



# Children and Families Act 2014

## 2014 CHAPTER 6

### PART 7

#### STATUTORY RIGHTS TO LEAVE AND PAY

##### *Other statutory rights*

#### **122 Statutory rights to leave and pay of applicants for parental orders**

- (1) In section 75A of the Employment Rights Act 1996 (ordinary adoption leave), after subsection (7) there is inserted—

“(8) The Secretary of State may by regulations provide for this section to have effect in relation to cases which involve an employee who has applied, or intends to apply, with another person for a parental order under section 54 of the Human Fertilisation and Embryology Act 2008 and a child who is, or will be, the subject of the order, with such modifications as the regulations may prescribe.”

- (2) In section 75B of the Employment Rights Act 1996 (additional adoption leave), after subsection (8) there is inserted—

“(9) The Secretary of State may by regulations provide for this section to have effect in relation to cases which involve an employee who has applied, or intends to apply, with another person for a parental order under section 54 of the Human Fertilisation and Embryology Act 2008 and a child who is, or will be, the subject of the order, with such modifications as the regulations may prescribe.”

- (3) In section 75D of the Employment Rights Act 1996 (supplemental provision about adoption leave), after subsection (1) there is inserted—

“(1A) Where section 75A or 75B has effect in relation to such cases as are described in section 75A(8) or 75B(9), regulations under section 75A or 75B about evidence to be produced may require statutory declarations as to—

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*Changes to legislation: There are currently no known outstanding effects for the  
 Children and Families Act 2014, Section 122. (See end of Document for details)*

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- (a) eligibility to apply for a parental order;
  - (b) intention to apply for such an order.”
- (4) In section 80B of the Employment Rights Act 1996 (entitlement to ordinary paternity leave: adoption), after subsection (8) there is inserted—
- “(9) The Secretary of State may by regulations provide for this section to have effect in relation to cases which involve an employee who has applied, or intends to apply, with another person for a parental order under section 54 of the Human Fertilisation and Embryology Act 2008 and a child who is, or will be, the subject of the order, with such modifications as the regulations may prescribe.”
- (5) In section 171ZK of the Social Security Contributions and Benefits Act 1992 (power to apply Part 12ZA, statutory paternity pay, to adoption cases not involving placement)—
- (a) in the title, the words “to adoption cases not involving placement” are repealed;
  - (b) the existing text becomes subsection (1);
  - (c) after that subsection there is inserted—
- “(2) The Secretary of State may by regulations provide for this Part to have effect in relation to cases which involve a person who has applied, or intends to apply, with another person for a parental order under section 54 of the Human Fertilisation and Embryology Act 2008 and a child who is, or will be, the subject of the order, with such modifications as the regulations may prescribe.”
- (6) In section 171ZT of the Social Security Contributions and Benefits Act 1992 (power to apply Part 12ZB, statutory adoption pay, to adoption cases not involving placement)—
- (a) in the title, the words “to adoption cases not involving placement” are repealed;
  - (b) the existing text becomes subsection (1);
  - (c) after that subsection there is inserted—
- “(2) The Secretary of State may by regulations provide for this Part to have effect in relation to cases which involve a person who has applied, or intends to apply, with another person for a parental order under section 54 of the Human Fertilisation and Embryology Act 2008 and a child who is, or will be, the subject of the order, with such modifications as the regulations may prescribe.
- (3) Regulations under subsection (2) may modify section 171ZL(8)(c) so as to enable regulations to impose requirements to make statutory declarations as to—
    - (a) eligibility to apply for a parental order;
    - (b) intention to apply for such an order.”

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**Commencement Information**

**II** S. 122 in force at 30.6.2014 by S.I. 2014/1640, art. 3(1)(f)

**Changes to legislation:**

There are currently no known outstanding effects for the Children and Families Act 2014, Section 122.