
STATUTORY INSTRUMENTS

2002 No. 2822

The Statutory Paternity Pay and Statutory Adoption Pay (General) Regulations 2002

PART 5

Statutory adoption pay

Adoption pay period

21.—(1) Subject to paragraph (2), a person entitled to statutory adoption pay may choose the adoption pay period to begin—

- (a) on the date on which the child is placed with him for adoption or, where he is at work on that day, on the following day;
- (b) subject to paragraph (2), on a predetermined date, specified by him, which is no more than 14 days before the date on which the child is expected to be placed with him and no later than that date.

(2) In a case where statutory adoption pay is payable in respect of a child matched with an adopter who is notified of having been matched before 6th April 2003, the statutory adoption pay period shall begin on a predetermined date which is—

- (a) on or after 6th April 2003, and
- (b) no more than 14 days before the date on which the child is expected to be placed with the adopter.

(3) Subject to paragraph (4), where the choice made is that mentioned in sub-paragraph (b) of paragraph (1) or in a case where paragraph (2) applies, the adoption pay period shall, unless the employer agrees to the adoption pay period beginning earlier, begin no earlier than 28 days after notice under section 171ZL(6) of the Act has been given.

(4) Where the beginning of the adoption pay period determined in accordance with paragraph (3) is later than the date of placement, it shall be the date of placement.

(5) Subject to regulation 22, the duration of any adoption pay period shall be a continuous period of [^{F139} weeks.

(6) A choice made under paragraph (1), or a date specified under paragraph (2), is not irrevocable, but where a person subsequently makes a different choice, section 171ZL(6) of the Act shall apply to it.

Textual Amendments

- F1** Word in reg. 21(5) substituted (with application in accordance with [reg. 2](#) of the amending S.I.) by [The Statutory Paternity Pay and Statutory Adoption Pay \(General\) and the Statutory Paternity Pay and Statutory Adoption Pay \(Weekly Rates\) \(Amendment\) Regulations 2006 \(S.I. 2006/2236\)](#), regs. 1(1), 4

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Statutory Paternity Pay and Statutory Adoption Pay (General) Regulations 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 16A inserted by [S.I. 2024/121 reg. 11](#)
- reg. 18(1) words in reg. 18 renumbered as reg. 18(1) by [S.I. 2024/121 reg. 13\(a\)](#)
- reg. 18(1)(c) substituted by [S.I. 2024/121 reg. 13\(b\)](#)
- reg. 18(2) inserted by [S.I. 2024/121 reg. 13\(c\)](#)