

## SCHEDULES

### SCHEDULE 7

#### STATUTORY RIGHTS TO LEAVE AND PAY: FURTHER AMENDMENTS

##### *Social Security Act 1989 (c. 24)*

- 2 (1) Paragraph 5A (schemes that contain unfair paternity leave provisions) is amended as follows.
- (2) In sub-paragraph (3) (how scheme affected), in the words following paragraph (b), for “, ordinary statutory paternity pay or additional statutory paternity pay” there is substituted “or statutory paternity pay”.
- (3) In sub-paragraph (4) (definitions), in the definition of “period of paid paternity leave”—
- (a) in paragraph (a), after “(6), (7)” there is inserted “, (7A) or (7B)”;
  - (b) in paragraph (a), the words “or (8)” are repealed;
  - (c) in paragraph (b), for “, ordinary statutory paternity pay or additional statutory paternity pay” there is substituted “or statutory paternity pay”.
- (4) In sub-paragraph (7) (type of paid paternity leave: where adoption does not involve placement for adoption under the law of any part of the United Kingdom), for “section 171ZK” there is substituted “section 171ZK(1)”.
- (5) After sub-paragraph (7) there is inserted—
- “(7A) This sub-paragraph applies if—
- (a) the member’s absence from work is due to the placement or expected placement of a child under section 22C of the Children Act 1989, and
  - (b) in relation to that child, the member satisfies the conditions prescribed under section 171ZB(2)(a)(i) and (ii) of the Social Security Contributions and Benefits Act 1992, as modified by section 171ZB(8) of that Act (cases involving the placing of a child by a local authority in England with a local authority foster parent who has been approved as a prospective adopter).
- (7B) This sub-paragraph applies if—
- (a) the member’s absence from work is due to the birth or expected birth of a child, and
  - (b) in relation to that child, the member satisfies the conditions prescribed under section 171ZB(2)(a)(i) and (ii) of the Social Security Contributions and Benefits Act 1992, as applied by virtue of section 171ZK(2) of that Act (cases involving applicants for parental orders under section 54 of the Human Fertilisation and Embryology Act 2008).”

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*Status: This is the original version (as it was originally enacted).*

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- (6) Sub-paragraph (8) (absence from work in circumstances where certain conditions for payment of additional statutory paternity pay are satisfied) is repealed.