
STATUTORY INSTRUMENTS

2010 No. 1056

The Additional Statutory Paternity
Pay (General) Regulations 2010

PART 4

ADDITIONAL STATUTORY PATERNITY PAY: PROVISIONS APPLICABLE
TO BOTH ADDITIONAL STATUTORY PATERNITY PAY (BIRTH)
AND ADDITIONAL STATUTORY PATERNITY PAY (ADOPTION)

Change of employer

28. A person's employment shall, notwithstanding a change of employer, be treated, for the purposes of Part 12ZA of the Act, as continuous employment with the second employer where—

- (a) the employer's trade or business or an undertaking (whether or not it is an undertaking established by or under an Act of Parliament) is transferred from one person to another;
- (b) by or under an Act of Parliament, whether public or local and whenever passed, a contract of employment between any body corporate and the person is modified and some other body corporate is substituted as that person's employer;
- (c) on the death of their employer, the person is taken into the employment of the personal representatives or trustees of the deceased;
- (d) the person is employed by partners, personal representatives or trustees and there is a change in the partners, or, as the case may be, personal representatives or trustees;
- (e) the person is taken into the employment of an employer who is, at the time they entered that employer's employment, an associated employer of their previous employer, and for this purpose "associated employer" shall be construed in accordance with section 231 of the Employment Rights Act 1996⁽¹⁾; or
- (f) on the termination of the person's employment with an employer they are taken into the employment of another employer and those employers are governors of a school maintained by a local education authority.