



Employment Act 2002

2002 CHAPTER 22

PART 1

STATUTORY LEAVE AND PAY

CHAPTER 1

PATERNITY AND ADOPTION

Administration and enforcement: pay

12 Penalties: fraud etc.

- (1) Where a person fraudulently or negligently—
 - (a) makes any incorrect statement or declaration in connection with establishing entitlement to statutory paternity pay, or
 - (b) provides any incorrect information or document of a kind mentioned in regulations under section 10(1) so far as relating to statutory paternity pay,he shall be liable to a penalty not exceeding £300.
- (2) Where a person fraudulently or negligently—
 - (a) makes any incorrect statement or declaration in connection with establishing entitlement to statutory adoption pay, or
 - (b) provides any incorrect information or document of a kind mentioned in regulations under section 10(1) so far as relating to statutory adoption pay,he shall be liable to a penalty not exceeding £3,000.
- (3) Where an employer fraudulently or negligently makes incorrect payments of statutory paternity pay, he shall be liable to a penalty not exceeding £300.
- (4) Where an employer fraudulently or negligently makes incorrect payments of statutory adoption pay, he shall be liable to a penalty not exceeding £3,000.

Status: This is the original version (as it was originally enacted).

- (5) Where an employer fraudulently or negligently—
- (a) produces any incorrect document or record, provides any incorrect information or makes any incorrect return, of a kind mentioned in regulations under section 8E, or
 - (b) receives incorrect payments in pursuance of regulations under section 7,
- he shall be liable to a penalty not exceeding £3,000 or, if the offence relates only to statutory paternity pay, £300.
- (6) Schedule 1 (penalties: procedure and appeals) has effect in relation to penalties under this section.