
STATUTORY INSTRUMENTS

2017 No. 172

**The Equality Act 2010 (Gender Pay
Gap Information) Regulations 2017**

Meaning of “bonus pay”

4.—(1) In these Regulations, “bonus pay” means (subject to paragraph (2)) any remuneration that—

- (a) is in the form of money, vouchers, securities, securities options, or interests in securities,
- (b) relates to profit sharing, productivity, performance, incentive or commission.

(2) “Bonus pay” does not include—

- (a) ordinary pay,
- (b) remuneration referable to overtime, or
- (c) remuneration referable to redundancy or termination of employment.

(3) For the purpose of paragraph (1), remuneration in the form of securities, securities options and interests in securities is to be treated as paid to the employee at the time, and in the amounts in respect of which, the securities, securities options and interests in securities give rise to (or would give rise to, if the employee were an employee for the purposes of Part 2 of ITEPA 2003 (employment income))—

- (a) any taxable earnings within the meaning of section 10(2) of ITEPA 2003⁽¹⁾; or
- (b) any taxable specific income within the meaning of section 10(3) of ITEPA 2003⁽²⁾.

(4) In this regulation, “securities”, “securities options” and “interests in securities” have the same meaning as in section 420 of ITEPA 2003⁽³⁾.

⁽¹⁾ Section 10(2) was amended by paragraph 4(2) of Schedule 7 to the Finance Act 2008 (c. 9).

⁽²⁾ Section 10(3) was amended by paragraph 6(2) of Schedule 2 to the Finance Act 2011 (c. 11).

⁽³⁾ 2003 c. 1. Section 420 was substituted by paragraph 2(1) of Schedule 22 to the Finance Act 2003 (c. 14).