
DRAFT STATUTORY INSTRUMENTS

2014 No.

**The Paternity and Adoption Leave
(Amendment) (No. 2) Regulations 2014**

Amendments to the Paternity and Adoption Leave Regulations 2002

- 4.—(1) Regulation 2 (interpretation) is amended as follows.
- (2) In paragraph (1) after the definition of “paternity leave” insert—
- ““placed for adoption” means—
- (a) placed for adoption under the Adoption and Children Act 2002⁽¹⁾ or the Adoption and Children (Scotland) Act 2007⁽²⁾; or
 - (b) placed in accordance with section 22C of the Children Act 1989⁽³⁾ with a local authority foster parent who is also a prospective adopter;
- “prospective adopter” means a person who has been approved as suitable to adopt a child and has been notified of that decision in accordance with regulation 30B⁽⁴⁾ of the Adoption Agencies Regulations 2005⁽⁴⁾.”
- (3) For paragraph (4) substitute—
- “(4) For the purposes of these Regulations—
- (a) a person is matched with a child for adoption when an adoption agency decides that that person would be a suitable adoptive parent for the child either individually or jointly with another person;
 - (b) in a case where sub-paragraph (a) applies, a person is notified of having been matched with a child on the date on which the person receives notification of the agency’s decision, under regulation 33(3)(a) of the Adoption Agencies Regulations 2005, regulation 28(3) of the Adoption Agencies (Wales) Regulations 2005⁽⁵⁾, or regulation 8(5) of the Adoption Agencies (Scotland) Regulations 2009⁽⁶⁾;
 - (c) a person is also matched with a child for adoption when a decision has been made in accordance with regulation 22A of the Care Planning, Placement and Case Review (England) Regulations 2010⁽⁷⁾ and an adoption agency has identified that person with whom the child is to be placed in accordance with regulation 12B of the Adoption Agencies Regulations 2005⁽⁸⁾;
 - (d) in a case where paragraph (c) applies, a person is notified of having been matched with a child on the date on which that person receives notification in accordance

(1) 2002 c. 38.

(2) 2007 asp 4.

(3) 1989 c.41. Section 22C was inserted by the Children and Young Persons Act 2008, section 8(1), and subsections (9A) to (C) were inserted by the Children and Families Act 2014, section 2.

(4) S.I. 2005/389; regulation 30B was inserted by S.I. 2013/985.

(5) S.I. 2005/1313.

(6) S.S.I. 2009/154.

(7) S.I. 2010/959; amended by S.I. 2014/1556; there is another amending instrument but it is not relevant.

(8) Regulation 12B was inserted by S.I. 2014/1556.

with regulation 12B(2)(a) of the Adoption Agencies Regulations 2005 of the decision to place for adoption the child with that person.

(4A) For the purposes of these Regulations, a person elects to be a child's adopter, in a case where the child is matched with him and another person jointly, if he and that person agree, at the time at which they are matched that he and not the other person will be the adopter."