
DRAFT STATUTORY INSTRUMENTS

2014 No.

The Statutory Shared Parental Pay (General) Regulations 2014

PART 2

ENTITLEMENT TO STATUTORY SHARED PARENTAL PAY (BIRTH)

Notification and evidential requirements relating to the father or partner

7.—(1) The notification and evidential requirements referred to in regulation 5(2)(c), are that P gives the employer who will be liable to pay statutory shared parental pay (birth) to P the notice and information specified in—

- (a) paragraphs (2) and (3)(a), (b), (d) and (e) at least 8 weeks before the beginning of the first period specified by P pursuant to paragraph (2)(d);
 - (b) paragraph 3(c) at least 8 weeks before the beginning of the first period specified by P pursuant to paragraph (2)(d) or, where C is not born by that time, as soon as reasonably practicable after the birth of C but in any event before the beginning of that first period; and
 - (c) paragraph (4) within 14 days of that employer requesting that information where the employer requests it within 14 days of receiving all the notices and information specified in paragraphs (2) and (3)(a), (b), (d) and (e).
- (2) The notice specified in this paragraph is notice of—
- (a) the number of weeks in respect of which P would be entitled to claim statutory shared parental pay (birth) in respect of C if entitlement were fully exercised disregarding any intention of M to claim statutory shared parental pay in respect of C;
 - (b) the number of weeks out of those specified under sub-paragraph (a) in respect of which P intends to claim statutory shared parental pay (birth) in respect of C;
 - (c) the number of weeks out of those specified under sub-paragraph (a) in respect of which M intends to claim statutory shared parental pay (birth) in respect of C;
 - (d) the period or periods during which P intends to claim statutory shared parental pay (birth) in respect of C.
- (3) The information specified in this paragraph is—
- (a) a written declaration signed by M who in connection with P's claim is required to satisfy the conditions specified in regulation 5(3)—
 - (i) that M consents to P's intended claim for statutory shared parental pay;
 - (ii) that M meets, or will meet, the conditions in regulation 5(3) (conditions to be satisfied by M);
 - (iii) that M will immediately inform P if M ceases to meet the condition in regulation 5(3) (d);
 - (iv) specifying M's name, address and national insurance number or, if M has no national insurance number, stating that M has no such number;

- (v) specifying the date on which M's maternity pay period or maternity allowance period in respect of C began and the number of weeks by which it is, or will be, reduced; and
 - (vi) providing M's consent as regards the processing by the person who is, or will be, liable to pay statutory shared parental pay (birth) to P under section 171ZX(1) of the 1992 Act of the information in the written declaration;
- (b) C's expected week of birth;
 - (c) C's date of birth;
 - (d) P's name;
 - (e) a written declaration signed by P—
 - (i) that the information given by P is correct;
 - (ii) that P meets, or will meet, the conditions in regulation 5(2); and
 - (iii) that P will immediately inform the person who will be liable to pay statutory shared parental pay (birth) if M ceases to meet the condition in regulation 5(3)(d).
- (4) The information specified in this paragraph is—
- (a) a copy of C's birth certificate or, if one has not been issued, a declaration signed by P which states that it has not been issued; and
 - (b) the name and address of M's employer (or, if M has no employer a written declaration signed by P that M has no employer.