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STATUTORY INSTRUMENTS

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**2010 No. 1056**

The Additional Statutory Paternity  
Pay (General) Regulations 2010

**PART 4**

ADDITIONAL STATUTORY PATERNITY PAY: PROVISIONS APPLICABLE  
TO BOTH ADDITIONAL STATUTORY PATERNITY PAY (BIRTH)  
AND ADDITIONAL STATUTORY PATERNITY PAY (ADOPTION)

**Cases where there is no liability to pay additional statutory paternity pay**

**21.**—(1) There shall be no liability to pay additional statutory paternity pay in respect of any week—

- (a) during any part of which the person entitled to it is entitled to statutory sick pay under Part 11 of the Act;
- (b) following that in which the person claiming it has died; or
- (c) subject to paragraph (2), during any part of which the person entitled to it is detained in legal custody or sentenced to a term of imprisonment (except where the sentence is suspended).

(2) There shall be liability to pay additional statutory paternity pay in respect of any week during any part of which the person entitled to it is detained in legal custody where that person—

- (a) is released subsequently without charge;
- (b) is subsequently found not guilty of any offence and is released; or
- (c) is convicted of an offence but does not receive a custodial sentence.

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**Modifications etc. (not altering text)**

- C1** [Reg. 21](#) applied (9.4.2010) by [The Additional Statutory Paternity Pay \(Adoptions from Overseas\) Regulations 2010 \(S.I. 2010/1057\)](#), regs. 1, **3(1)** (with [reg. 3\(2\)](#))

**Changes to legislation:**

There are currently no known outstanding effects for the The Additional Statutory Paternity Pay (General) Regulations 2010, Section 21.