
DRAFT STATUTORY INSTRUMENTS

2017 No.

**The Equality Act 2010 (Gender Pay
Gap Information) Regulations 2017**

Meaning of “ordinary pay”

- 3.—(1) In these Regulations, “ordinary pay” means (subject to paragraph (2))—
- (a) basic pay;
 - (b) allowances;
 - (c) pay for piecework;
 - (d) pay for leave;
 - (e) shift premium pay.
- (2) “Ordinary pay” does not include—
- (a) remuneration referable to overtime,
 - (b) remuneration referable to redundancy or termination of employment,
 - (c) remuneration in lieu of leave, or
 - (d) remuneration provided otherwise than in money.
- (3) In paragraph (1)—
- (a) “allowances” includes any sum paid with respect to—
 - (i) any duty of the employee, such as a duty in connection with the role of fire or bomb warden, that is ancillary to the main duties of the employee’s employment;
 - (ii) the location of the employment in a particular area;
 - (iii) the purchase, lease or maintenance of a vehicle;
 - (iv) the recruitment and retention of an employee; and
 - (v) the purchase, lease or maintenance of an item;but excludes any payment to reimburse expenditure wholly and necessarily incurred by the employee in the course of his or her employment.
 - (b) “shift premium pay” means the difference between basic pay and any higher rate paid by the employer for work during different times of the day or night.