
EXPLANATORY NOTE

(This note is not part of the Regulations)

This instrument contains only regulations made by virtue of sections 2, 4 and 53 of and paragraphs 8 and 11 of Schedule 7 to the Employment Act 2002 (“the 2002 Act”), which comes into force on 8th December 2002. The instrument is made before the end of the period of 6 months beginning with the coming into force of those provisions. The regulations in it are therefore exempted by section 173(5)(b) of the Social Security Administration Act 1992 from the requirement under section 172 of that Act to refer the proposals to make regulations to the Social Security Advisory Committee and they are made without reference to the Committee.

These Regulations set the weekly rates for statutory paternity pay and statutory adoption pay payable under Parts 12ZA (statutory paternity pay) and 12ZB (statutory adoption pay) of the Social Security Contributions and Benefits Act 1992, inserted by sections 2 and 4 respectively of the 2002 Act.

Regulation 2 sets the weekly rate of payment of statutory paternity pay at £75.00 where the paternity pay period begins before 6th April 2003, and at the smaller of £100.00 and 90 per cent. of the employee’s normal weekly earnings where the paternity pay period begins on or after 6th April 2003.

Regulation 3 sets the weekly rate of payment of statutory adoption pay at the smaller of £100 and 90 per cent. of the employee’s normal weekly earnings.

Regulation 4 provides for the rounding of fractional amounts.

A Regulatory Impact Assessment of the costs and benefits of these regulations to business has been placed in the libraries of both Houses of Parliament. Copies are available to the public from the Employment Relations Directorate, Department of Trade and Industry, 1 Victoria Street, London SW1H 0ET; the Assessment is also accessible at the Directorate’s website www.dti.gov.uk/er.

Changes to legislation:

There are currently no known outstanding effects for the The Statutory Paternity Pay and Statutory Adoption Pay(Weekly Rates) Regulations 2002.