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STATUTORY INSTRUMENTS

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**2010 No. 1055**

**The Additional Paternity Leave Regulations 2010**

**PART 2**

**ADDITIONAL PATERNITY LEAVE (BIRTH)**

**Options in respect of leave under regulation 4 in the event of the mother's death**

**11.**—(1) P may take leave under regulation 4, as modified by regulation 10, at any time within the period beginning with the date of M's death and ending 12 months after the date of C's birth.

(2) The minimum period of leave which may be taken is two weeks and the maximum period is 52 weeks.

(3) The leave must be taken as one continuous period and must be taken in multiples of complete weeks.

(4) P shall not be entitled to leave in accordance with regulation 4, as modified by regulation 10, if P has already taken a period of additional paternity leave in respect of C which has ended before the date of M's death.

(5) If P is on leave under regulation 4 on the date of M's death, P shall be entitled to extend the leave to include a further period of leave in accordance with regulation 4, as modified by regulation 10, provided—

- (a) P satisfies the conditions for eligibility set out in regulation 4 as so modified;
  - (b) that further period of leave immediately follows the first, together with which it forms one continuous period of additional paternity leave;
  - (c) the total period of additional paternity leave taken does not exceed 52 weeks; and
  - (d) the entire period of additional paternity leave is taken within the period of 12 months after the date of C's birth.
- (6) This regulation is subject to regulation 24 (disrupted placement or death of a child).