
STATUTORY INSTRUMENTS

2012 No. 757

**The Social Security (Miscellaneous
Amendments) Regulations 2012**

PART 2

Amendments relating to paternity leave and paternity pay

Amendments relating to paternity leave and paternity pay: housing benefit for those of pensionable age

8.—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006⁽¹⁾ are amended as follows.

(2) In regulation 2(1) (interpretation) for the definition of “paternity leave” substitute—

““paternity leave” means a period of absence from work on ordinary paternity leave by virtue of section 80A or 80B of the Employment Rights Act 1996 or on additional paternity leave by virtue of section 80AA or 80BB of that Act;”.

(3) In regulation 29(1)(j) (meaning of “income”), for paragraph (xvi) substitute—

“(xvi) ordinary statutory paternity pay payable under Part 12ZA of the Act;

(xvia) additional statutory paternity pay payable under Part 12ZA of the Act;”.

(4) In regulation 31 (treatment of child care charges)—

(a) in paragraph (14)(c) for “statutory paternity pay by virtue of section 171ZA or 171ZB of the Act” substitute “ordinary statutory paternity pay by virtue of section 171ZA or 171ZB of the Act, additional statutory paternity pay by virtue of section 171ZEA or 171ZEB of the Act”;

(b) in paragraph (15)(b) and (c) for “statutory paternity pay” in each place substitute “ordinary or additional statutory paternity pay”.

(5) In regulation 35(1) (earnings of employed earners) for paragraph (i) substitute—

“(i) ordinary statutory paternity pay payable under Part 12ZA of the Act;

(ia) additional statutory paternity pay payable under Part 12ZA of the Act;”.

(6) In regulation 36(2)(d) (calculation of net earnings of employed earners) for “statutory paternity pay” substitute “ordinary or additional statutory paternity pay”.