
STATUTORY INSTRUMENTS

2002 No. 2689

The Social Security (Paternity and Adoption) Amendment Regulations 2002

Amendment of the Jobseeker's Allowance Regulations

3.—(1) The Jobseeker's Allowance Regulations shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 1(3) (interpretation)—

(a) after the definition of “the Act” there shall be inserted the following definition—

““adoption leave” means a period of absence from work on ordinary or additional adoption leave by virtue of section 75A or 75B of the Employment Rights Act 1996(1);”;

(b) after the definition of “part-time student” there shall be inserted the following definition—

““paternity leave” means a period of absence from work on leave by virtue of section 80A or 80B of the Employment Rights Act 1996(2);”.

(3) In paragraph (2)(i) of regulation 3E(3) (entitlement of a member of a joint-claim couple to a jobseeker's allowance without a claim being made jointly by the couple) after the word “ends” there shall be inserted—

“where the expected week of confinement begins prior to 6th April 2003 or fifteen weeks after the date on which her pregnancy ends where the expected week of confinement begins on or after 6th April 2003”.

(4) In regulation 52 (persons treated as engaged in remunerative work), in paragraph (1) after “maternity leave” there shall be inserted “, paternity leave, adoption leave”.

(5) In regulation 98 (earnings of employed earners), in sub-paragraph (2)(c) after “maternity leave” there shall be inserted “, paternity leave, adoption leave”.

(6) In Schedule 7 (sums to be disregarded in the calculation of income other than earnings)—

(a) in paragraph 4—

(i) before “statutory sick pay” there shall be inserted “statutory paternity pay by virtue of Part 12ZA of the Benefits Act, statutory adoption pay by virtue of Part 12ZB of the Benefits Act,”;

(ii) after the words “unable to work due to illness or maternity” there shall be added the words “or who is taking paternity leave or adoption leave”;

(b) in paragraph 5 after “Social Security Contributions and Benefits (Northern Ireland) Act 1992” there shall be inserted “, or a payment under any enactment having effect in Northern Ireland corresponding to a payment of statutory paternity pay or statutory adoption pay”.

(1) 1996 c. 18. Sections 75A and 75B were inserted by section 3 of the Employment Act 2002 (c. 22).

(2) Sections 80A and 80B were inserted by section 1 of the Employment Act 2002 (c. 22).

(3) Regulation 3E was inserted by S.I.2000/1978.

Status: *This is the original version (as it was originally made).*
