

2010 No. 153

TERMS AND CONDITIONS OF EMPLOYMENT

**The Social Security Contributions and Benefits Act 1992
(Application of Parts 12ZA and 12ZB to Adoptions from
Overseas) Regulations 2003 (Amendment) Regulations 2010**

<i>Made</i> - - - -	<i>28th January 2010</i>
<i>Laid before Parliament</i>	<i>1st February 2010</i>
<i>Coming into force</i> - -	<i>6th April 2010</i>

The Secretary of State, in exercise of the power conferred by section 171ZK of the Social Security Contributions and Benefits Act 1992(a), by this instrument, which contains only regulations consequential upon sections 7 and 10 of the Work and Families Act 2006(b) and is made before the end of the period of six months beginning with the coming into force of those enactments(c), makes the following Regulations.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security Contributions and Benefits Act 1992 (Application of Parts 12ZA and 12ZB to Adoptions from Overseas) Regulations 2003 (Amendment) Regulations 2010, and come into force on 6th April 2010.

(2) In these Regulations—

“the Act” means the Social Security Contributions and Benefits Act 1992; and

“the Principal Regulations” means the Social Security Contributions and Benefits Act 1992 (Application of Parts 12ZA and 12ZB to Adoptions from Overseas) Regulations 2003(d).

Amendment of the Principal Regulations

2.—(1) The Principal Regulations shall be amended as follows.

(2) In regulation 2 (application of Part 12ZA of the Act to adoptions from overseas)—

(a) after “Part 12ZA of the Act”, insert “(as it concerns both ordinary statutory paternity pay and additional statutory paternity pay)”; and

(b) after “171ZE”, insert “, 171ZEB, 171ZEE”.

(3) In Schedule 1 (application of Part 12ZA of the Act to adoptions from overseas), after the entry relating to section 171ZE(10) of the Act, insert the following entries—

(a) 1992 c.4. Section 171ZK was inserted by section 2 of the Employment Act 2002 (c.22).

(b) 2006 c.18.

(c) See section 173(5) of the Social Security Administration Act 1992 (c. 5).

(d) S.I. 2003/499.

<p>“Section 171ZEB(2)</p>	<p>In paragraph (a)(i), for “who has been placed for adoption under the law of any part of the United Kingdom” substitute “who has been adopted from overseas”.</p> <p>In paragraph (a)(ii), for “a person with whom the child is so placed for adoption” substitute “an adopter of the child”.</p> <p>In paragraph (b), for “ending with a prescribed week” substitute “prior to the date of the child’s entry into Great Britain”.</p> <p>In paragraph (e), for “the placement of the child for adoption”, substitute “the adoption of the child from overseas”.</p> <p>In paragraph (g)(i) for “the placement of the child for adoption”, substitute “the date of the child’s entry into Great Britain”.</p>
<p>Section 171ZEB(5)</p>	<p>For “the placement for adoption of more than one child as part of the same arrangement” substitute “the adoption from overseas of more than one child as part of the same arrangement”.</p>
<p>Section 171ZEE(3)</p>	<p>For “the person with whom the child is placed for adoption”, substitute “adopter”.</p>
<p>Section 171ZEE(4)</p>	<p>In paragraph (c) (ii), for “person with whom the child is placed for adoption”, substitute “adopter”.</p>
<p>Section 171ZEE(5)</p>	<p>For paragraph (b), substitute— “(b) in the case of a person to whom the conditions in section 171ZEB(2) apply, the date of the child’s entry into Great Britain (or, where more than one child is subject to adoption from overseas as part of the same arrangement, the date of the entry of the first child to enter Great Britain).”.</p>

28th January 2010

Pat McFadden
Minister of State for Business, Innovation and Skills
Department for Business, Innovation and Skills

EXPLANATORY NOTE

(This note is not part of the Regulations)

This instrument contains only regulations consequential upon sections 7 and 10 of the Work and Families Act 2006 (c. 18), which came into force on 6th April 2010. The instrument is made before the end of the period of six months beginning with the coming into force of those provisions. These Regulations are therefore exempt, by virtue of section 173(5)(b) of the Social Security Administration Act 1992 (c. 5), from the requirement under section 172 of that Act to refer the same to the Social Security Advisory Committee and, accordingly, these Regulations are made without reference to that committee.

These Regulations provide for the application of the provisions of Part 12ZA of the Social Security Contributions and Benefits Act 1992 (c. 4) concerning additional statutory paternity pay, as modified by these Regulations, to adoptions from overseas. Adoptions from overseas are adoptions of children who enter Great Britain from outside the United Kingdom in connection with or for the purposes of adoption which does not involve the placement of a child for adoption under the law of any part of the United Kingdom.

A full impact assessment has not been produced for this instrument as a negligible impact on the private or voluntary sectors is foreseen.

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