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DRAFT STATUTORY INSTRUMENTS

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**2014 No.**

**The Paternity, Adoption and Shared Parental  
Leave (Parental Order Cases) Regulations 2014**

**PART 1**

**GENERAL**

**Citation and commencement**

**1.** These Regulations may be cited as the Paternity, Adoption and Shared Parental Leave (Parental Order Cases) Regulations 2014 and come into force on 1st December 2014.

**Interpretation**

**2.** In these Regulations—

“Curtailment Regulations” means the Maternity and Adoption Leave (Curtailment of Statutory Rights to Leave) Regulations 2014<sup>(1)</sup>;

“intended parent”, in relation to a child, means a person who, on the day of the child’s birth—

- (a) applies, or intends to apply during the period of 6 months beginning with that day, with another person for a parental order in respect of the child, and
- (b) expects the court to make a parental order on that application in respect of the child;

“Leave Regulations” means the Paternity and Adoption Leave Regulations 2002<sup>(2)</sup>;

“parental order” means an order under section 54(1) of the Human Fertilisation and Embryology Act 2008<sup>(3)</sup>;

“parental order parent” means a person—

- (a) on whose application the court has made a parental order in respect of a child, or
- (b) who is an intended parent of a child;

“paternity leave (adoption)” means paternity leave under regulation 8 of the Leave Regulations;

“statutory adoption leave” means ordinary adoption leave under section 75A of the Employment Rights Act 1996 or additional adoption leave under section 75B of that Act;

“SPL Regulations” means the Shared Parental Leave Regulations 2014<sup>(4)</sup>.

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(1) S.I. 2014/[ ].

(2) S.I. 2002/2788; as amended by S.I. 2005/275; S.I. 2005/2114; S.I. 2006/2014; S.I. 2008/1966; S.I. 2011/1740; S.I. 2014/2112.

(3) 2008 c.22.

(4) S.I. 2014/[ ].

### **Application of the Leave Regulations to Parental Order Parents**

3. The provisions of the Leave Regulations in so far as they apply to paternity leave (adoption) and statutory adoption leave, apply to parental order parents with the modifications set out in Part 2 of these Regulations.

### **Application of the Curtailment Regulations to Parental Order Parents**

4. The provisions of the Curtailment Regulations in so far as they apply to the curtailment of statutory adoption leave, apply to parental order parents with the modifications set out in Part 3 of these Regulations.

### **Application of the SPL Regulations to Parental Order Parents**

5. The provisions of the SPL Regulations in so far as they apply to shared parental leave (adoption), apply to parental order parents with the modifications set out in Part 4 of these Regulations.