
STATUTORY INSTRUMENTS

2006 No. 2012

The Adoption and Children Act 2002 (Consequential Amendment to Statutory Adoption Pay) Order 2006

Social Security Contributions and Benefits Act 1992

3. Section 171ZL of the Social Security Contributions and Benefits Act 1992 is amended as follows—

(a) in subsection (4) for paragraph (b) substitute—

“(b) he falls within subsection (4A).”;

(b) after subsection (4) insert—

“(4A) A person falls within this subsection if—

- (a) the child is, or is expected to be, placed for adoption with him as a member of a couple;
- (b) the other member of the couple is a person to whom the conditions in subsection (2) above apply; and
- (c) the other member of the couple has elected to receive statutory adoption pay.

(4B) For the purposes of subsection (4A), a person is a member of a couple if—

- (a) in the case of an adoption or expected adoption under the law of England and Wales, he is a member of a couple within the meaning of section 144(4) of the Adoption and Children Act 2002⁽¹⁾;
- (b) in the case of an adoption or an expected adoption under the law of Scotland or of Northern Ireland, he is a member of a married couple.”.

⁽¹⁾ Section 144(4) was amended by section 79(1) and (12) of the Civil Partnership Act 2004.