
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 96

**The Statutory Adoption Pay (Curtailment)
Regulations (Northern Ireland) 2015**

PART 2

CURTAILMENT OF ADOPTION PAY PERIOD

Curtilment of adoption pay period (statutory shared parental pay: A)

4. A's adoption pay period shall end on the adoption pay curtailment date if—
- (a) A gives an adoption pay period curtailment notice (unless the notice is revoked under regulation 8);
 - (b) A satisfies the conditions in sub-paragraphs (a) and (d) of regulation 17(2) (entitlement of adopter to statutory shared parental pay (adoption)) of the ShPP Regulations; and
 - (c) AP satisfies the condition in sub-paragraph (b) of regulation 17(3) of the ShPP Regulations.

Curtilment of adoption pay period (statutory shared parental pay: AP)

5. A's adoption pay period shall end on the adoption pay curtailment date if—
- (a) A gives an adoption pay period curtailment notice (unless the notice is revoked under regulation 8);
 - (b) AP satisfies the conditions in sub-paragraph (a) of regulation 18(2) (entitlement of partner to statutory shared parental pay (adoption)) of the ShPP Regulations; and
 - (c) A satisfies the conditions in sub-paragraphs (b) and (c) of regulation 18(3) of the ShPP Regulations.

Curtilment of adoption pay period (shared parental leave: AP)

6. A's adoption pay period shall end on the adoption pay curtailment date if—
- (a) A gives an adoption pay period curtailment notice (unless the notice is revoked under regulation 8);
 - (b) AP satisfies the condition in sub-paragraph (a) of regulation 21(2) (adopter's partner's entitlement to shared parental leave) of the SPL Regulations; and
 - (c) A satisfies the conditions in sub-paragraphs (a) and (c) of regulation 21(3) of the SPL Regulations.

Adoption pay period curtailment notice

- 7.—(1) An adoption pay period curtailment notice must—
- (a) be in writing;

- (b) specify the date on which A's statutory adoption pay period is to end; and
 - (c) be given to the person who is liable to pay A's statutory adoption pay.
- (2) The date specified in accordance with paragraph (1)(b) must be—
- (a) the last day of a week;
 - (b) at least eight weeks after the date on which A gave the adoption pay period curtailment notice;
 - (c) at least two weeks after the first day of the adoption pay period; and
 - (d) at least one week before the last day of the adoption pay period.
- (3) If A has more than one entitlement to statutory adoption pay in relation to C, A must curtail the adoption pay period in relation to each (or none) of those entitlements, and in relation to each of those entitlements A must specify an adoption pay curtailment date which falls in the same calendar week.
- (4) Where A—
- (a) returns to work before giving a notice in accordance with paragraph (1); and
 - (b) subsequently gives such a notice;
- the adoption pay curtailment date shall be the last day of the week in which that notice is submitted (irrespective of the date given in that notice under paragraph (1)).
- (5) For the purposes of paragraph (2)(a) and (4), "week" has the meaning given in section 167ZN(8) of the 1992 Act.
- (6) In this regulation, A is treated as returning to work where statutory adoption pay is not payable to A in accordance with section 167ZN(3) or (5) of the 1992 Act⁽¹⁾.

Revocation (adoption pay period curtailment notice)

- 8.—(1) Where AP dies before the adoption pay curtailment date, A may revoke an adoption pay period curtailment notice by giving a notice ("a revocation notice") in accordance with paragraph (2).
- (2) A revocation notice must be given to the person who is liable to pay A statutory adoption pay within a reasonable period from the date of AP's death and before the adoption pay curtailment date.
- (3) A revocation notice must—
- (a) be in writing;
 - (b) state that A revokes the adoption pay period curtailment notice; and
 - (c) state the date of AP's death.
- (4) Where in accordance with regulation 7(3) A has given an adoption pay period curtailment notice to more than one person, A must give a revocation notice to each of those persons.
- (5) A may not give an adoption pay period curtailment notice subsequent to giving a revocation notice.

(1) Section 167ZN(3) was amended by the Work and Families (Northern Ireland) Order 2006 (S.I. 2006/1947 (N.I. 16), Schedule 1, paragraph 20(1) and (2)).