



2007 CHAPTER 2

PART 1

EMPLOYMENT AND SUPPORT ALLOWANCE

Miscellaneous

Relationship with statutory payments

20.—(1) A person is not entitled to an employment and support allowance in respect of a day if, for the purposes of statutory sick pay, that day—

- (a) is a day of incapacity for work in relation to a contract of service, and
- (b) falls within a period of entitlement (whether or not it is a qualifying day).

(2) Except as regulations may provide, a woman who is entitled to statutory maternity pay is not entitled to a contributory allowance in respect of a day that falls within the maternity pay period.

(3) Regulations may provide that—

- (a) an amount equal to a woman's statutory maternity pay for a period shall be deducted from a contributory allowance in respect of the same period,
- (b) a woman shall only be entitled to a contributory allowance if there is a balance after the deduction, and
- (c) if there is such a balance, a woman shall be entitled to a contributory allowance at a weekly rate equal to it.

(4) Except as regulations may provide, a person who is entitled to statutory adoption pay is not entitled to a contributory allowance in respect of a day that falls within the adoption pay period.

(5) Regulations may provide that—

- (a) an amount equal to a person's statutory adoption pay for a period shall be deducted from a contributory allowance in respect of the same period,
 - (b) a person shall only be entitled to a contributory allowance if there is a balance after the deduction, and
 - (c) if there is such a balance, a person shall be entitled to a contributory allowance at a weekly rate equal to it.
- (6) Except as regulations may provide, a person who is entitled to additional statutory paternity pay is not entitled to a contributory allowance in respect of a day that falls within the additional paternity pay period.
- (7) Regulations may provide that—
- (a) an amount equal to a person's additional statutory paternity pay for a period shall be deducted from a contributory allowance in respect of the same period,
 - (b) a person shall only be entitled to a contributory allowance if there is a balance after the deduction, and
 - (c) if there is such a balance, a person shall be entitled to a contributory allowance at a weekly rate equal to it.
- (8) In this section—
- “additional paternity pay period” has the meaning given in section 167ZEE(2) of the Contributions and Benefits Act;
 - “adoption pay period” has the meaning given in section 167ZN(2) of that Act;
 - “maternity pay period” has the meaning given in section 161(1) of that Act.