



**The Social Insurance (Benefits) (Amendment) (No.2)
Regulations, 2016**

Made 20th December, 2016
Coming into operation 1st January, 2017
Laid before the States , 2017

THE COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY, in exercise of the powers conferred upon it by sections 3, 6, 8, 11, 15, 28(4), 28A, 28B, 28C, 29(3) and 116 of the Social Insurance (Guernsey) Law, 1978, as amended^a, and of all other powers enabling it in that behalf, hereby makes the following Regulations:-

Amendment of the Social Insurance (Benefits) Regulations, 2003.

1. The Social Insurance (Benefits) Regulations, 2003^b are amended as follows.

2. In the Arrangement of Regulations –

- (a) In Part IV, for the heading "BENEFITS FOR INCAPACITY, MATERNITY AND UNEMPLOYMENT" immediately below "PART IV"

^a Ordres en Conseil Vol. XXVI, p. 292; Vol. XXVII, pp. 238, 307 and 392; Vol. XXIX, pp. 24, 148 and 422; Vol. XXXII, p. 59; Vol. XXXIV, pp. 397 and 510; Vol. XXXV(1), p. 161; Vol. XXXVI, pp. 123 and 343; Vol. XXXVIII, p. 59; Vol. XXXIX, p. 107; Vol. XL, p. 351; Vol. XLI, p. 267; Vol. XLII (2), p. 1230; Vol. XLIII (2), p. 813 and Vol. XLIV (1), p. 262; Orders in Council No. XVIII of 2007 and No. III of 2016; Recueil d'Ordonnances Tome XXVI, p.176, Ordinance No. XLII of 2009, No. XVII of 2011, No. XXXVIII of 2012 and the Social Insurance (Guernsey) Law (Amendment) Ordinance, 2016.

^b G.S.I. No. 37 of 2003 as amended by Ordinance No. IX of 2016, G.S.I No. 45 of 2004, Nos. 43 and 47 of 2005, Nos. 35 and 48 of 2006, No. 44 of 2007, No. 66 of 2008, Nos. 37 and 93 of 2009, No. 117 of 2010, Nos. 32 and 54 of 2011, Nos. 16 and 72 of 2012, Nos. 6 and 69 of 2013, No. 78 of 2014, No. 108 of 2015 and No. 48 of 2016.

substitute "BENEFITS FOR INCAPACITY AND UNEMPLOYMENT AND PARENTAL BENEFIT",

(b) for the heading "MATERNITY BENEFITS" immediately below "SECTION 3" substitute "PARENTAL BENEFIT",

(c) in the heading relating to regulation 41, for "maternity benefits" substitute "a maternal health allowance",

(d) after the heading relating to regulation 41 insert –

"41A. Claim start date in respect of a maternal health allowance.",

(e) after the heading relating to regulation 42 insert –

"42A. Adoption grants in respect of the adoption of multiple children.

42B. Persons who are, or are to be regarded as, a parent for the purposes of section 28B of the Law.

42C. Persons who are, or are to be regarded as, an adopter for the purposes of section 28C of the Law.

42D. Circumstances in which a person is, or is to be regarded as, the primary care-giver of a child for the purposes of sections 28B and 28C of the Law.",

(f) in the heading relating to regulation 43, for "maternity allowance" substitute "maternal health allowance, newborn care allowance or parental allowance", and

(g) after regulation 43 insert–

"43A. Maximum number of transfers between parents or adopters in respect of a newborn care allowance or a parental allowance.

- 43B. Modifications to the Law in relation to the period of a maternal health allowance, a newborn care allowance or a parental allowance payable in certain circumstances.
- 43C. Modifications to the Law in respect of persons ordinarily resident in Alderney.
- 43D. Exemption from the requirement to be the primary care-giver of the child in respect of a claim for a newborn care allowance or a parental allowance."

3. In regulation 1(1) -

- (a) immediately after the definition of "certifying practitioner" insert -

"**civil partner**" means a person who is registered as the civil partner of the mother under the Civil Partnership Act, 2004, or who is treated under that Act as having formed a civil partnership by virtue of having registered an overseas relationship within the meaning of that Act, and whose civil partnership, or registered overseas relationship, has not been dissolved or annulled, and "civil partnership" shall be construed accordingly,"

- (b) immediately after the definition of "incapacity" insert –

"**keeping in touch day**" has the same meaning for the purposes of these regulations as it has for the purposes of the Maternity Leave and Adoption Leave (Guernsey) Ordinance, 2016,"

- (c) immediately after the definition of "midwife" insert -

"**partner**" means -

- (a) in the context of regulation 42B, a person (whether of a different sex or the same sex) who lives with the mother and with the child in respect of whom a claim for a newborn care

allowance relates in an enduring family relationship but is not the mother's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew, and

(b) in the context of regulation 42C, a person (whether of a different sex or the same sex) who lives with the relevant person and with the child in respect of whom a claim for a parental allowance relates in an enduring family relationship but is not the relevant person's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew," and

(d) immediately after the definition of "relevant contribution year" insert -

"**surrogacy arrangement**" has the meaning given in section 109 of the Children (Guernsey and Alderney) Law, 2008,".

4. In regulation 3(5)(a) for "maternity benefit" substitute "a maternity grant, a maternal health allowance or a newborn care allowance",

5. Immediately after regulation 3(5), insert the following paragraphs -

"(6) Every person (other than a woman as described in paragraph (5)) by whom, or on whose behalf, a claim for a newborn care allowance is made shall furnish evidence of the fact of the confinement to which the claim relates, by means of a certificate, given by a certifying practitioner who is a medical practitioner or by a midwife, in the form approved by the Committee, or by means of a birth certificate.

(7) A certificate of expected confinement or of confinement given by or on behalf of the Committee, further to verification of an expected confinement or confinement issued by or on behalf of the States Committee for Health & Social Care in such manner as the Committee

shall determine, shall be treated as a certificate given by a certifying practitioner or midwife under paragraph (5) or (6) as the case may be.

(8) A person who claims an adoption grant or a parental allowance, shall furnish evidence, in the form of one or more documents issued by the adoption agency that matched the person with the child of –

- (a) the date on which the person was notified that they had been matched with the child,
- (b) the date on which the adoption agency expects to place the child with the person, and
- (c) where the child was the subject of an overseas adoption for the purposes of the Adoption (Designation of Overseas Adoptions) Ordinance, 1979 ("the 1979 Ordinance"), the person must also -
 - (i) notify the Committee of the fact that the adoption is an overseas adoption for the purposes of the 1979 Ordinance, and
 - (ii) notify the Committee of the date when the child entered, or is expected to enter, Guernsey, and
 - (iii) provide evidence of the type specified in section 2(1) of the 1979 Ordinance, that the overseas adoption has been effected, and where that evidence comprises in whole or in part a document that is not in the English language, the person must also provide a translation of that document that conforms with the relevant requirements of section 2(2) of that Ordinance."

6. In regulation 7(1) for "maternity" substitute "parental".

7. In regulation 8 -

- (a) in paragraph (3) –
 - (i) in subparagraph (d), for "maternity benefits" substitute "a maternity grant, a maternal health allowance or a newborn care allowance",
 - (ii) in subparagraph (e), for the full stop substitute a comma, and
 - (iii) immediately after subparagraph (e), insert the following subparagraph -
 - "(f) in relation to an adoption grant and a parental allowance, any time within the period beginning with the second week before the date on which the child is expected to be placed with the person for adoption and ending 3 months after the placement date.", and
- (b) in paragraph (4)(a), for "or maternity grant" substitute ", maternity grant or adoption grant".

8. In regulation 15 -

- (a) in paragraph (1) –
 - (i) delete "industrial injury benefit, invalidity benefit,",
 - (ii) after "maternity grant", insert "and adoption grant", and
 - (iii) delete "and sickness benefit",
- (b) in paragraph (2) delete "maternity allowance,", and
- (c) immediately after paragraph (2), insert –

"(3) Industrial injury benefit, invalidity benefit, sickness benefit, maternal health allowance, newborn care allowance and parental allowance shall be paid weekly in arrears on Mondays."

9. In regulation 24(2), for "maternity allowance" substitute "maternal health allowance, newborn care allowance, parental allowance".

10. In regulation 25, for "maternity allowance" substitute "maternal health allowance, newborn care allowance, parental allowance".

11. In regulation 29(1), for "maternity allowance" substitute "maternal health allowance, newborn care allowance, parental allowance".

12. In Part IV, for the heading "BENEFITS FOR INCAPACITY, MATERNITY AND UNEMPLOYMENT" immediately below "PART IV" substitute "BENEFITS FOR INCAPACITY AND UNEMPLOYMENT AND PARENTAL BENEFIT".

13. In regulation 30(1)(a), for "maternity allowance" substitute "a maternal health allowance, a newborn care allowance or a parental allowance".

14. In regulation 31, for "maternity allowance" substitute "maternal health allowance, newborn care allowance, parental allowance".

15. In regulation 32, for "maternity allowance" substitute "maternal health allowance, newborn care allowance, parental allowance".

16. In Section 3, for the heading "MATERNITY BENEFIT" immediately below "SECTION 3" substitute "PARENTAL BENEFIT".

17. In regulation 41 -

(a) in the heading, for "maternity benefits" substitute "a maternal health allowance",

(b) in paragraph (1), for "maternity allowance" substitute "maternal health allowance",

- (c) paragraph (2) is revoked,
- (d) in paragraph (3), for "maternity allowance, and her maternity allowance" substitute "maternal health allowance, and her maternal health allowance", and
- (e) in paragraph (4), for "maternity allowance" in both places where they occur substitute "maternal health allowance".

18. Immediately after regulation 41 insert the following regulation -

"Claim start date in respect of a maternal health allowance.

41A. (1) A woman shall elect a date within the period for which a maternal health allowance is payable, when the provisions of section 28A(2) of the Law are applied to her personal circumstances, on which her claim to maternal health allowance is to commence.

(2) If no election is made by a woman under paragraph (1), her claim to a maternal health allowance will commence on the date of confinement."

19. Immediately after regulation 42 insert the following regulations -

"Adoption grants in respect of the adoption of multiple children.

42A. An adopter who adopts more than one child shall, if the other conditions for the payment of an adoption grant are satisfied in respect of the adoption, be entitled in respect thereof to an adoption grant for each of them.

Persons who are, or are to be regarded as, a parent for the purposes of section 28B of the Law.

42B. The following persons are, or shall be regarded as, a parent of a child to whom a claim for a newborn care allowance relates -

- (a) the mother of the child,
- (b) the father of the child, or

- (c) the person who at the date of the child's birth is married to or is the civil partner or partner of the child's mother.

Persons who are, or are to be regarded as, an adopter for the purposes of section 28C of the Law.

42C. (1) The following persons are, or shall be regarded as, an adopter of a child to whom a claim for parental allowance relates:

- (a) the person with whom the child in relation to whom a claim to parental allowance relates is, or is expected to be, placed for adoption, or, in a case where two people have been matched jointly, whichever of them has elected to be the child's adopter for the purposes of the Maternity Leave and Adoption Leave (Guernsey) Ordinance, 2016 ("**the relevant person**"), or
- (b) the person who at the date that the child in relation to whom a claim to parental allowance relates is placed for adoption is married to or is the civil partner or partner of the relevant person:

Provided that they satisfy one of the conditions in paragraph (2).

(2) The conditions are –

- (a) in the case of an employed person who is ordinarily resident in Guernsey, Herm or Jethou, that they are entitled to basic adoption leave under the Maternity Leave and Adoption Leave (Guernsey) Ordinance, 2016,
- (b) in the case of a self-employed person or a non-employed person who is ordinarily resident in Guernsey, Herm or Jethou, that the person

would be entitled to basic adoption leave under the Maternity Leave and Adoption Leave (Guernsey) Ordinance 2016 –

- (i) if treated as an employed person for the purposes of that Ordinance, and
 - (ii) disregarding for the purposes of that Ordinance any requirement placed upon an employed person to notify their employers.
- (c) in the case of an employed person who is ordinarily resident in Alderney, that they would be entitled to basic adoption leave under the Maternity Leave and Adoption Leave (Guernsey) Ordinance, 2016, if they were ordinarily resident in Guernsey, or
- (d) in the case of a self-employed person or a non-employed person who is ordinarily resident in Alderney, that the person would be entitled to basic adoption leave under the Maternity Leave and Adoption Leave (Guernsey) Ordinance, 2016 –
- (i) if –
 - (A) they were ordinarily resident in Guernsey, and
 - (B) treated as an employed person for the purposes of that Ordinance, and
 - (ii) disregarding for the purposes of that Ordinance any requirement placed upon an employed person to notify their employers.

(3) Notwithstanding the proviso in paragraph (1), the requirement to satisfy one of the conditions in paragraph (2) does not apply in respect of a person who is the intended parent of a child being born pursuant to a surrogacy arrangement.

Circumstances in which a person is, or is to be regarded as, the primary care-giver of a child for the purposes of sections 28B and 28C of the Law.

42D. (1) The person who is, or is to be regarded as, the primary carer-giver of a child for the purposes of entitlement to a newborn care allowance under section 28B of the Law, is the parent of the child to whom a claim for a newborn care allowance relates who spends the greater number of hours, whether by day or by night or both, providing care for the child during the course of –

- (a) any week, or
- (b) part of a week,

to which the claim relates.

(2) The person who is, or is to be regarded as, the primary carer-giver of a child for the purposes of entitlement to a parental allowance under section 28C of the Law, is the adopter of the child to whom a claim for a parental allowance relates who spends the greater number of hours, whether by day or by night or both, providing care for the child during the course of –

- (a) any week, or
- (b) part of a week,

to which the claim relates.

(3) For the purposes of paragraphs (1) and (2), care includes, but is not limited to –

- (a) the provision of the basic necessities of life,

- (b) attention in connection with bodily functions, and
- (c) supervision in order to avoid substantial danger to the child.

(4) In cases where the parents or adopters of a child fail jointly to identify who is the primary care-giver of the child, the Administrator shall determine which parent or adopter is to be regarded as the primary care-giver for the purposes of entitlement to a newborn care allowance or parental allowance based on –

- (a) the relevant provision of this regulation, and
- (b) evidence provided by the parents or adopters, as the case may be, of such type, and in such manner, as the Administrator may request.

(5) Where a person fails or refuses, within such period as the Administrator may indicate, to provide evidence for the purposes of paragraph (4), the Administrator may determine the matter based on such evidence as is available at the time of determination.

20. In regulation 43 -

- (a) in the heading, for "maternity allowance" substitute "maternal health allowance, newborn care allowance or parental allowance",
- (b) in paragraph (1) –
 - (i) for "woman" where it first appears, substitute "person",
 - (ii) for "maternity allowance" substitute "maternal health allowance, a newborn care allowance or a parental allowance",

- (iii) for "she" substitute "that person", and
- (iv) delete "(but for not less than the number of days on which the woman so worked during the said period)", and

(c) after paragraph (1) insert the following paragraph -

"(2) For the purposes of paragraph (1), a person shall not be considered to be working as an employed person on any keeping in touch day."

21. Immediately after regulation 43 insert the following regulations -

"Maximum number of transfers between parents or adopters in respect of a newborn care allowance or a parental allowance.

43A. (1) Persons who are, or who are to be regarded as a parent for the purposes of section 28B of the Law, may elect to transfer a newborn care allowance between them no more than two times.

(2) Persons who are, or who are to be regarded as an adopter for the purposes of section 28C of the Law, may elect to transfer a parental allowance between them no more than two times.

(3) Notwithstanding paragraphs (1) and (2), the Administrator may permit additional transfers at his discretion.

Modifications to the Law in relation to the period of a maternal health allowance, a newborn care allowance or a parental allowance payable in certain circumstances.

43B. (1) In the event of the death of the child in respect of whom a claim for a maternal health allowance relates before the end of the expiration of the compulsory maternity leave period, the period for which a maternal health allowance is payable shall be the continuous period of 26 weeks beginning no weeks beginning -

- (a) no earlier than the eleventh week before the expected week of confinement, and

(b) no later than the date of confinement.

(2) In the event of a still birth within the period of sixteen weeks before the expected week of confinement, the period for which a maternal health allowance is payable shall be the continuous period of 26 weeks beginning -

(a) no earlier than the sixteenth week before the expected week of confinement, and

(b) no later than the date of confinement.

(3) In the event of the death of a woman during or as a result of a confinement or before the end of the compulsory maternity leave period, a newborn care allowance shall be payable from the day immediately after the woman's death -

(a) to any person who is, or is regarded as, a parent of the child to whom a claim for a newborn care allowance relates under regulation 42B, and

(b) for the continuous period of 26 weeks, less any period during which a maternal health allowance has been paid in respect of the child.

(4) In the event of a child to whom a claim for a maternal health allowance relates being taken into voluntary care, maternal health allowance shall continue to be payable for a period of four weeks commencing on the date that the child is taken into care, notwithstanding the fact that this period will end later than the expiration of the compulsory maternity leave period.

(5) In the event of a child to whom a claim for a newborn care allowance relates being taken into voluntary care, notwithstanding the fact that the person is then no longer the primary care-giver of the child, newborn care allowance shall continue to be payable to a person who is, or who is to be regarded as, a parent of the child under regulation 42B, for the period -

- (a) commencing on the date that the child is taken into care, and
- (b) ending no later than 26 weeks after the payment of maternal health allowance commenced,

subject to a maximum period of four weeks.

(6) In the event of a child to whom a claim for a parental allowance relates being taken into voluntary care, notwithstanding the fact that the person is then no longer the primary care-giver of the child, parental allowance shall continue be payable to a person who is, or who is to be regarded as, an adopter of the child under regulation 42C, for the period –

- (a) commencing on the date that the child is taken into care, and
- (b) ending no later than 26 weeks after the payment of parental allowance commenced,

subject to a maximum period of four weeks.

Modifications to the Law in respect of persons ordinarily resident in Alderney.

43C. The conditions in respect of entitlement to adoption grant in section 28(2) of the Law are modified as follows in respect of persons ordinarily resident in Alderney –

- (a) in the case of an employed person, that they would be entitled to basic adoption leave under the Maternity Leave and Adoption Leave (Guernsey) Ordinance, 2016 if they were ordinarily resident in Guernsey, and
- (b) in the case of a self-employed person or a non-employed person, that they would be entitled to basic adoption leave under the Maternity Leave and Adoption Leave (Guernsey) Ordinance, 2016, if they were ordinarily resident in Guernsey and –

- (i) if treated as an employed person for the purposes of that Ordinance, and
- (ii) disregarding for the purposes of that Ordinance any requirement placed upon an employed person to notify their employers.

Exemption from the requirement to be the primary care-giver of the child in respect of a claim for a newborn care allowance or a parental allowance.

43D. (1) In the event of the death of a child to whom a claim for a newborn care allowance relates a person who is, or who is to be regarded as, a parent of the child under regulation 42B shall be exempt from the requirement in section 28B(1)(e) of the Law to be the primary care-giver of the child.

(2) In the event of the death of a child to whom a claim for a parental allowance relates a person who is, or who is to be regarded as, an adopter of the child under regulation 42C shall be exempt from the requirement in section 28C(1)(e) of the Law to be the primary care-giver of the child."

Transitional.

22. (1) Subject to paragraph (2), a woman to whom section 17(1) of the Social Insurance (Guernsey) Law (Amendment) Ordinance, 2016 applies is entitled to a maternity allowance at the weekly rate of £206.43.

(2) Where regulation 24 of the Social Insurance (Benefits) Regulations, 2003 applies to a woman referred to in paragraph (1), the reduced weekly rates of maternity allowance shall be those set out in the second column of the Table set out below opposite to the numbers set out in the first column of the Table which correspond to the number of reckonable contributions of the appropriate class or their equivalent paid or credited to her in respect of the relevant period.

TABLE

Reckonable contributions	Maternity allowance
50	£206.43
48 – 49	£200.27
46 – 47	£192.01
43 – 45	£181.65
40 – 42	£169.26
37 – 39	£156.87
34 – 36	£144.48
30 – 33	£130.06
26 – 29	£113.54

Interpretation.

23. (1) In these Regulations, unless the context requires otherwise –

"**enactment**" includes a Law, an Ordinance and any subordinate legislation and includes any provision or portion of a Law, an Ordinance or any subordinate legislation, and

"**subordinate legislation**" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any statutory, customary or inherent power and having legislative effect, but does not include an Ordinance.

(2) Any reference in these Regulations to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification) extended or applied.

(3) The Interpretation (Guernsey) Law, 1948^c applies to the interpretation of these Regulations as it applies to the interpretation of an enactment.

Extent.

24. These Regulations shall have effect in the Islands of Guernsey, Alderney, Herm and Jethou.

^c Ordres en Conseil Vol. XIII, p. 355.

Citation and commencement.

25. These Regulations may be cited as the Social Insurance (Benefits) (Amendment) (No.2) Regulations, 2016 and, with the exception of Regulation 22 which shall come into force on the 2nd January, 2017, shall come into force on the 1st January, 2017.

Dated this 20th day of December, 2016.



M. LE CLERC

President of the States Committee for Employment & Social Security
For and on behalf of the Committee

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Social Insurance (Guernsey) Law (Amendment) Ordinance, 2016 ("the 2016 Ordinance") will come into force on 1st January, 2017. The 2016 Ordinance amends the Social Insurance (Guernsey) Law, 1978 ("the 1978 Law") in order to create four new benefits known as adoption grant, maternal health allowance, newborn care allowance and parental allowance. Together with maternity grant, the benefits are referred to collectively as "parental benefit". The 2016 Ordinance also repeals the provisions of the 1978 Law relating to maternity allowance, which is in effect replaced with the new benefits known as maternal health allowance and newborn care allowance.

These Regulations amend the Social Insurance (Benefits) Regulations, 2003 ("the 2003 Regulations").

Regulation 2 makes various amendments to the "Arrangement of Regulations".

Regulation 3 inserts in regulation 1(1) of the 2003 Regulations the definitions of various expressions used in the newly inserted regulations.

Regulations 4 and 6 to 17 of these Regulations make a variety of amendments to the 2003 Regulations to substitute, at the relevant places, references to "maternity allowance" and "maternity benefit" with references to the appropriate new benefit(s) and the new collective term "parental benefit".

Regulation 5 inserts new paragraphs into regulation 3 of the 2003 Regulations setting out the evidence to be furnished in respect of a claim for newborn care allowance, adoption grant or parental allowance.

As well as making the necessary substitutions of benefit names, Regulation 7 inserts a new sub-paragraph in regulation 8(3) of the 2003 Regulations setting out the prescribed time for the making of a claim for adoption grant and parental allowance.

Regulation 18 inserts a new regulation into the 2003 Regulations numbered 41A. This regulation provides that a woman shall elect a date, within the confines set out in the 1978 Law, on which her claim to maternal health allowance is to commence and, in the event that no election is made by the woman, when it will commence.

Regulation 19 inserts new regulations into the 2003 Regulations numbered 42A to 42D. Inserted regulation 42A provides that an adopter who adopts more than one child shall, if the other conditions for the payment of an adoption grant are satisfied in respect of the adoption, be entitled to an adoption grant for each of them. Inserted regulation 42B provides for the persons who are, or are to be regarded as, a parent of a child to whom a claim for newborn care allowance relates. Inserted regulation 42C provides for the persons who are, or are to be regarded as, an adopter of a child to whom a claim for parental allowance relates. Inserted regulation 42D sets out the circumstances in which a person is, or is to be regarded as, the primary care-giver of a child for the purposes of entitlement to newborn care allowance or parental allowance, as appropriate.

Regulation 21 inserts new regulations into the 2003 Regulations numbered 43A to 43D. Inserted regulation 43A prescribes a maximum number of transfers between parents or adopters in respect of a newborn care allowance or a parental allowance. Inserted regulation 43B prescribes modifications to the 1978 Law in relation to the period of a maternal health allowance, a newborn care allowance or a parental allowance payable in certain circumstances. These circumstances include stillbirth after 24 weeks, death of the child or the mother of the child in respect of whom a

claim for maternal health allowance relates before the end of the compulsory maternity leave period and the taking of the child in respect of whom a claim for one of the three new allowance relates into voluntary care. Inserted regulation 43C prescribes modifications to the 1978 Law in respect of persons ordinarily resident in Alderney where the Maternity Leave and Adoption Leave (Guernsey) Ordinance, 2016 does not apply. Inserted regulation 43D prescribes the circumstances in which a parent or an adopter shall be exempted from the requirement to be the primary care-giver of the child in respect of a claim for newborn care allowance or parental allowance respectively.

Regulation 22 sets out the full and reduced rates of maternity allowance payable to a woman to whom section 17(1) of the 2016 Ordinance applies (i.e. a woman whose date of confinement was expected to fall before 1st January, 2017, and who gave birth to a child before 1st January, 2017).

With the exception of Regulation 22, which comes into force on the 2nd day of January, 2017, these Regulations come into force on the 1st day of January, 2017.