



# Employment Act 2002

## 2002 CHAPTER 22

### PART 1

#### STATUTORY LEAVE AND PAY

#### CHAPTER 1

#### PATERNITY AND ADOPTION

#### *Administration and enforcement: pay*

### 12 Penalties: fraud etc.

- (1) Where a person fraudulently or negligently—
  - (a) makes any incorrect statement or declaration in connection with establishing entitlement to statutory paternity pay, or
  - (b) provides any incorrect information or document of a kind mentioned in regulations under section 10(1) so far as relating to statutory paternity pay,he shall be liable to a penalty not exceeding £300.
- (2) Where a person fraudulently or negligently—
  - (a) makes any incorrect statement or declaration in connection with establishing entitlement to statutory adoption pay, or
  - (b) provides any incorrect information or document of a kind mentioned in regulations under section 10(1) so far as relating to statutory adoption pay,he shall be liable to a penalty not exceeding £3,000.
- (3) Where an employer fraudulently or negligently makes incorrect payments of statutory paternity pay, he shall be liable to a penalty not exceeding £300.
- (4) Where an employer fraudulently or negligently makes incorrect payments of statutory adoption pay, he shall be liable to a penalty not exceeding £3,000.

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*Status: Point in time view as at 08/12/2002. This version of this provision has been superseded.*

*Changes to legislation: Employment Act 2002, Section 12 is up to date with all changes known to be in force on or before 19 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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- (5) Where an employer fraudulently or negligently—
- (a) produces any incorrect document or record, provides any incorrect information or makes any incorrect return, of a kind mentioned in regulations under section 8E, or
  - (b) receives incorrect payments in pursuance of regulations under section 7,
- he shall be liable to a penalty not exceeding £3,000 or, if the offence relates only to statutory paternity pay, £300.
- (6) Schedule 1 (penalties: procedure and appeals) has effect in relation to penalties under this section.

**Status:**

Point in time view as at 08/12/2002. This version of this provision has been superseded.

**Changes to legislation:**

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