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ANTIGUA.

STATUTORY RULES AND ORDERS.

1973, NO. 43.

Social Security (Benefits) (Maternity) Regulations, 1973.

Arrangement of Regulations.

Regulation.

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ANTIGUA

STATUTORY RULES AND ORDERS.

1973, No. 43.

Social Security (Benefits) (Maternity) Regulations, 1973 dated the 22nd day of September 1973 made by the Minister under sections 29, 30 and 31 of the Social Security Act, 1972 (3 of 1972).

1. These regulations may be cited as the Social Security (Benefits) Citation and
Commencement.

(Maternity) Regulations, 1973 and shall come into operation on

the 24th day of September, 1973.
2. In these regulation, unless the context otherwise requires- Interpretation.

Aaverage insurable weekly earnings@ means the sum of insurable earnings on which contributions are based, paid in the fifty-two weeks immediately preceding the maternity allowance period divided by the number of weeks in that period of fifty-two weeks in respect of which contributions have been paid;

Aconfinement@ means labour resulting in the issue of a living child or labour after twenty-eight weeks of pregnancy resulting in the issue of a child whether alive or dead; and

Aregistered@ means registered under the Medical Act or the Midwifery Ordinance; as the case may be. Cap. 231.
Cap. 234.

3. Any notice, application, card or other document which is authorised or required to be given, presented, issued or delivered under these regulations may be sent by pre-paid post. Notices, etc. may be sent by post.

4. Subject to the provisions of these regulations, maternity benefit shall be granted in the case of the pregnancy of a woman who is an insured person or the wife of an insured person. Entitlement.

5. Maternity benefit shall consist of- Types of maternity benefit.

(a) maternity grant;

(b) maternity allowance; or

(c) both

6. A woman shall be entitled to a maternity grant if she has been confined and-

Maternity grant.

(a) she or her husband has paid twenty-six weekly contributions, or the monthly equivalent thereof, since his or her entry into insurance and that person had paid twenty-six weekly contributions or the monthly equivalent thereof in the year immediately preceding the confinement:

Provided that for the purposes of this paragraph periods in that year for which benefits have been paid to that person shall be treated as periods of insurance for which contributions have been paid; or

(b) satisfies the contribution conditions for maternity allowance.

7. When a woman is confined of twins of a greater number of children she shall, if the conditions for the payment of a maternity grant are satisfied, in respect of the confinement be entitled to a maternity grant for each of them.

Multiple births.

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|-----|--|------------------------------|
| 8. | A maternity grant in the sum of twenty-five dollars shall be payable in respect of each child of each confinement. | Rate of Maternity grant. |
| 9. | Maternity allowance shall be payable only if the woman has paid contributions for not less than twenty-six weeks in the fifty-two weeks immediately preceding the contribution week in which occurs the day which is six weeks before the expected date of confinement or in which occurs the day from which the benefits if claimed whichever is later. | Maternity allowance. |
| 10. | Subject to the provisions of these regulations, maternity allowance shall be granted to a woman for a period starting from a date not earlier than six weeks before the week in which her confinement occurs and continuing until the expiration of six weeks from the week in which her confinement occurs:

Provided that the total period of maternity allowance does not exceed thirteen weeks and that the allowance shall not be paid for Sundays. | Duration. |
| 11. | Subject to subregulations (2) and (3),- | Rate of maternity allowance. |
| | (1) The daily rate of maternity allowance shall be sixty per centum of the average insurable weekly earnings of the insured person divided by six. | |
| | (1) The daily rate of maternity allowance specified in | |

subregulation (1) shall be reduced by one-sixth of the amount that any pay that the insured person receives from her employer in respect of the maternity allowance period exceeds forty per centum of the average insurable weekly earnings of the insured person.

(2) The daily rate of maternity allowance payable under subregulation (1) shall be reduced in the manner specified in subregulation (1) shall be reduced in the manner specified in subregulation (2) if the Director is satisfied that there exists-

- (a) a valid and subsisting labour agreement made between her employer and a recognised trade union under which the insured person is entitled to receive periodical maternity benefits;
- (b) a statutory obligation by the employer To pay periodical maternity benefits;
- (c) a contract of service under which the insured person is employed and which provides for payment of periodical maternity benefits; or
- (d) an accepted labour practice or labour precedent applicable to the types of

work in which the insured person has been engaged immediately preceding her maternity allowance period by which the insured person can reasonably expect to receive periodical maternity benefits,

notwithstanding the fact that no such payments have actually been made under paragraphs (a) to (d) to the insured person.

12. Claims for maternity benefit shall be made in the form prescribed by the Director and shall be accompanied-

Claims.

(a) in the case of claims made prior to confinement, by a certificate issued by a registered medical practitioner or a registered midwife as to the expected date of confinement; and

(b) in the case of claims made subsequent to the date of confinement, by a certificate issued by a registered medical practitioner or a registered midwife as to the actual date of confinement:

Provided that the Director may accept such other evidence in support of such claims as in his opinion the special circumstances of the particular case so justify.

13. A woman who has been granted maternity benefit shall, as soon as possible after her confinement, where this has not already been done in accordance with regulation 12 obtain a certificate of her confinement from the registered medical practitioner or registered midwife who assisted thereat, and forward it to the Director within three weeks after the date of confinement:

Certificate of confinement.

Provided that the Director may accept other evidence in lieu of such certificate if, in his opinion, the special circumstances of any particular case so justify.

14. A woman entitled to payment of maternity allowance shall be disqualified from receiving such benefit for such period as the Director may decide if during the period for which benefit is payable-

Disqualification for maternity allowance.

- (a) she engages in work for which remuneration is or would ordinarily be payable;
- (b) she fails without good cause to take due care of her health, or to answer any reasonable inquiries by any duly authorised officer of the Board; or
- (c) she fails without good cause to comply with a notice in writing by the Director requiring her

to attend for and submit herself to medical or other examination.

- 15.** The Social Security (Benefits) (Sickness) Regulations, 1973 shall apply in relation to a case where there is incapacity for work arising from pathological complications of confinement immediately following cessation of rights to maternity benefit:
- Incapacity for work arising from complications of confinement S.R. & 42/1973.

Provided that in such a case those provisions shall be applied in relation to the period immediately preceding the first day as from which maternity benefit was payable.

Made this 22nd day of September, 1973.

Donald Halstead,

Minister of Home Affairs and

Labour.

ANTIGUA

STATUTORY RULES AND ORDERS.

1978, No. 32.

The Social Security (Benefits) (Maternity) (Amendment) Regulations 1978, dated the 1st day of August 1978 made by the Minister under section 29, 30 and 31 of the Social Security Act, 1972 (No. 3 of 1972).

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- 1. Short Title.** These Regulations may be cited as the Social Security (Benefits) (Maternity) (Amendment) Regulations 1978 and shall be read as one with the Social Security (Benefits)

(Maternity) Regulations 1973 (No. 43 of 1973) hereinafter called the principal Regulations.

- 2. Amendment of Regulation 11 of Principal Regulations.** Regulation 11 of the principal Regulations is repealed and the following regulation is substituted-

A11. The daily rate maternity allowance shall be sixty per centum of the average insurable weekly earnings of the insured person divided by six.@.

Made the 1st day of August, 1978.

John E. St. Luce,

Minister responsible for Social Security

ANTIGUA

STATUTORY RULES AND ORDERS.

1978, No. 33.

The Social Security (Benefits) (Maternity) (Amendment) Regulations, 1978, dated

the 1st day of August, 1978 made by the Minister under sections 29, 30 and 31 of the Social Security Act, 1972 (No. 3 of 1972).

1. **Short Title.** These regulations may be cited as the Social Security (Benefits) (Maternity) (Amendments) Regulations 1978, and shall be read as one with the Social Security (Benefits) (Maternity) Regulations 1973 (No. 43 of 1973) hereinafter called the principal Regulations.

2. **Amendment of Regulations 8 of Principal Regulations.** Regulation 8 of the principal Regulation is amended by repealing the word Atwenty-five@ and substituting Aforty@.

Made the 1st day of August, 1978.

John E. St. Luce,

Minister responsible for Social Security.

ANTIGUA AND BARBUDA

STATUTORY INSTRUMENTS

1986, No. 26

The Social Security (Benefit) (Maternity) (Amendment) Regulations 1986 made by the Minister under Sections 29, 30 and 31 of the Social Security Act, 1972 (NO. 3 of 1972.

- 1. Short Title and Commencement.** These regulations may be cited as the Social Security (Benefits) (Maternity) (Amendment) Regulations 1986 and come into force on the 1st day of July 1986.

- 2. Amendment of Regulation 8 of S.R. & O. 1973, No. 43.** Regulation 8 of the Social Security (Benefits) (Maternity) Regulations, 1973, in these Regulations referred to as the principal Regulations, is amended by deleting the word **Forty** and substituting the word **Sixty**.

- 3. Amendment of Regulation 10 of the principal Regulation.** Regulation 10 of the principal Regulations is deleted and the following is substituted -

for
ASubject to these Regulations, maternity allowance shall be granted to a woman
a period starting from a date not earlier than six weeks and not later than the week in which her confinement occurs and continuing until the expiration of a maximum of 13 weeks from the week the benefit started; but the allowance shall not be paid for Sundays and sickness benefit shall not be payable for the period commencing six weeks before the week of confinement.@

Made this 5th day of June, 1986.

John E. St. Luce,
Minister.

ANTIGUA AND BARBUDA

STATUTORY INSTRUMENTS

1993, No. 37

The Social Security (Benefits) (Maternity) (Amendment) Regulations 1993 made by the Minister under sections 29, 30 and 31 of the Social Security Act 1992 (No. 3 of 1972).

1. These Regulations may be cited as the Social Security (Benefits) (Maternity) (Amendment) Regulations, 1993. Short title.

2. Regulation 8 of the Social Security (Benefits) (Maternity) Regulations, 1973 (1973, No. 43) is amended by deleting the word Asixty and substituting the words Afour hundred@. Amendment of
Regulation 8

3. These Regulations come into force on the 1st day of July, 1993. Commencement.

Made this 29th day of June, 1993.

Molwyn Joseph,
Minister of Finance.

ANTIGUA AND BARBUDA

STATUTORY INSTRUMENTS

1993, No. 37

The Social Security (Benefits) (Maternity) (Amendment) Regulations 1993 made by the Minister under sections 29, 30 and 31 of the Social Security Act 1992 (No. 3 of 1972).

1. These regulations may be cited as the Social Security (Benefits) Short title.
(Maternity) (Amendment) Regulations, 1993.

2. Regulation 8 of the Social Security (Benefits) (Maternity) Amendment of

Regulation 8

Regulations, 1973 (1973, No.43) is amended by deleting of 1973 No. 43.
the word Asixty@ and substituting the words Afour hundred@.

3. These Regulations come into force on the 1st day of July, 1993. Commencement.

Made this 29th day of June, 1993.

Molwyn Joseph,
Minister of Finance

ANTIGUA AND BARBUDA

STATUTORY INSTRUMENT

2000, No.

Social Security (Benefits) (Maternity) (Amendment) Regulations, 2000 made by the Minister under sections 29, 30 and 31 of the Social Security Act, Cap. 408.

1. These Regulations may be cited as the Social Security (Benefits) (Maternity)(Amendment) Regulations, 2000. Short title.

2. Regulation 7 of the Social Security (Benefits) (Sickness) Amendment of

Regulations is amended by inserting after subregulation (2) the of the Social Security

following subregulation:

(Benefits) (Sickness) (Sickness)
Regulations, Cap. 408(d)

3. These Regulations come into force on the 1st day of June, 2000.

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