
DRAFT STATUTORY INSTRUMENTS

2014 No.

**The Shared Parental Leave and Paternity and Adoption
Leave (Adoptions from Overseas) Regulations 2014**

PART 3

Application of the Shared Parental Leave Regulations 2014

**Modifications to the Shared Parental Leave Regulations 2014 for the purposes of adoptions
from overseas**

21.—(1) Paragraph 10 (entitlement in the event of disrupted placement or death) of the Schedule is modified as follows.

(2) For sub-paragraph (1) substitute—

“(1) Where after a notice of entitlement has been given under regulation 24—

(a) C dies, or

(b) regulation 28 of the Adoptions with a Foreign Element Regulations 2005 or regulation 31 of the Adoptions with a Foreign Element (Scotland) Regulations 2009 applies,

the modifications set out in paragraphs (3), (5) and (6) below apply in relation to the entitlement of A to shared parental leave after C dies or either of those regulations apply.”.

(3) For sub-paragraph (2) substitute—

“(2) Where after a notice of entitlement has been given under regulation 25—

(a) C dies, or

(b) regulation 28 of the Adoptions with a Foreign Element Regulations 2005 or regulation 31 of the Adoptions with a Foreign Element (Scotland) Regulations 2009 applies,

the modifications set out in paragraphs (4) to (6) below apply in relation to the entitlement of AP to shared parental leave after C dies or either of those regulations apply.”.

(4) For sub-paragraph (6) substitute—

“(6) In regulation 32, for paragraph (1) substitute—

“(1) After the date on which C dies or regulation 28 of the Adoptions with a Foreign Element Regulations 2005 or regulation 31 of the Adoptions with a Foreign Element (Scotland) Regulations 2009 applies, only one notice may be given under regulation 31.”.”.

(5) For sub-paragraph (7) substitute—

“(7) Where more than one child is adopted as a result of the same arrangement, a reference in this paragraph to the death of C or to the application of regulation 28 of the Adoptions with a Foreign Element Regulations 2005 or regulation 31 of the Adoptions with a Foreign Element (Scotland) Regulations 2009 must be construed as a reference to the last

of those children to die or to the last of those children in relation to whom those regulations applied.”.