
DRAFT STATUTORY INSTRUMENTS

2010 No.

**The Additional Statutory Paternity
Pay (General) Regulations 2010**

PART 3

ADDITIONAL STATUTORY PATERNITY PAY (ADOPTION)

Entitlement to additional statutory paternity pay (adoption)

- 12.**—(1) A person (“P”) is entitled to additional statutory paternity pay (adoption) if—
- (a) P satisfies the conditions—
 - (i) as to relationship with a child (“C”) and the child’s adopter (“A”) specified in paragraph (2); and
 - (ii) as to continuity of employment and normal weekly earnings specified in paragraph (3);
 - (b) A satisfies the conditions specified in regulation 13;
 - (c) P intends to care for C during the additional statutory paternity pay period (adoption) in respect of C;
 - (d) A has signed the declaration referred to in regulation 15(1)(c); and
 - (e) P has complied with the requirements in regulation 15, including, where applicable, the requirements in regulation 15(3).
- (2) The conditions referred to in paragraph (1)(a)(i) are that—
- (a) P is married to, or is the civil partner or the partner of, A; and
 - (b) P has been matched with C for adoption.
- (3) The conditions referred to in paragraph (1)(a)(ii) are that—
- (a) P has been in employed earner’s employment with an employer for a continuous period of at least 26 weeks ending with the relevant week;
 - (b) P’s normal weekly earnings for the period of eight weeks ending with the relevant week are not less than the lower earnings limit in force under section 5(1)(a) of the Act at the end of the relevant week; and
 - (c) P continues in employed earner’s employment with the employer by reference to whom the condition in sub-paragraph (a) is satisfied for a continuous period beginning with the relevant week and ending with the week before the additional statutory paternity pay period (adoption) in respect of C begins.
- (4) The references in paragraph (3) to the relevant week are to the week in which P was notified of having been matched with C.