
STATUTORY RULES OF NORTHERN IRELAND

2010 No. 300

**The Additional Statutory Paternity Pay
(General) Regulations (Northern Ireland) 2010**

PART 3

Additional statutory paternity pay (adoption)

Entitlement to additional statutory paternity pay (adoption) in the event of the death of the adopter

16.—(1) In a case where A dies before the end of their adoption pay period in respect of C (but before the additional statutory paternity pay period (adoption) in respect of C has begun)—

- (a) the provisions in regulations 12 and 13 shall apply, subject to the following modifications—
 - (i) regulation 12(1)(d) shall not apply;
 - (ii) regulation 12(1)(e) shall apply—
 - (aa) as if the references to regulation 15 were references to regulation 17; and
 - (bb) in a case where the date of which P informs E pursuant to regulation 17(1)(a) is earlier than the date by which P has complied with the other requirements of regulation 17, as if such other requirements had been complied with on such earlier date provided that they are complied with as soon as reasonably practicable thereafter;
 - (iii) the condition in regulation 12(2)(a) shall be taken to be satisfied if it would have been satisfied but for the fact that A had died;
 - (iv) the condition in regulation 13(a) shall be taken to be satisfied if A would have satisfied it but for the fact that A had died; and
 - (v) regulation 13(b), (c) and (d) shall not apply;
- (b) regulation 14 shall not apply;
- (c) for the purposes of section 167ZEE(2)(a) of the Act, the date on which the additional statutory paternity pay period (adoption) in respect of C begins is such date, being the date of A's death or a later date, as P informs E of in accordance with regulation 17(1)(a) or as is last varied in accordance with regulation 17(7) or 17(8);
- (d) for the purposes of section 167ZEE(2)(b)(ii) of the Act, the date on which the additional statutory paternity pay period (adoption) in respect of C ends is, where earlier than the relevant date, the date specified by P in accordance with regulation 17(2)(d) or last varied in accordance with regulation 17(7) or 17(8);
- (e) for the purposes of section 167ZEE(4)(a) of the Act, the additional statutory paternity pay period (adoption) in respect of C shall not last longer than 39 weeks; and
- (f) regulation 15 shall be replaced by regulation 17.

(2) In paragraph (1)(d), “the relevant date” means the date on which the adoption pay period in respect of C which would have applied but for A’s death, would have ended.

(3) References in this regulation to A’s adoption pay period in respect of C include, where A’s death occurred before A’s adoption pay period in respect of C started, references to such period as would have existed but for the fact that A had died.