

## STATUTORY INSTRUMENTS

# 2014 No. 3134

## The Statutory Shared Parental Pay (Persons Abroad and Mariners) Regulations 2014

### PART 3

#### Statutory Paternity Pay and Statutory Adoption Pay

**12.** The Statutory Paternity Pay and Statutory Adoption Pay (Persons Abroad and Mariners) Regulations 2002 <sup>M1</sup> are amended as follows.

#### Marginal Citations

**M1** [S.I. 2002/2821](#); amended by [S.I. 2010/151](#).

**13.**—(1) Paragraph (2) of regulation 1 is amended as follows

(2) For the definition “adopter” substitute—

““adopter”, in relation to a child, means the person with whom a child is, or is expected to be, placed for adoption under the law of the United Kingdom;”.

(3) Before the definition of “serving member of the forces” insert—

““placed for adoption” means—

- (a) placed for adoption under the Adoption and Children Act 2002 <sup>M2</sup> or the Adoption and Children (Scotland) Act 2007 <sup>M3</sup>; or
- (b) placed in accordance with section 22C of the Children Act 1989 <sup>M4</sup> with a local authority foster parent <sup>M5</sup> who is also a prospective adopter;”.

#### Marginal Citations

**M2** [2002 c.38](#).

**M3** [2007 asp 4](#).

**M4** [1989 c.41](#); [section 22C](#) was inserted by the [Children and Young Persons Act 2008 \(c.23\)](#), [section 8\(1\)](#).

**M5** “local authority foster parent” is defined in section 171ZJ(1) and 171ZS(1) of the Social Security Contributions and Benefits Act 1992. Section 171ZJ was inserted by the [Employment Act 2002 \(c. 22\)](#), [section 2](#), and amended by the Children and Families Act 2014, section 121(7)(a); there are other amending instruments but none is relevant. Section 171ZS was inserted by the Employment Act 2002, section 4, and amended by the Children and Families Act 2014, section 121(7)(b); there are other amending instruments but none is relevant.

14. For paragraph (3) of regulation 1 substitute—

“(3) For the purposes of these Regulations—

- (a) a person is matched with a child for adoption when an adoption agency decides that that person would be a suitable adoptive parent for the child;
- (b) in a case where paragraph (a) applies, a person is notified as having been matched with a child on the date that person receives notification of the agency's decision, under regulation 33(3)(a) of the Adoption Agencies Regulations 2005, regulation 28(3) of the Adoption Agencies (Wales) Regulations 2005 or regulation 8(5) of the Adoption Agencies (Scotland) Regulations 2009;
- (c) a person is also matched with a child for adoption when a decision has been made in accordance with regulation 22A of the Care Planning, Placement and Case Review (England) Regulations 2010 and an adoption agency has identified that person with whom the child is to be placed in accordance with regulation 12B of the Adoption Agencies Regulations 2005;
- (d) in a case where paragraph (c) applies, a person is notified as having been matched with a child on the date on which that person receives notification in accordance with regulation 12B(2)(a) of the Adoption Agencies Regulations 2005.

(3A) The reference to “prospective adopter” in the definition of “placed for adoption” in paragraph (2) means a person who has been approved as suitable to adopt a child and has been notified of that decision in accordance with regulation 30B(4) of the Adoption Agencies Regulations 2005.

(3B) The reference to “adoption agency” in paragraph (3) has the meaning given, in relation to England and Wales, by section 2 of the Adoption and Children Act 2002 and in relation to Scotland, by section 119(1) of the Adoption and Children (Scotland) Act 2007.”.

**Changes to legislation:**

There are currently no known outstanding effects for the The Statutory Shared Parental Pay (Persons Abroad and Mariners) Regulations 2014, PART 3.