.

(2) In these regulations, unless the context otherwise requires,—

" the Act " means the National Insurance Act, 1946;

" the Minister " means the Minister of National Insurance;

" unemployment benefit " means unemployment benefit under the Act;

" contribution year " and " benefit year " mean, in relation to any person, such periods of fifty-two or fifty-three contribution weeks(c) as may be determined in his case in accordance with the provisions of regulation 2 of the National Insurance (General Benefit) Regulations, 1948(d);

" first normal contribution year " means, in relation to any person, the contribution year which, in the case of that person, began on the 7th March, 1949, the 6th June, 1949, the 5th September, 1949, or the 5th December, 1949;

" existing contributor " has the meaning assigned to that expression by regulation 2 of the Unemployment Benefit Transitional Regulations;

" Unemployment Benefit Transitional Regulations " means the National Insurance (Unemployment Benefit) (Transitional) Regulations, 1948(e);

and other expressions have the same meanings as in the Act.

(a) *See* S. 63(2), National Insurance Act, 1946 and National Insurance (Northern Ireland Reciprocal Arrangements) Regulations, 1948 (S.I. 1948/211; Rev. XVI, p. 367; 1948 I, p. 2905).

(b) 9 & 10 Geo. 6. c. 67.

(c) *See* S. 78(1), National Insurance Act, 1946.

(d) S.I. 1948/1278; Rev. XVI, p. 179; 1948 I, p. 2626.

(e) S.I. 1948/1279; Rev. XVI, p. 63; 1948 I, p. 2685.

(3) References in these regulations to any enactment or regulations shall include references to such enactment or regulations as amended by any subsequent enactment, order or regulations.

(4) The Interpretation Act, 1889(a), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

PART II

QUALIFICATION FOR ADDITIONAL DAYS OF UNEMPLOYMENT BENEFIT

Persons qualifying

2. A person in relation to whom the condition for additional days of unemployment benefit is satisfied and—

(*a*) who has been entitled to unemployment benefit for not less than one hundred and fifty-six days in a period of interruption of employment(b) without having exhausted his right to unemployment benefit in that period of interruption of employment; and

(*b*) whose entry into insurance occurred not less than five years before the one hundred and fifty-sixth day for which he was entitled to unemployment benefit in that period of interruption of employment (which day is hereinafter referred to as "the material date"),

shall qualify for additional days of unemployment benefit.

Condition for additional days of unemployment benefit

3.—(1) The condition for additional days of unemployment benefit shall be satisfied in relation to any person if in his case the calculation made in accordance with the provisions of the next succeeding paragraph, as modified by any provision of Part III and Part IV of these regulations applicable in his case (hereinafter referred to as "the calculation") results in a number of days exceeding one hundred and eighty.

(2) Subject to the provisions of Part III and Part IV of these regulations, the calculation shall be made in the case of any person by adding to one hundred and eighty days three days for every five appropriate contributions paid by that person in respect of weeks occurring in the relevant contribution period and deducting from the aggregate of those days one day for every ten days for which that person has been entitled to unemployment benefit in the relevant benefit period.

(3) In this regulation and in Part III of these regulations,—

(*a*) "appropriate contributions" means contributions as an employed person(c) under the Act;

(*b*) "relevant contribution period" means, in relation to any person, the ten successive prescribed periods ending with the end of the contribution year next before the benefit year in which the material date occurs;

(*c*) "relevant benefit period" means, in relation to any person, the four successive prescribed periods ending with the end of the contribution year next before the benefit year in which the material date occurs; and

(a) 52 & 53 Vict. c. 63.
(b) *See* S. 11 (2) (c), National Insurance Act, 1946.
(c) *See* S. 1 (2) (a), National Insurance Act, 1946.

(*d*) "prescribed period" means, in relation to any person, any of the following periods:—

(i) an insurance year(**a**) under the Unemployment Insurance Act, 1935(**b**), which ended before the appointed day(**c**);

(ii) the period which commenced with the appointed day and ended immediately before the beginning of the first normal contribution year; and

(iii) a contribution year which began on or after the 7th March, 1949.

Number of days of unemployment benefit allowed

4. In the case of a person who qualifies in accordance with these regulations for additional days of unemployment benefit, the number of days allowed by these regulations to be substituted for the first reference to one hundred and eighty days occurring in subsection (1) of section 12 of the Act (which subsection relates to the exhaustion of the right to unemployment benefit) shall be the number of days resulting from the calculation in his case.

PART III

TEMPORARY PROVISIONS RELATING TO THE CALCULATION

Contributions paid in respect of prescribed periods longer or shorter than a contribution year

5.—(1) Where, in the case of any person who became insured under the Act on the appointed day, the relevant contribution period includes the prescribed period which commenced with the appointed day, the provisions of paragraphs (2) and (3) of this regulation shall apply.

(2) If, in relation to that person, that prescribed period ended on the 6th March, 1949, the calculation in his case shall be made as if the number of appropriate contributions paid by him in respect of weeks occurring in that prescribed period were increased by seventeen.

(3) If, in relation to that person, that prescribed period ended on the 5th June, 1949, the calculation in his case shall be made as if the number of appropriate contributions paid by him in respect of weeks occurring in that prescribed period were increased by four.

(4) Where, in the case of any person, the relevant contribution period includes the prescribed period which commenced with the appointed day and ended on the 4th September, 1949, or the 4th December, 1949, and the number of appropriate contributions paid by him in respect of weeks occurring in that prescribed period exceeds fifty-two, the calculation in his case shall be made as if the number of appropriate contributions so paid were fifty-two.

Benefit paid for prescribed periods longer or shorter than a contribution year

6. Where, in the case of any person, the relevant benefit period includes the prescribed period which commenced with the appointed day and ended on the 4th September, 1949, or the 4th December, 1949, and the number of days, occurring in that prescribed period, for which that person was entitled

(**a**) *See* S. 113 (1) (p), Unemployment Insurance Act, 1935.
(**b**) 25 & 26 Geo. 5. c. 8.
(**c**) 5th July, 1948, *see* S.I. 1948/54; Rev. XVI, p. 1; 1948 I, p. 2615.

to unemployment benefit exceeds three hundred and twelve, the calculation in his case shall be made as if the number of days, occurring in that prescribed period, for which he was so entitled were three hundred and twelve.

Existing contributors

7. Where, in the case of an existing contributor, any prescribed period or prescribed periods which ended before the appointed day is or are included in the relevant contribution period, the calculation in his case shall be made as if the number of appropriate contributions paid by him in respect of weeks occurring in that part of the relevant contribution period which began on the appointed day were increased by fifty-two for each such prescribed period so included, excluding any prescribed period which ended before the commencement of the prescribed period in which he attained the age of sixteen:

Provided that if, for the purpose of the calculation in his case, the number of appropriate contributions paid by him in respect of those weeks is increased or limited by virtue of the provisions of regulation 5, the foregoing reference to that number of appropriate contributions shall be construed as a reference to that number as so increased or limited.

PART IV

TRANSITIONAL PROVISIONS RELATING TO EXISTING CONTRIBUTORS

8.—(1) In relation to an existing contributor in whose case the 5th July, 1953, occurs in a period of interruption of employment which commenced before that day and who—

(*a*) either—

(i) qualified, in accordance with the provisions of regulation 10 of the Unemployment Benefit Transitional Regulations, for additional days of unemployment benefit in that period of interruption of employment and, immediately before the 4th July, 1953, had not exhausted his right to unemployment benefit under those provisions; or

(ii) by virtue of the provisions of the National Insurance (Extension of Unemployment Benefit) Regulations, 1948(a), was entitled to unemployment benefit for a day or days occurring before the 5th July, 1953, but in that period of interruption of employment, and

(*b*) claims unemployment benefit for the 5th July, 1953, or any later day in that period of interruption of employment,

the proviso to subsection (1) of section 12 of the Act shall, for the purpose only of the application of that subsection in relation to that period of interruption of employment, have effect as if the words "before exhausting his right to unemployment benefit under this subsection" were omitted, and the following provisions of this regulation shall apply.

(2) In the case of any such existing contributor who received unemployment benefit for a number of days exceeding one hundred and eighty, occurring before the 5th July, 1953, but in the period of interruption of employment current on that day, the calculation shall be made as if the reference in paragraph (2) of regulation 3 to one hundred and eighty days were a reference to that number of days.

(a) S.I. 1948/1447; Rev. XVI, p. 230; 1948 I, p. 2702.

(3) In the case of any such existing contributor who received unemployment benefit for the 4th July, 1953, the calculation shall be made as if the material date were the 4th July, 1953; and, if the condition for additional days of unemployment benefit is satisfied in relation to him, he shall (subject to the provisions of paragraph (6) of this regulation) qualify for additional days of unemployment benefit.

(4) In the case of any such existing contributor who did not receive unemployment benefit for the 4th July, 1953, the calculation shall be made as if the material date were the first day, occurring after the 4th July, 1953, for which he claims unemployment benefit, being benefit for receiving which he satisfies the relevant contribution and other conditions and is not disqualified; and, if the condition for additional days of unemployment benefit is satisfied in relation to him, he shall (subject to the provisions of paragraph (6) of this regulation) qualify for additional days of unemployment benefit:

Provided that he shall not so qualify if either—

(*a*) the day for which he so claims occurs on or after the 5th October, 1953, or, where the 4th October, 1953, and the day for which he so claims are separated only by a period of which each day is either a day of incapacity for work or a day on which he was employed in an employed contributor's employment(**a**) or Sunday or a disregarded day, on or after the 5th July, 1954; or

(*b*) the Minister was not authorised, by virtue of the provisions of the National Insurance (Extension of Unemployment Benefit) Regulations, 1948, to pay to him unemployment benefit for a period commencing after the last day for which he was entitled to unemployment benefit and ending before the 5th July, 1953, being benefit for which he applied in accordance with those provisions.

(5) In relation to an existing contributor in whose case the 4th July, 1953, is a disregarded day, the foregoing provisions of this regulation shall be construed as if every reference therein to the 4th July, 1953, were a reference to the 3rd July, 1953.

(6) Notwithstanding the provisions of paragraphs (3) and (4) of this regulation, an existing contributor shall not qualify in accordance with those provisions for additional days of unemployment benefit if, before the 5th July, 1953, he qualified in accordance with the provisions of regulation 10 of the Unemployment Benefit Transitional Regulations for unemployment benefit in the period of interruption of employment current on that day for a number of additional days which, when increased by one hundred and eighty, exceeds the number of days resulting from the calculation in his case.

(7) In this regulation, the expression "disregarded day" means, in relation to any person, the day of the week which, in accordance with the provisions of regulation 4 of the National Insurance (Unemployment and Sickness Benefit) Regulations, 1948(**b**), and for the purposes of paragraph (*d*) of subsection (2) of section 11 of the Act (which paragraph relates to disregarding Sunday or some other prescribed day for the purpose of unemployment and sickness benefit) is to be substituted for Sunday in the case of that person.

(**a**) *See* S.1(2), National Insurance Act, 1946.
(**b**) S.I. 1948/1277; Rev. XVI, p. 212; 1948 I, p. 2676.

PART V

REVOCATION OF TRANSITIONAL PROVISIONS

9. Regulation 10 of the Unemployment Benefit Transitional Regulations (which provides for additional days of unemployment benefit for existing contributors) and regulations 12 and 13 of those regulations (which contain provisions relating to the payment of extended unemployment benefit to existing contributors) are hereby revoked but without prejudice to anything duly done or suffered, or to any right, privilege, obligation or liability acquired, accrued or incurred, thereunder.

Given under the official seal of the National Insurance Joint Authority this 18th day of May, nineteen hundred and fifty-three.

(L.S.)

T. C. Stephens,
Secretary,
National Insurance Joint Authority.

Dated this 18th day of May, nineteen hundred and fifty-three.

T. G. D. Galbraith,
Hendrie D. Oakshott,
Two of the Lords Commissioners of
Her Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations provide an exception to the general rule, resulting from the provisions of the National Insurance Act, 1946, that a person who has been entitled to unemployment benefit for 180 days in a particular period cannot again be entitled to that benefit until he has requalified therefor by the payment of certain contributions. The Regulations enable a person to qualify, in certain circumstances, for unemployment benefit for more than 180 days without requalifying. The circumstances in which, and the number of additional days for which, a person will so qualify will be determined mainly by reference to the contributions paid, and the unemployment benefit received, by him under that Act in past years ; but additional factors will be taken into account in the cases of certain persons who were insured under the Unemployment Insurance Act, 1935, immediately before 5th July, 1948. The Regulations also revoke certain transitional provisions relating to unemployment benefit for persons so insured.

The preliminary draft of these Regulations was submitted to the National Insurance Advisory Committee in accordance with section 77 of the National Insurance Act, 1946, and their report thereon dated the 16th April, 1953, is contained in the House of Commons Paper No. 188 (Session 1952-53) published by Her Majesty's Stationery Office.

Under section 77 (4) of the National Insurance Act, 1946, these Provisional Regulations will not continue in force for longer than three months after the receipt by the authorities making them of the Report of the National Insurance Advisory Committee on the preliminary draft thereof submitted to them in accordance with the said section 77.

1953 No. 1153

The National Insurance (Maternity Benefit and Miscellaneous Provisions) Provisional Regulations, 1953

Made - - - -	27*th July*, 1953
Laid before Parliament	28*th July*, 1953
Coming into Operation	30*th July*, 1953

The Minister of National Insurance and the National Insurance Joint Authority, in each case in conjunction with the Treasury so far as relates to matters with regard to which the Treasury have so directed, hereby certify under subsection (4) of section 77 of the National Insurance Act, 1946(**a**), that on account of urgency the following regulations should come into operation without delay, and that Minister in exercise of powers conferred by section 8 of the National Insurance Act, 1953(**b**) and sections 14, 14A, 15, and 47 (1) of the National Insurance Act, 1946, and the said Joint Authority in exercise of powers conferred by sections 10 (3) and 25 of the last-mentioned Act, in each case in conjunction with the Treasury as aforesaid, and in exercise of all other powers enabling them in that behalf, hereby make the following regulations as provisional regulations:—

PART I

CITATION, COMMENCEMENT AND INTERPRETATION

1.—(1) These regulations may be cited as the National Insurance (Maternity Benefit and Miscellaneous Provisions) Provisional Regulations, 1953, and shall come into operation on the 30th July, 1953.

(2) In these regulations, unless the context otherwise requires,—

" the Act of 1953 " means the National Insurance Act, 1953 ;

" the Act " means the National Insurance Act, 1946, as amended or extended by or under any other enactment, including the Act of 1953 ;

" the Minister " means the Minister of National Insurance ;

" the appointed day " means the day(**c**) appointed by the Minister for the purposes of the Act of 1953 ;

" the determining authority " means, as the case may require, an insurance officer, a local tribunal, the National Insurance Commissioner, a deputy Commissioner or a tribunal presided over by the National Insurance Commissioner or a deputy Commissioner appointed or constituted in accordance with the National Insurance (Determination of Claims and Questions) Regulations, 1948(**d**) ;

" week " means a contribution week(**e**) ;

" the expected week of confinement " has the same meaning as in section 15 of the Act ;

and other expressions have the same meanings as in the Act.

(**a**) 9 & 10 Geo. 6. c. 67. (**b**) 1 & 2 Eliz. 2. c. 29.
(**c**) 26th October, 1953. *See* S.I. 1953/1141, p. 1335 above.
(**d**) S.I. 1948/1144; Rev. XVI, p. 331; 1948 I, p. 2720.
(**e**) *See* s. 78 (1), National Insurance Act, 1946.

(3) References in these regulations to any enactment or regulations shall be construed as references to such enactment or regulations as amended by any subsequent enactment, order or regulations, not being any regulations made under paragraph 14 of the Second Schedule to the Act of 1953.

(4) The Interpretation Act, 1889(a), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

PART II

PROVISIONS RELATING TO MATERNITY GRANTS AND HOME CONFINEMENT GRANTS

Maternity grants in respect of multiple births

2. A woman who is confined of twins or a greater number of children on or after the appointed day shall, if the other conditions for the payment of a maternity grant are satisfied in respect of the confinement, be entitled in respect thereof to a maternity grant for each of them who is living on the day next following the date of the confinement; but it shall be a condition for such entitlement that, before the expiration of the prescribed time for making a claim for a maternity grant, she makes a claim therefor and furnishes, by such means as the determining authority shall accept as sufficient, evidence as to—

(*a*) the number of children of whom she was confined; and

(*b*) the number of such children living on the last-mentioned day.

Maternity grant in respect of expectation of confinement

3. In a case where a woman makes a claim for a maternity grant on or after the appointed day and indicates therein that she desires that the provisions of section 14 of the Act (which confers title to a maternity grant) shall apply to her with the substitution, for the condition that she has been confined, of the condition that she is pregnant and has reached a stage in her pregnancy which is not more than nine weeks before that in which it is to be expected that she will be confined,—

(*a*) that section shall so apply to her in relation to that claim; and

(*b*) in their application to such a case, the contribution conditions for a maternity grant as set out in paragraph 2 of the Third Schedule to the Act shall apply as if, for head (*b*) of sub-paragraph (2) of that paragraph, there were substituted the following:—

"(*b*) the expression 'the relevant time' means the contribution week in which it is to be expected that the claimant will be confined, or, where the relevant person is the husband and he was dead or over pensionable age on the date of the making of the claim, the date of his attaining pensionable age or dying under that age."

Prescribed accommodation falling within s. 14A (1) (b) of the Act

4.—(1) Accommodation of a description falling within paragraph (*b*) of subsection (1) of section 14A of the Act (which subsection confers title to a home confinement grant and, in paragraph (*b*), describes the accommodation

(a) 52 & 53 Vict. c. 63.

confinement in which does not entitle a woman to such a grant) shall include:—

(*a*) accommodation in which any part of the cost of the woman's maintenance during the period of her confinement is payable out of money provided by Parliament for Navy, Army and Air services;

(*b*) accommodation (not being hospital accommodation or accommodation in premises managed by a voluntary organisation) provided by a local health authority under section 22 of the National Health Service Act, 1946(**a**), or of the National Health Service (Scotland) Act, 1947(**b**);

(*c*) accommodation in a hospital administered by or on behalf of the Minister of Health under the provisions of the Polish Resettlement Act, 1947(**c**); and

(*d*) accommodation in which the woman is undergoing imprisonment or detention in legal custody.

(2) In the preceding paragraph, the expressions "hospital accommodation", "voluntary organisation" and "local health authority" have the same meanings as in the enactments mentioned in sub-paragraph (*b*) thereof.

Accommodation treated as not falling within s. 14A (1) (b) of the Act

5.—(1) Where a woman claims a home confinement grant in respect of a confinement which took place in, or in the course of transit to, accommodation of a description falling within paragraph (*b*) of subsection (1) of section 14A of the Act, that confinement shall be treated for the purposes of that subsection as if it had not taken place in, or in the course of transit to, accommodation of that description if it was—

(*a*) accommodation in which the whole cost of the claimant's maintenance throughout the period of her confinement was paid or payable by her; or

(*b*) accommodation in any premises (being premises managed by a voluntary organisation and used wholly or mainly for the purpose of providing accommodation for women before and after confinement, or before, during and after confinement) provided for the claimant in pursuance of arrangements made by a local authority with that voluntary organisation in accordance with a scheme made under section 21 of the National Assistance Act, 1948(**d**).

(2) In the preceding paragraph, the expressions "voluntary organisation" and "local authority" have the same meanings as in section 26 of the last-mentioned Act.

Set-off of unemployment or sickness benefit against grants

6. Where a woman has been paid unemployment or sickness benefit which it is subsequently decided was, by virtue of section 10 of the Act of 1953 (which imposes a restriction on the right to unemployment or sickness benefit), not payable, the benefit so paid shall, in so far as its amount does not exceed the amount of any maternity benefit (other than a maternity allowance) to which she is entitled, be treated as having been paid on account of that maternity benefit.

(**a**) 9 & 10 Geo. 6. c. 81.
(**b**) 10 & 11 Geo. 6. c. 27.
(**c**) 10 & 11 Geo. 6. c. 19.
(**d**) 11 & 12 Geo. 6. c. 29.

PART III

PROVISIONS RELATING TO MATERNITY ALLOWANCES

Conditions attaching to a maternity allowance in respect of expectation of confinement

7.—(1) For the purposes of paragraph (*a*) of subsection (1) of section 15 of the Act (which paragraph specifies, as a condition of a woman's entitlement to a maternity allowance, the condition that she shall have reached a stage in her pregnancy which is not more than the prescribed number of weeks before the expected week of confinement) the prescribed number of weeks shall, except in any case in relation to which the provisions of regulation 16 apply, be fourteen.

(2) A woman who has become entitled to a maternity allowance in respect of expectation of her confinement shall cease to be entitled thereto if, before the beginning of the eleventh week before the expected week of confinement, her pregnancy is terminated otherwise than by confinement.

(3) A woman who has made a claim for a maternity allowance in respect of expectation of her confinement, unless the confinement has already occurred, shall, on receipt of not less than three clear days' notice in writing given by or on behalf of the Minister, submit herself to medical examination at such time and place as may be specified in the notice.

Duration of a maternity allowance in respect of expectation of confinement

8.—(1) In relation to a case where a woman has been confined after having made a claim for a maternity allowance in respect of expectation of that confinement (other than a claim which has been disallowed) but the date of the confinement was more than eleven weeks before the expected week of confinement, subsection (2) of section 15 of the Act (which specifies the period for which a maternity allowance is payable) shall have effect as if, for the period mentioned therein, there were substituted the period of eighteen weeks beginning with the week comprising the date of the confinement.

(2) Where a woman has become entitled to a maternity allowance in respect of expectation of her confinement and the date of the confinement has not occurred before the end of the expected week of confinement, the period referred to in the said subsection (2) (hereafter in this paragraph referred to as " the allowance period ") shall—

(*a*) if the said date has not occurred before the end of the allowance period, be extended for a period of six weeks and thereafter, if and so long as the said date has not occurred, be further extended for a like period at intervals of six weeks ; and

(*b*) if the said date has occurred before the end of the allowance period, or before the end of that period as extended or further extended in accordance with the preceding sub-paragraph, be extended or further extended until the end of the sixth week after the week comprising that date:

Provided that no extension or further extension shall be made in accordance with this paragraph unless the beneficiary gives to the Minister written notice, in such form as is approved by him for the purpose, that it is still to be expected that she will be confined or (as the case may be) that she has been confined and the notice is so given before the expiration of six

weeks, or such longer period not exceeding three months as the determining authority may for good cause allow, calculated—

(i) in a case falling within sub-paragraph (*a*), from the end of the allowance period or that period as extended or further extended ; or

(ii) in a case falling within sub-paragraph (*b*), from the end of the week in which the date of the confinement occurred,

and the beneficiary thereafter furnishes, by such means as the determining authority shall accept as sufficient, evidence in confirmation of her notice.

Conditions for, and duration of, a maternity allowance by virtue of the fact of confinement

9.—(1) In relation to a case where a woman has been confined without having previously made a claim for a maternity allowance in respect of expectation of the confinement (other than any claim which has been disallowed)—

(*a*) subsection (1) of section 15 of the Act shall have effect as if, for the condition for entitlement to a maternity allowance contained in paragraph (*a*) of that subsection, there were substituted the condition that the woman has been confined ;

(*b*) subsection (2) of that section shall have effect (subject to the following provisions of this regulation) as if, for the period mentioned therein, there were substituted the period of seven weeks beginning with the week comprising the date of the confinement ; and

(*c*) the contribution conditions set out in paragraph 3 of the Third Schedule to the Act shall have effect as if, for the reference in sub-paragraph (*a*) of that paragraph to the expected week of confinement, there were substituted a reference to the week comprising the date of the confinement.

(2) Where, in any such case as is mentioned in the preceding paragraph, the woman—

(*a*) is confined on a date more than eleven weeks before the week in which it was to have been expected that she would be confined ;

(*b*) failed to make, before her confinement, a claim for a maternity allowance in respect of expectation of the confinement ; and

(*c*) makes a claim for a maternity allowance by virtue of the fact that she has been confined ;

subsection (2) of section 15 of the Act shall, in relation to that case, have effect as if, for the period mentioned therein, there were substituted the period of eighteen weeks beginning with the week comprising the date of the confinement.

(3) Where, in any such case as is mentioned in paragraph (1) and not in the last preceding paragraph of this regulation, the woman, having failed to make, before her confinement, a claim for a maternity allowance in respect of expectation of her confinement,—

(*a*) makes a claim for a maternity allowance by virtue of the fact that she has been confined ; and

(*b*) shows to the satisfaction of the determining authority that, throughout a period commencing not earlier than the eleventh week before the

week comprising the date of the confinement and ending immediately before that date, she—

(i) did no work as an employed(a) or self-employed(a) person (including any such work which by virtue of any regulations made under the Act is to be disregarded for the purpose of the classification of insured persons); and

(ii) had good cause for her failure to make a claim in respect of expectation of her confinement;

subsection (2) of section 15 of the Act shall, in relation to that case, have effect as if, for the period mentioned therein, there were substituted a reference to the period commencing with the first day of the period referred to in sub-paragraph (*b*) of this paragraph and ending with the last day of the sixth week after the week comprising the date of the confinement.

Modification of s. 15 (3) *of the Act*

10. Where, in accordance with any provision of the last two foregoing regulations, subsection (2) of section 15 of the Act is to have effect as if, for the period mentioned therein, there were substituted another period, subsection (3) of that section (which relates to the death of a woman entitled to a maternity allowance) shall have effect accordingly but in relation only to a death after the beginning of that other period.

Contributions treated as equivalent to contributions of the appropriate class in relation to a maternity allowance

11.—(1) In any case where a woman claims a maternity allowance and, in respect of weeks included in the relevant period, not less than thirty-nine contributions as an employed or self-employed person have been paid by or credited to her and, of those contributions, not less than twenty-six are contributions actually paid, then, for the purpose of the reference in paragraph 3 of the Third Schedule to the Act (in which paragraph there are set out the contribution conditions for a maternity allowance) to contributions of the appropriate class or their equivalent, there shall be treated as equivalent to a contribution of the appropriate class every contribution as a non-employed person paid by or credited to the claimant in respect of a week included in the relevant period.

(2) The reference in the foregoing paragraph to paragraph 3 of the Third Schedule to the Act shall, in any case in relation to which the provisions of regulation 9 apply, be construed as a reference to that paragraph as modified in accordance with those provisions.

(3) In this regulation, the expression "the relevant period" means, in the case of any woman claiming a maternity allowance, the period of fifty-two weeks in respect of which the contribution conditions for the allowance are required to be satisfied in her case.

Increase of the weekly rate of a maternity allowance

12.—(1) Subject to the following provisions of this regulation, the weekly rate of a maternity allowance shall, for the periods specified in the provisions of section 8 of the Act of 1953 (which section provides for increasing a maternity allowance in certain cases), be increased by the amounts specified in those provisions.

(2) The weekly rate of a maternity allowance shall not be increased under this regulation in respect of any person for any such period as is mentioned

(a) *See* s. 1 (2), National Insurance Act, 1946.

in paragraphs (*c*) and (*d*) of subsection (2) of section 8 of the Act of 1953 unless the beneficiary would, if she were entitled to sickness benefit for that period, be entitled for that period to an increase of sickness benefit in respect of that person if she had made the necessary claim ; and, for the purposes of the application of the provisions of this paragraph, any such period shall be deemed not to include a Sunday or such other day as is to be disregarded for the purposes of any provision of the Act relating to unemployment or sickness benefit.

(3) Regulations made under subsection (1) of section 34 of the Act and providing for determining the circumstances in which a person is or is not to be deemed for the purposes of Part II of the Act to be wholly or mainly maintaining another person shall apply for the purposes of this regulation.

(4) The foregoing provisions of this regulation shall have effect subject to the provisions of regulation 11 of the National Insurance (Married Women) Regulations, 1948(a) (which imposes an additional condition for the receipt by a married woman of an increase of benefit in respect of a child).

Partial satisfaction of the contribution conditions for a maternity allowance

13.—(1) Where a woman would be entitled to a maternity allowance but for the fact that the relevant contribution conditions set out in paragraph 3 of the Third Schedule to the Act, though satisfied as respects the twenty-six contributions required to have been actually paid, are not satisfied as respects the fifty contributions required to have been paid by or credited to the claimant, she shall nevertheless be entitled to a maternity allowance payable in accordance with the following provisions of this regulation.

(2) Where a woman is entitled to a maternity allowance by virtue of the foregoing paragraph,—

(*a*) the respective weekly rates of the allowance and of any increase thereof in respect of an adult dependant shall be those set out in the second and third columns respectively of the following table opposite to the numbers set out in the first column which include the number of contributions of the appropriate class or their equivalent paid by or credited to her in respect of the relevant period ; and

(*b*) the amount of any increase of the allowance in respect of a child shall be the same as if the relevant contribution conditions had been fully satisfied.

Numbers including the number of contributions paid or credited in respect of the relevant period	Weekly rate	
	Of maternity allowance without increase	Of increase in respect of adult dependant
	s. d.	s. d.
48–49	31 6	21 0
46–47	30 0	20 0
43–45	28 6	19 0
40–42	26 6	17 6
37–39	24 0	16 0
34–36	21 6	15 0
30–33	19 0	13 0
26–29	16 6	11 0

(a) S.I. 1948/1470; Rev. XVI, p. 123; 1948 I, p. 2795.

(3) In this regulation,—

(*a*) references to the relevant contribution conditions include references to those conditions as modified in their application to cases falling within regulation 9 ;

(*b*) " the relevant period " means, in relation to any woman, the period in respect of which not less than fifty contributions of the appropriate class or their equivalent are, by the relevant contribution conditions, required to have been paid by or credited to her.

Disqualification for the receipt of a maternity allowance

14.—(1) As from the appointed day, a woman shall be disqualified for receiving a maternity allowance—

(*a*) if, during the period for which the allowance is payable, she does any work as an employed or self-employed person (including any such work which by virtue of any regulations made under the Act is to be disregarded for the purpose of the classification of insured persons), and such disqualification shall be for such part of the said period (but for not less than the number of days on which the woman so worked during the said period) as may be decided by the determining authority ;

(*b*) if, during the said period, she fails without good cause to observe the following rule of behaviour, namely, to take due care of her health and to answer any reasonable enquiries (not being enquiries relating to medical examination, treatment or advice) by the Minister or his officers directed to ascertaining whether she is doing so, and such disqualification shall be for such part of the said period as may be decided by the determining authority ; or

(*c*) if she fails without good cause to attend for or to submit herself to any medical examination required in accordance with paragraph (3) of regulation 7, and such disqualification shall be for such part of the said period (being a part beginning not earlier than the day on which the failure occurs) as may be decided by the determining authority, subject to the qualification that in the event of her being confined after such failure she shall not by reason of such failure be so disqualified for the day on which the confinement occurs or any day thereafter.

(2) References in this regulation to the period for which a maternity allowance is payable shall be construed as references to the period mentioned in subsection (2) of section 15 of the Act or, in a case in relation to which that subsection is modified in accordance with the provisions of this Part of these regulations, as references to the period mentioned in that subsection as so modified.

Fractions of a penny

15. Where any sum payable by way of a maternity allowance would, but for this regulation, include a fraction of a penny, that fraction shall be disregarded if it is less than a halfpenny and shall be treated as a penny if it is a halfpenny or more.

Temporary provisions as to a maternity allowance in respect of expectation of confinement

16. Notwithstanding the provisions of paragraph (1) of regulation 7, the prescribed number of weeks for the purposes of paragraph (*a*) of subsection (1) of section 15 of the Act shall be—

(*a*) eleven in relation to a woman in whose case the expected week of confinement begins on or before the 21st December, 1953;

(*b*) twelve in relation to a woman in whose case that week begins on the 28th December, 1953;

(*c*) thirteen in relation to a woman in whose case that week begins on the 4th January, 1954.

PART IV

REVOCATIONS, AMENDMENTS AND SAVINGS

Revocation of provisions relating to maternity benefit

17. The National Insurance (Maternity Benefit) Regulations, 1948(**a**), and the National Insurance (Maternity Benefit) Amendment Regulations, 1949(**b**), are hereby revoked but without prejudice to anything duly done or suffered, or to any right, privilege, obligation or liability acquired, accrued or incurred, thereunder.

Amendment of provisions relating to medical certification

18. In the National Insurance (Medical Certification) Regulations, 1948(**c**), as amended(**d**), there shall be made the following amendments:—

(1) In paragraph (2) of regulation 2 (which regulation, as amended by regulation 3 of the National Insurance (Medical Certification) Amendment Regulations, 1952(**e**), is set out in the First Schedule to those regulations (hereafter in this regulation referred to as "the amending regulations of 1952") and relates to the furnishing of evidence in connection with claims for sickness benefit and maternity benefit)—

(*a*) for the words "that she has been, or that it is to be expected that she will be, confined", there shall be substituted the following sub-paragraphs—

"(*a*) where the claim is made in respect of expectation of confinement, that she is pregnant and as to the stage which she has reached in her pregnancy; or

(*b*) where the claim is made by virtue of the fact of confinement, that she has been confined,"; and

(*b*) for the words "or by means of such other certificate", there shall be substituted the words "or by such other means";

and that paragraph shall accordingly have effect as set out in Part I of the First Schedule to these regulations.

(2) In rule 1 of the rules for certification contained in Part II of the Schedule, for the word "the" (where it precedes the words "registered medical practitioner") there shall be substituted the word "a".

(**a**) S.I. 1948/1166; Rev. XVI, p. 192; 1948 I, p. 2635.
(**b**) S.I. 1949/1389; 1949 I, p. 2694.
(**c**) S.I. 1948/1175; Rev. XVI, p. 324; 1948 I, p. 2803.
(**d**) S.I. 1949/1981; 1952/992: 1949 I, p. 2730; 1952 II, p. 2180.
(**e**) S.I. 1952/992; 1952 II, p. 2180.

(3) For the form of certificate of confinement set out in Part II of the Schedule (being the first of the forms set out in the Fifth Schedule to the amending regulations of 1952), there shall be substituted the form of certificate set out in Part II of the First Schedule to these regulations.

(4) In the form of certificate of expected confinement set out in Part II of the Schedule (being the second of the forms set out in the Fifth Schedule to the amending regulations of 1952), for the word "eleventh", there shall be substituted the word "fourteenth".

Amendment of provisions relating to claims and payments

19. In the National Insurance (Claims and Payments) Regulations, 1948(**a**), as amended(**b**), there shall be made the following amendments:—

(1) For paragraph 3 of Part I of the Second Schedule (which Schedule is included by virtue of regulation 3 of the National Insurance (Claims and Payments) Amendment Regulations, 1952(**c**)), there shall be substituted the paragraph set out in Part III of the First Schedule to these regulations.

(2) In paragraph 1 of Part II of the said Second Schedule,—

(*a*) at the end of sub-paragraph (1), there shall be added the following proviso:—

"Provided that the foregoing provisions of this sub-paragraph shall not—

(*a*) be applied in relation to a claim for a maternity grant in respect of expectation of the claimant's confinement; or

(*b*) so be applied, in relation to a claim for a maternity allowance in respect of expectation of the claimant's confinement, that the prescribed time for making that claim is extended to the date of confinement or to any date thereafter"; and

(*b*) at the end of sub-paragraph (2), there shall be added the following proviso:—

"Provided that, where the claimant is a woman claiming a maternity allowance in respect of expectation of her confinement, the foregoing provisions of this sub-paragraph shall be applied only if the claim is made before the date of the confinement";

and accordingly the said paragraph 1 shall have effect as set out in Part IV of the First Schedule to these regulations.

(3) In sub-paragraph (*a*) of paragraph 2 of the said Part II, the words "or attendance allowance" shall be omitted.

(4) For paragraph 7 of the said Part II, there shall be substituted the paragraph set out in Part V of the First Schedule to these regulations.

Amendment of provisions relating to contributions

20. In the National Insurance (Contributions) Regulations, 1948(**d**), as amended(**e**), there shall be made the following amendments:—

(1) In regulation 8,—

(*a*) for the words "in so far as an attendance allowance is payable to her in respect of any such week, and", there shall be substituted the words "and, if one of the following conditions is satisfied,";

(**a**) S.I. 1948/1041; Rev. XVI, p. 313; 1948 I, p. 2709.

(**b**) Reg. 12 of, and paragraphs 1–4 of Second Schedule to, National Insurance (Death Grant) Regulations, 1949 (S.I. 1949/1204; 1949 I, p. 2708); reg. 17, National Insurance (Increase of Benefit, Re-entry into Regular Employment and Miscellaneous Provisions) Regulations, 1951 (S.I. 1951/1232; 1951 I, p. 1457); S.I. 1952/1207; 1952 II, p. 2122.

(**c**) S.I. 1952/1207; 1952 II, p. 2122.

(**d**) S.I. 1948/1417; Rev. XVI, p. 164; 1948 I, p. 2767.

(**e**) S.I. 1949/1171; 1950/330, 1947; 1952/1393, 2185: 1949 I, p. 2707; 1950 II, pp. 15, 20; 1952 II, pp. 2140, 2143.

(*b*) in each of paragraphs (*a*) and (*b*), for the words " before the date of the confinement ", there shall be substituted the words " before the benefit year which includes the date of the confinement " ; and

(*c*) paragraph (*c*) shall be omitted ;

and accordingly that regulation shall have effect as set out in Part VI of the First Schedule to these regulations.

(2) In regulation 9, for the words from " by virtue of a certificate " to the end of the regulation, there shall be substituted the words " in respect of expectation of the woman's confinement, the said condition shall apply with the substitution of a reference to the week in which it is to be expected that she will be confined for the reference to the date of the confinement ", and accordingly that regulation shall have effect as set out in Part VII of the First Schedule to these regulations.

(3) In sub-paragraph (*c*) of paragraph (3) of regulation 14, the words " any payment by way of attendance allowance under section 14 of the Act, and " shall be omitted.

(4) In regulation 16, after the words " of these regulations ", there shall be inserted the words " or under any regulations which provide for treating contributions as a non-employed person as equivalent to contributions of the appropriate class for the purpose of a maternity allowance,".

(5) In regulation 23 (which regulation is included by virtue of regulation 3 of the National Insurance (Contributions) Amendment Regulations, 1950(a), and provides for treating, for the purpose of a right to maternity benefit, contributions paid after the due dates as paid on those dates),—

(*a*) for paragraph (1), there shall be substituted the following paragraph :—

" (1) For the purpose of any right to a maternity allowance, a contribution under the Act paid after the due date shall be treated—

(*a*) if paid before the expiry of the maternity allowance period or the period of four weeks after the date on which the claim for the allowance is made (whichever period ends later)—as paid on the due date ;

(*b*) if paid after the expiry of whichever of the said periods ends later—as not paid ;

and, for the purposes of this paragraph, the expression " the maternity allowance period " means the period mentioned in subsection (2) of section 15 of the Act or, in a case in relation to which that subsection is modified in accordance with regulations made under subsection (6) of that section, the period mentioned in the said subsection (2) as so modified " ; and

(*b*) in paragraph (2), the words " or attendance allowance " shall be omitted ;

and accordingly that regulation shall have effect as set out in Part VIII of the First Schedule to these regulations.

(a) S.I. 1950/330; 1950 II, p. 15.

Amendment of miscellaneous provisions

21. In the regulations referred to in the first and second columns of the Second Schedule to these regulations, there shall be made the amendments specified in the third column of that Schedule.

Savings

22.—(1) None of the foregoing provisions of this Part of these regulations shall have effect either—

(*a*) for any purpose relating to entitlement to, or the amount or rate of, any benefit to which a woman is entitled, or but for those provisions would be or become entitled,—

(i) by virtue of a certificate that it is to be expected that she will be confined in a week ending before the appointed day; or

(ii) by virtue of a certificate that she has been confined before the appointed day; or

(*b*) for the purposes of the application of the old provisions in accordance with Part II of the Second Schedule to the Act of 1953 (unless it has effect for those purposes in accordance with any regulations made under paragraph 14 of that Schedule).

(2) In this regulation the expression "the old provisions" has the same meaning as in Part II of the Second Schedule to the Act of 1953.

Given under the Official Seal of the Minister of National Insurance this 24th day of July, nineteen hundred and fifty-three.

(L.S.)

Osbert Peake,

Minister of National Insurance.

Given under the Official Seal of the National Insurance Joint Authority this 25th day of July, nineteen hundred and fifty-three.

(L.S.)

T. C. Stephens.

Secretary,
National Insurance Joint Authority.

Dated this 27th day of July, nineteen hundred and fifty-three.

Edward Heath,

Martin Redmayne,

Two of the Lords Commissioners of Her Majesty's Treasury.

FIRST SCHEDULE

PROVISIONS AS AMENDED OR SUBSTITUTED BY THESE REGULATIONS

PART I — Regulation 18 (1)

REGULATION 2 (2) OF THE NATIONAL INSURANCE (MEDICAL CERTIFICATION) REGULATIONS, 1948, AS AMENDED BY THESE REGULATIONS*

(2) Every woman by whom or on whose behalf a claim for maternity benefit is made shall furnish evidence—

(*a*) *where the claim is made in respect of expectation of confinement, that she is pregnant and as to the stage which she has reached in her pregnancy; or*

(*b*) *where the claim is made by virtue of the fact of confinement, that she has been confined,*

and shall furnish such evidence by means of a certificate given in accordance with the rules for certification set out in Part II of the said Schedule on the appropriate form as set out in that Part, *or by such other means* as the determining authority may accept as sufficient in the circumstances of any particular case or class of cases; and, for the purposes of this paragraph, the expression "certificate" shall not include a certificate which is given only by the person by whom or on whose behalf the claim is made.

PART II — Regulation 18 (3)

FORM OF CERTIFICATE OF CONFINEMENT SUBSTITUTED FOR THE LIKE CERTIFICATE SET OUT IN PART II OF THE SCHEDULE TO THE NATIONAL INSURANCE (MEDICAL CERTIFICATION) REGULATIONS, 1948

Certificate of Confinement(*a*)

(To be given by a registered medical practitioner or certified midwife.)

I certify that I attended.....in connection with her confinement(*a*) which took place at.....
.....(address)

and that she was there delivered of $\frac{\text{a child}}{\text{.....}}$ children(*b*)

on the.....day of....., 19.....

(*It is important that, where the medical practitioner or midwife considers that the confinement(a) took place at least ELEVEN WEEKS before the contribution week(c) in which it was expected, the following paragraph should be completed. In any other case, it should be struck through.*)

I certify that, in my opinion, it was to be expected that she would be confined(*a*) in the contribution week(*c*) containing the.....day of
..... 19.....

Signature.....

(If Certified Midwife, add Registered Number.....
or Address and Date of Qualification.....
.....
.....

Date of examination.....

Date of signing.....

NOTES:

(*a*) Confinement is so defined by the National Insurance Act, 1946, that this certificate can only be given—

(i) where labour results in the issue of a living child

or

(ii) where labour results in the issue of a dead child and pregnancy has lasted for at least 28 weeks.

The certificate must not be given in any other circumstances.

(*b*) Insert number of children, if more than one.

(*c*) A contribution week is one which begins on a Monday.

* The words substituted by these regulations are shown in italics.

PART III Regulation 19 (1)

PARAGRAPH SUBSTITUTED FOR PARAGRAPH 3 OF PART I OF THE SECOND SCHEDULE TO THE NATIONAL INSURANCE (CLAIMS AND PAYMENTS) REGULATIONS, 1948

3. Maternity benefit—

(*a*) Maternity grant in respect of expectation of confinement.	(*a*) The period beginning with the ninth contribution week before the contribution week in which it is to be expected that the claimant will be confined and ending immediately before the date of the confinement.	The benefit claimed.
(*b*) Maternity grant by virtue of the fact of confinement. (*c*) Home confinement grant.	The period of three months beginning with the date of the confinement.	
(*d*) Maternity allowance in respect of expectation of confinement (not being an increase of benefit in respect of a child or adult dependant).	(*d*) The period of three weeks beginning with the fourteenth contribution week before the contribution week in which it is to be expected that the claimant will be confined.	Benefit in respect of any period before the beginning of the contribution week in which the claim is made.
(*e*) Maternity allowance by virtue of the fact of confinement (not being an increase of benefit in respect of a child or adult dependant).	(*e*) The period of three weeks beginning with the date of the confinement.	
(*f*) Increase of maternity allowance in respect of a child or adult dependant.	(*f*) The longer of the two following periods— (i) The period of one month from the first day of the period in respect of which the claim is made; or (ii) The period beginning with that day and ending one month after the date on which the claim (not being a claim made after the prescribed time therefor) for the allowance (other than the increase) is made.	(*f*) Benefit in respect of any period more than one month before the date on which the claim is made.

PART IV Regulation 19 (2)

PARAGRAPH 1 OF PART II OF THE SECOND SCHEDULE TO THE NATIONAL INSURANCE (CLAIMS AND PAYMENTS) REGULATIONS, 1948, AS AMENDED BY THESE REGULATIONS*

Late claims

1.—(1) If in any case the claimant proves (subject to the provisions of paragraph 5 of this Part) that there was good cause for the failure to make the claim before the date on which it was made, the prescribed time for making that claim shall (subject to the provisions of paragraph 2 of this Part) be extended to the date on which the claim is made:

Provided that the foregoing provisions of this sub-paragraph shall not—

(a) be applied in relation to a claim for a maternity grant in respect of expectation of the claimant's confinement; or

(b) so be applied, in relation to a claim for a maternity allowance in respect of expectation of the claimant's confinement, that the prescribed time for making that claim is extended to the date of the confinement or to any date thereafter.

(2) If in any case the claimant proves—

(a) that on a date earlier than the date on which the claim was made, apart from satisfying the condition of making a claim, he was entitled to the benefit; and

(b) (subject to the provisions of paragraph 5 of this Part) that throughout the period between the earlier date and the date on which the claim was made there was good cause for delay in making such claim;

he shall not (subject to the provisions of paragraph 2 of this Part) be disqualified under Part I of this Schedule for receiving any benefit to which he would have been entitled if the claim had been made on the said earlier date:

Provided that, where the claimant is a woman claiming a maternity allowance in respect of expectation of her confinement, the foregoing provisions of this sub-paragraph shall be applied only if the claim is made before the date of the confinement.

PART V Regulation 19 (4)

PARAGRAPH SUBSTITUTED FOR PARAGRAPH 7 OF PART II OF THE SECOND SCHEDULE TO THE NATIONAL INSURANCE (CLAIMS AND PAYMENTS) REGULATIONS, 1948

7. A claim for an increase of a maternity allowance in respect of a child or adult dependant may be made before the prescribed time for making such a claim if, but only if,—

(a) the claimant is entitled to a maternity allowance or would be so entitled if she made the necessary claim; and

(b) in a case where the day on which the claim for the increase is to be made occurs before the commencement of the period for which the allowance is or would be payable, the claimant would be entitled to an increase of the allowance for that day in respect of the child or adult dependant in respect of whom the claim is to be made if the allowance were payable to her for a period including that day and she made the necessary claim, or, in any other case, the claimant is so entitled or would be so entitled if she made the necessary claim:

Provided that a claim which is so made shall be treated as not having been made unless, within the prescribed time for making such a claim, the claimant furnishes such certificates, documents, information and evidence as may be required in accordance with the provisions of regulation 5.

* The words added by these regulations are shown in italics.

PART VI Regulation 20 (1)

REGULATION 8 OF THE NATIONAL INSURANCE (CONTRIBUTIONS) REGULATIONS, 1948, AS AMENDED BY THESE REGULATIONS*

Insured women who have been confined

8. An insured woman shall be excepted from liability to pay a contribution as a self-employed or non-employed person for any week in which she is confined, and for each of the three succeeding weeks, *and, if one of the following conditions is satisfied,* a contribution shall be credited to her for that week as follows, provided a contribution as an employed person is not payable for that week:—

(*a*) if not less than twenty-six contributions as an employed person have been paid by or credited to the insured woman in respect of the last complete contribution year *before the benefit year which includes the date of the confinement,* a contribution as an employed person;

(*b*) if not less than twenty-six contributions, whether as an employed person or self-employed person, have been paid by or credited to the insured woman in respect of the last complete contribution year *before the benefit year which includes the date of the confinement,* a contribution as a self-employed person.

PART VII Regulation 20 (2)

REGULATION 9 OF THE NATIONAL INSURANCE (CONTRIBUTIONS) REGULATIONS, 1948, AS AMENDED BY THESE REGULATIONS*

Maternity allowance

9. An insured woman shall be excepted from liability to pay a contribution under the Act for any week in respect of which a maternity allowance is payable to her, and a contribution shall be credited to her for that week as follows:—

(*a*) if the condition specified in paragraph (*a*) of regulation 8 has been satisfied, a contribution as an employed person;

(*b*) if the said condition has not been satisfied, a contribution as a self-employed person:

Provided that, where the maternity allowance is payable *in respect of expectation of the woman's confinement, the said condition shall apply with the substitution of a reference to the week in which it is to be expected that she will be confined for the reference to the date of the confinement.*

PART VIII Regulation 20 (5)

REGULATION 23 OF THE NATIONAL INSURANCE (CONTRIBUTIONS) REGULATIONS, 1948, AS AMENDED BY THESE REGULATIONS*

Treatment for the purposes of maternity benefit of late paid contributions

23.—(1) *For the purpose of any right to a maternity allowance, a contribution under the Act paid after the due date shall be treated—*

(*a*) *if paid before the expiry of the maternity allowance period or the period of four weeks after the date on which the claim for the allowance is made (whichever period ends later)—as paid on the due date;*

(*b*) *if paid after the expiry of whichever of the said periods ends later—as not paid;*

and, for the purposes of this paragraph, the expression "the maternity allowance period" means the period mentioned in subsection (2) of section 15 of the Act or, in a case in relation to which that subsection is modified in accordance with regulations made under subsection (6) of that section, the period mentioned in the said subsection (2) as so modified.

(2) For the purpose of any right to a maternity grant, a contribution under the Act paid after the due date shall be treated—

(*a*) if paid before the expiry of the period of three months after the date of confinement—as paid on the due date;

(*b*) if paid after the expiry of the said period of three months—as not paid.

* The words substituted by these regulations are shown in italics.

SECOND SCHEDULE Regulation 21

AMENDMENT OF MISCELLANEOUS PROVISIONS

Regulations amended		Amendments
Statutory Instrument	Citation	
S.I. 1948/1144; Rev. XVI, p. 331; 1948 I, p. 2720.	The National Insurance (Determination of Claims and Questions) Regulations, 1948.	In sub-paragraph (*b*) of paragraph (1) of regulation 19, the words "and attendance allowance" shall be omitted.
S.I. 1948/1275; Rev. XVI, p. 88; 1948 I, p. 2864.	The National Insurance (Residence and Persons Abroad) Regulations, 1948.	1. In paragraph (1) of regulation 8 (which regulation, as amended by the National Insurance (Residence and Persons Abroad) Amendment Regulations, 1952(a), is set out in the Schedule to those regulations), for the words "or an attendance allowance by reason of the confinement occurring", there shall be substituted the words "by reason of the fact that, on the date of the confinement, she is"; and, for the words "any such benefit", there shall be substituted the words "a maternity grant". 2. In sub-paragraph (*a*) of paragraph (2) of the said regulation 8, the words "or attendance allowance" shall be omitted. 3. In sub-paragraph (*b*) of the said paragraph (2), for the words "payable to a woman by virtue of a certificate that it is to be expected that she will be confined", there shall be substituted the words "in respect of expectation of a woman's confinement".
S.I. 1948/1277; Rev. XVI, p. 212; 1948 I, p. 2676.	The National Insurance (Unemployment and Sickness Benefit) Regulations, 1948.	In paragraph (*a*) of regulation 8, for the words "or attendance allowance", there shall be substituted the words "or any other day falling within the period of four weeks beginning with the date of a woman's confinement (as defined for the purposes of the provisions of the Act relating to maternity benefit)".

(a) S.I. 1952/1407; 1952 II, p. 2205.

Regulations amended		Amendments
Statutory Instrument	Citation	
S.I. 1948/2711; Rev. XVI, p. 196; 1948 I, p. 2657.	The National Insurance (Overlapping Benefits) Regulations, 1948.	1. In paragraph (2) of regulation 6, the words " not being personal benefit by way of attendance allowance " shall be omitted. 2. In each of paragraphs (*a*) and (*b*) of regulation 8, after the words " maternity grant ", there shall be inserted the words " home confinement grant ". 3. Paragraphs (2) and (4) of Columns 1 and 2 of the Schedule shall be omitted.
S.I. 1949/875; 1949 I, p. 2731.	The National Insurance (Members of the Forces) Regulations, 1949.	In paragraph (1) of regulation 9, the words " or attendance allowance " shall be omitted.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Provisional Regulations, which are made in consequence of the National Insurance Act, 1953, revoke and replace the National Insurance (Maternity Benefit) Regulations, 1948, and the amending Regulations of 1949. They provide for entitling a woman to a maternity grant in expectation of confinement and for the payment of more than one maternity grant in respect of multiple births. For the purpose of a home confinement grant (title to which depends on the accommodation in which the confinement occurs), they prescribe certain descriptions of accommodation. They contain provisions relating to the conditions for, and the duration of, a maternity allowance whether in expectation of confinement or by virtue of actual confinement. They make provision for enabling a woman in certain circumstances to satisfy the contribution conditions for a maternity allowance in part by the payment of contributions of any class. They provide for increasing the weekly rate of a maternity allowance in respect of a child or adult dependant and for entitling a woman in whose case the contribution conditions are partly satisfied to such an allowance at a reduced rate, and contain provisions for disqualifying a woman for the receipt of a maternity allowance in certain circumstances. They also amend, in consequence of the changes made by the National Insurance Act, 1953, various provisions relating to maternity benefit contained in Regulations other than the National Insurance (Maternity Benefit) Regulations, 1948, as amended. The remaining provisions are of a minor or consequential character.