
DRAFT STATUTORY INSTRUMENTS

2014 No.

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

PART 2

PARENTAL ORDER PARENTS: PATERNITY AND ADOPTION LEAVE

9. In regulation 8 (entitlement to paternity leave: adoption) of the Leave Regulations as they apply to parental order parents—

- (a) paragraph (1) shall read as if the words “the child’s adopter” were “Parent A”;
- (b) paragraph (2)(a) shall read as if the words after “the week” to the end were “immediately preceding the 14th week before the expected week of the child’s birth”;
- (c) paragraph (2)(b) shall read as if—
 - (i) the words “the child’s adopter” were “Parent A”;
 - (ii) the word “and” were omitted;
- (d) paragraph (2)(c) shall read as if—
 - (i) the words “the adopter” were “Parent A”;
 - (ii) the full stop were omitted;
 - (iii) there were inserted after that paragraph—
 - “and
 - (d) is a parental order parent of the child.”;
- (e) paragraph (4) shall read as if the words of that paragraph were—

“An employee shall be treated as having satisfied the condition in paragraph (2)(b) if he would have satisfied it but for the fact that Parent A has died.”;
- (f) paragraph (5) shall read as if the words of that paragraph were—

“An employee shall be treated as having satisfied the condition in paragraph (2)(c) if he would have satisfied it but for the fact that the child was stillborn after 24 weeks of pregnancy or has died.”
- (g) paragraph (6) shall read as if the words of that paragraph were—

“An employee’s entitlement to leave under this regulation shall not be affected by the birth or expected birth of more than one child as a result of the same pregnancy.”;
- (h) it shall read as if the following paragraph were inserted after paragraph (6)—

“(7) An employee shall be treated as having satisfied the condition in paragraph (2)

 - (a) on the date of the child’s birth notwithstanding the fact that he has not then been continuously employed for a period of not less than 26 weeks, where—
 - (a) the date on which the child is born is earlier than the 14th week before the week in which its birth is expected, and

- (b) the employee would have been continuously employed for such a period if his employment had continued until that 14th week.”.