
STATUTORY INSTRUMENTS

2008 No. 1966

The Maternity and Parental Leave etc. and the Paternity and Adoption Leave (Amendment) Regulations 2008

Incidents of the right to return from adoption leave

10. In regulation 27(1) (incidents of the right to return from adoption leave)—

(a) for paragraph (1)(a) substitute—

“(a) with his seniority, pension rights and similar rights as they would have been if he had not been absent, and”,

(b) for paragraph (2), substitute—

“(2) In the case of accrual of rights under an employment-related benefit scheme within the meaning given by Schedule 5 to the Social Security Act 1989, nothing in paragraph (1)(a) concerning the treatment of additional adoption leave shall be taken to impose a requirement which exceeds the requirements of paragraphs 5, 5B(2) and 6 of that Schedule .”, and

(c) in paragraph (3), for “in paragraph (1)(a)(ii) and (b)”, substitute “in paragraph (1)”.

(1) Regulation 27 was amended by the Pensions Act 2004 (Commencement No. 2, Transitional Provisions and Consequential Amendments) Order 2005 (S.I. 2005/275). There are other amending instruments, but none is relevant.

(2) Paragraph 5B was inserted by section 265(1) of the Pensions Act 2004 (c.35).