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DRAFT STATUTORY INSTRUMENTS

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**2014 No.**

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

**PART 4**

**CONDITIONS OF ENTITLEMENT RELATING  
TO EMPLOYMENT AND EARNINGS**

**Change of employer**

**37.—(1)** Where a person's employer changes, a person's employment is to be treated for the purposes of sections 171ZU and 171ZV of the 1992 Act (see also regulations 30 and 31) as continuous employment with the second employer in the following circumstances—

- (a) the employer's trade or business or an undertaking (whether or not it is an undertaking established by or under an Act of Parliament) is transferred from one person to another;
- (b) a contract of employment between any body corporate and the person is modified by or under an Act of Parliament, whether public or local and whenever passed and some other body corporate is substituted as that person's employer;
- (c) on the death of the employer, the person is taken into the employment of the personal representatives or trustees of the deceased;
- (d) the person is employed by partners, personal representatives or trustees and there is a change in the partners, or as the case may be, personal representatives or trustees;
- (e) the person is taken into the employment of an employer who is, at the time the person entered into to the employer's employment, an associated employer of the person's previous employer; or
- (f) on the termination of the person's employment with an employer that person is taken into the employment of another employer and those employers are governors of a school maintained by a local education authority.

(2) In paragraph (1)(e) "associated employer" shall be construed in accordance with section 231 of the Employment Rights Act 1996.