
STATUTORY INSTRUMENTS

2010 No. 1055

The Additional Paternity Leave Regulations 2010

PART 3

ADDITIONAL PATERNITY LEAVE (ADOPTION)

Entitlement to additional paternity leave (adoption)

14.—(1) An employee (“P”) is entitled to be absent from work for the purpose of caring for a child placed for adoption (“C”) if—

- (a) P satisfies the conditions specified in paragraph (2);
- (b) P has complied with the requirements in regulation 16 and, where applicable, regulation 17; and
- (c) C’s adopter (“A”) satisfies the conditions specified in paragraph (4) and has signed the adopter declaration referred to in regulation 16.

(2) The conditions referred to in paragraph (1)(a) are that P—

- (a) has been continuously employed with an employer for a period of not less than 26 weeks ending with the relevant week;
- (b) remains in continuous employment with that employer from the relevant week until the week before the first week of P’s additional paternity leave;
- (c) is married to, or is the partner or civil partner of, A; and
- (d) has been matched with C for adoption.

(3) The references in paragraph (2) above to the relevant week are to the week, beginning with Sunday, in which P is notified of having been matched with C.

(4) The conditions referred to in paragraph (1)(c) are that A—

- (a) is entitled by reference to the adoption of C to one or both of—
 - (i) adoption leave; or
 - (ii) statutory adoption pay; and
- (b) has, or is treated as having, returned to work under regulation 25.

(5) P’s entitlement to leave under this regulation shall not be affected by the placement for adoption of more than one child as part of the same arrangement.