

This statutory instrument has been made in consequence of defects in S.I. 2014/3051 and is being issued free of charge to all known recipients of that statutory instrument.

STATUTORY INSTRUMENTS

2015 No. 189

TERMS AND CONDITIONS OF EMPLOYMENT

**The Statutory Shared Parental Pay (General) (Amendment)
Regulations 2015**

<i>Made</i>	- - - -	<i>9th February 2015</i>
<i>Laid before Parliament</i>		<i>12th February 2015</i>
<i>Coming into force</i>	- -	<i>8th March 2015</i>

The Secretary of State, in exercise of the powers conferred by sections 171ZU(2)(b)(ii) and (4)(c)(ii), 171ZV(2)(b)(ii), (2)(e), (4)(c)(ii) and (4)(f) and 171ZW(1)(c) of the Social Security Contributions and Benefits Act 1992(a) and section 5(1)(p) of the Social Security Administration Act 1992(b) makes the following Regulations.

The Social Security Advisory Committee has agreed that proposals in respect of these Regulations should not be referred to it(c).

Citation and commencement

1. These Regulations may be cited as the Statutory Shared Parental Pay (General) (Amendment) Regulations 2015 and come into force on 8th March 2015.

Amendments to the Statutory Shared Parental Pay (General) Regulations 2014

2.—(1) The Statutory Shared Parental Pay (General) Regulations 2014(d) are amended as follows.

(2) In regulation 29 (conditions relating to employment and earnings of claimant’s partner)—

(a) in paragraph (3), for “paragraph (1)” substitute “paragraph (2)” and for “after” substitute “within”;

(b) in paragraph (4), for “paragraph (1)” substitute “paragraph (2)”.

(3) In regulation 31 (conditions as to continuity of employment and normal weekly earnings of claimant), in paragraph (1)(b) for “relevant period” substitute “relevant week”.

(4) In regulation 35 (continuous employment and unfair dismissal), in paragraph (1)(a) for “section 171ZY” substitute “section 171ZV”.

(a) 1992 c. 4. Sections 171 ZU and 171ZV were inserted by the Children and Families Act 2014, section 119(1); see section 171ZZ4(1) for the definition of “prescribed”; under section 175(1) regulations are made by the Secretary of State

(b) 1992 c. 5.

(c) Social Security Administration Act 1992 c.5, section 173(1)(b).

(d) S.I. 2014/3051.

(5) In regulation 36 (continuous employment and stoppages of work), in paragraph (1)(a)—

(a) for “section 171ZY” substitute “section 171ZV”;

(b) insert “)” after “paragraph (2)”.

(6) In regulation 48 (persons unable to act), in paragraph (1)(c) for “additional statutory paternity pay” substitute “statutory shared parental pay”.

Jo Swinson

Parliamentary Under Secretary of State for Employment Relations and Consumer Affairs
9th February 2015

Department for Business, Innovation and Skills

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations, issued free of charge, correct drafting errors in the Statutory Shared Parental Pay (General) Regulations 2014. The errors concern provisions relating to the earnings of a claimant’s partner, calculation of normal weekly earnings, calculation of continuous employment and persons unable to act.

A separate impact assessment has not been prepared for these Regulations. These Regulations relate to a package of legislative measures and the relevant impact assessment is the *Modern Workplaces: shared parental leave and pay implementation consultation impact assessment* which was published in February 2013. A copy of that impact assessment can be obtained from the Department for Business, Innovation and Skills, Labour Market Directorate, 1 Victoria Street, London, SW1H 0ET. Copies have also been placed in the libraries of both Houses of Parliament.

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