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STATUTORY INSTRUMENTS

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**2010 No. 1055**

**The Additional Paternity Leave Regulations 2010**

**PART 4**

**PROVISIONS APPLICABLE TO BOTH TYPES  
OF ADDITIONAL PATERNITY LEAVE**

**Incidents of the right to return after additional paternity leave**

**32.**—(1) P's right to return under regulation 31 is a right to return—

- (a) with P's seniority, pension rights and similar rights as they would have been if P had not been absent, and
- (b) on terms and conditions not less favourable than those which would have applied if P had not been absent.

(2) In the case of accrual of rights under an employment-related benefit scheme within the meaning given by paragraph 7 of Schedule 5 to the Social Security Act 1989, nothing in paragraph (1) (a) shall be taken to impose a requirement which exceeds the requirements of paragraphs 5 to 6 of that Schedule.

(3) The provisions in paragraph (1)(a) for P to be treated as if P had not been absent refer to P's absence—

- (a) if P's return is from an isolated period of additional paternity leave, since the beginning of that period,
- (b) if P's return is from consecutive periods of statutory leave, since the beginning of the first such period.