
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 223

Statutory Paternity Pay (Adoption) and Statutory Adoption Pay (Adoption from Overseas) Regulations (Northern Ireland) 2003

STATUTORY PATERNITY PAY (ADOPTION)

Conditions of entitlement to statutory paternity pay (adoption) in respect of adoptions from overseas: relationship with child and with adopter

5.—(1) The conditions prescribed under section 167ZB(2)(a) of the Act are that a person –

- (a) is married to or to the partner of a child’s adopter; and
- (b) has, or expects to have, the main responsibility (apart from the responsibility of the child’s adopter, or in a case where there are two adopters, together with the other adopter) for the upbringing of the child.

(2) For the purposes of paragraph (1), “partner” means a person (whether of a different sex or the same sex) who lives with the adopter and the child in an enduring family relationship but is not a relative of the adopter of a kind specified in paragraph (3).

(3) The relatives of a child’s adopter referred to in the definition of “partner” in paragraph (2) are the adopter’s parent, grandparent, sister, brother, aunt or uncle.

(4) References to relationships in paragraph (3) –

- (a) are to relationships of the full blood or half blood or, in the case of an adopted person, such of those relationships as would exist but for the adoption, and
- (b) include the relationship of a child with his adoptive, or former adoptive parents but do not include any other adoptive relationships.