
STATUTORY INSTRUMENTS

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: state pension credit

- 5.**—(1) The State Pension Credit Regulations 2002⁽¹⁾ are amended as follows.
- (2) In regulation 1(2) (interpretation) for the definition of “paternity leave”⁽²⁾ 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 or on additional paternity leave by virtue of section 80AA or 80BB of that Act;”.
- (3) In regulation 15(1) (income for the purposes of the Act) for sub-paragraph (q) substitute—
- “(q) ordinary statutory paternity pay payable under Part 12ZA of the 1992 Act⁽³⁾;
(qa) additional statutory paternity pay payable under Part 12ZA of the 1992 Act;”.
- (4) In regulation 17A(2)⁽⁴⁾ (earnings of an employed earner) for sub-paragraph (i) substitute—
- “(i) ordinary statutory paternity pay payable under Part 12ZA of the 1992 Act;
(ia) additional statutory paternity pay payable under Part 12ZA of the 1992 Act;”.

(1) [S.I.2002/1792](#).

(2) The definition of “paternity leave” is inserted by [S.I.2003/2274](#).

(3) Part 12ZA of the Social Security Contributions and Benefits Act 1992 is inserted by section 2 of the Employment Act 2002 ([c.22](#)).

(4) Regulation 17A is inserted by [S.I.2002/3019](#) and amended by [S.I.2002/3197](#).