
DRAFT STATUTORY INSTRUMENTS

2014 No.

The Statutory Shared Parental Pay (General) Regulations 2014

PART 2

ENTITLEMENT TO STATUTORY SHARED PARENTAL PAY (BIRTH)

Work during period of payment of statutory shared parental pay (birth)

12.—(1) Despite section 171ZY(4) of the 1992 Act (statutory shared parental pay not payable to a person in respect of a week during any part of which the person works for any employer) statutory shared parental pay (birth) is payable to M or, as the case may be, P—

- (a) in respect of a statutory pay week during any part of which M or, as the case may be, P works only for an employer—
 - (i) who is not liable to pay that person statutory shared parental pay; and
 - (ii) for whom that person worked in the week immediately preceding the 14th week before the expected week of birth; or,
- (b) where M or, as the case may be, P does any work on any day under a contract of service with an employer during a statutory pay week during which that employer is liable to pay that person statutory shared parental pay (birth) in respect of C and where that day and any previous days so worked do not exceed 20.

(2) Where statutory shared parental pay (birth) is paid to M or P in respect of any week falling within a period specified in a notice under regulation 6, 7, and 8 during which M or P works for an employer falling within paragraph (1)(a)(i) but not paragraph (1)(a)(ii), M or, as the case may be, P shall notify the employer liable to pay statutory shared parental pay (birth) within seven days of the first day during which the former does such work.

(3) The notification mentioned in paragraph (2) shall be in writing, if the employer who has been liable to pay statutory shared parental pay (birth) so requests.

(4) In this regulation “statutory pay week” means a week in respect of which that person has chosen to exercise an entitlement to statutory shared parental pay (birth).