
DRAFT STATUTORY INSTRUMENTS

2014 No.

The Statutory Shared Parental Pay (General) Regulations 2014

PART 3

ENTITLEMENT TO STATUTORY SHARED PARENTAL PAY (ADOPTION)

Entitlement of adopter to statutory shared parental pay (adoption)

17.—(1) A is entitled to statutory shared parental pay (adoption) if A satisfies the conditions specified in paragraph (2) and AP satisfies the conditions specified in paragraph (3).

(2) The conditions referred to in paragraph (1) are that—

- (a) A satisfies the conditions as to continuity of employment and normal weekly earnings specified in regulation 31 (conditions as to claimant's continuity of employment and normal weekly earnings);
- (b) A has at the date of C's placement for adoption the main responsibility for the care of C (apart from the responsibility of AP);
- (c) A has complied with the requirements specified in regulation 19 (notification and evidential requirements);
- (d) A became entitled to statutory adoption pay by reference to the placement for adoption of C;
- (e) the adoption pay period that applies as a result of A's entitlement to statutory adoption pay is, and continues to be, reduced under section 171ZN(2A) of the 1992 Act⁽¹⁾;
- (f) it is A's intention to care for C during each week in respect of which statutory shared parental pay (adoption) is paid to A;
- (g) A is absent from work during each week in respect of which statutory shared parental pay is paid to A (except in the cases referred to in regulation 27 (entitlement to statutory shared parental pay (adoption): absence from work); and
- (h) where A is an employee (within the meaning of the Employment Rights Act 1996) A's absence from work as an employee during each week that statutory shared parental pay is paid to A is absence on shared parental leave in respect of C.

(3) The conditions referred to in paragraph (1) are that—

- (a) AP has at the date of C's placement for adoption the main responsibility for the care of C (apart from the responsibility of A); and
- (b) AP satisfies the employment and earnings conditions in regulation 29 (conditions relating to employment and earnings of claimant's partner).

⁽¹⁾ Section 171ZN(2A) was inserted by section 120(6) of the Children and Families Act 2014.