
DRAFT STATUTORY INSTRUMENTS

2020 No.

The Statutory Parental Bereavement
Pay (General) Regulations 2020

PART 4

PAYMENT OF STATUTORY PARENTAL BEREAVEMENT PAY

Avoidance of liability for statutory parental bereavement pay

22.—(1) A former employer shall be liable to make payments of statutory parental bereavement pay to a former employee in any case where the employee had been employed for a continuous period of at least 8 weeks and the employee's contract of service was brought to an end by the former employer solely, or mainly, for the purpose of avoiding liability for statutory parental bereavement pay.

(2) In a case falling within paragraph (1)—

- (a) the employee shall be treated as if the employee had been employed for a continuous period ending with C's death, and
- (b) regulation 19(4) (relevant period for the purpose of the calculation of normal weekly earnings) shall apply as if it read—

“(4) The relevant period is the period—

- (a) ending on the last day of payment under the former contract of employment, and
- (b) beginning with the day following the day of payment under that contract to fall at least 8 weeks earlier than the day of payment mentioned in sub-paragraph (a).”