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DRAFT STATUTORY INSTRUMENTS

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**2014 No.**

**The Statutory Shared Parental Pay (General) Regulations 2014**

**PART 3**

**ENTITLEMENT TO STATUTORY SHARED PARENTAL PAY (ADOPTION)**

**Entitlement of partner to statutory shared parental pay (adoption)**

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

(2) The conditions specified in paragraph (1) are that—

- (a) AP satisfies the conditions as to continuity of employment and normal weekly earnings specified in regulation 31 (conditions as to continuity of employment and normal weekly earnings);
- (b) 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);
- (c) AP has complied with the requirements specified in regulation 20 (notification and evidential requirements);
- (d) it is AP's intention to care for C during each week in respect of which statutory shared parental pay (adoption) is paid to AP;
- (e) AP is absent from work during each week in respect of which statutory shared parental pay (adoption) is paid to AP (except in the cases referred to in regulation 27 (entitlement to statutory shared parental pay: absence from work)); and
- (f) where AP is an employee (within the meaning of the Employment Rights Act 1996) AP's absence from work as an employee during each week that statutory shared parental pay is paid to AP is absence on shared parental leave in respect of C.

(3) The conditions specified in paragraph (1) are that—

- (a) A has at the date of C's placement for adoption the main responsibility for the care of C (apart from any responsibility of AP);
- (b) A satisfies the employment and earnings conditions in regulation 29;
- (c) A became entitled to statutory adoption pay by reference to the placement for adoption of C; and
- (d) the adoption pay period that applies as a result A's entitlement to statutory adoption pay is, and continues to be, reduced under section 171ZN(2A) of the 1992 Act.