

SCHEDULE

STATUTORY SHARED PARENTAL PAY IN SPECIAL CIRCUMSTANCES

PART 2

STATUTORY SHARED PARENTAL PAY (ADOPTION)

Notification or variation: death of adopter or adopter's partner after curtailment

11.—(1) In the case where—

- (a) A dies after A has reduced A's adoption pay period in respect of C under section 171ZN(2A) of the 1992 Act; and
- (b) before A dies AP has given the notice and information specified in regulation 20 (notification and evidential requirements relating to the partner);

then these Regulations apply in respect of any period after A dies subject to the modifications in the following provisions of this paragraph.

(2) In regulation 21 (variation)—

- (a) paragraph (1) shall apply in relation to the first notice made under that regulation following A's death as if at the end of that paragraph there is added—

“or, where it is not reasonably practicable for AP to satisfy this requirement, by notice in writing given to that employer as soon as reasonably practicable after the death of A, but in any event before that period and which states the date of A's death;”;

- (b) paragraph (3)(a) shall apply as it is read—

“(a) of the number of weeks during which AP and A have exercised, and the number of weeks AP intends to exercise, an entitlement to statutory shared parental pay (adoption) in respect of C”;

- (c) paragraph (3)(b) shall not apply.

(3) In regulation 22 (extent of entitlement)—

- (a) paragraph (1)(b)(ii) shall apply as if the words “A has notified A's intention to claim” to the end read—

“the number of weeks in which A claimed statutory shared parental pay (adoption) in respect of C up to the time of A's death.”.

- (b) paragraph (6) shall apply as if the words “the last day of the latest period so notified” were “the time of A's death”.