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STATUTORY INSTRUMENTS

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**2012 No. 757**

**The Social Security (Miscellaneous  
Amendments) Regulations 2012**

**PART 2**

**Amendments relating to paternity leave and paternity pay**

**Amendments relating to paternity leave and paternity pay: income support**

- 3.—**(1) The Income Support Regulations are amended as follows.
- (2) In regulation 2(1) (interpretation) for the definition of “paternity leave”**(1)** substitute—  
““paternity leave” means a period of absence from work on ordinary paternity leave by virtue of section 80A or 80B of the Employment Rights Act 1996**(2)** or on additional paternity leave by virtue of section 80AA or 80BB of that Act**(3)**”;
- (3) In paragraph 14B of Schedule 1B**(4)** (prescribed categories of person: paternity leave)—  
(a) in sub-paragraph (1) for “paternity leave” substitute “ordinary paternity leave by virtue of section 80A or 80B of the Employment Rights Act 1996”;  
(b) in sub-paragraph (2)(a) for “statutory paternity pay” substitute “ordinary statutory paternity pay”.
- (4) In paragraph 4A of Schedule 9**(5)** (sums to be disregarded in the calculation of income other than earnings) for “statutory paternity pay” substitute “ordinary or additional statutory paternity pay”.

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(1) The definition of “paternity leave” is inserted by [S.I.2002/2689](#).  
(2) Sections 80A and 80B are inserted by section 1 of the Employment Act 2002 ([c.22](#)).  
(3) Sections 80AA and 80BB are inserted by section 3 of the Work and Families Act 2006 ([c.18](#)).  
(4) Schedule 1B is inserted by [S.I. 1996/2006](#). Paragraph 14B is inserted by [S.I.2002/2869](#). There are amendments not relevant to this instrument.  
(5) Paragraph 4A is inserted by [S.I.1988/663](#).