

---

WELSH STATUTORY INSTRUMENTS

---

**2016 No. 413**

**The Social Services and Well-being (Wales) Act  
2014 (Consequential Amendments) Regulations 2016**

*Social Security Act 1989 (c. 24)*

**53.** The Social Security Act 1989 is amended as follows.

**54.** In Schedule 5—

(a) in paragraph 5A(7A)(a)(1) (unfair paternity leave provisions) after “Children Act 1989” insert “or section 81 of the Social Services and Well-being (Wales) Act 2014”;

(b) for paragraph 5A(7A)(b) substitute—

“(b) in relation to that child, the member satisfies the conditions prescribed under section 171ZB(2)(a)(i) and (ii) of the Social Security Contributions and Benefits Act 1992, as modified—

(i) in relation to a local authority in England, by section 171ZB(8) of that Act (cases involving the placing of a child by a local authority in England with a local authority foster parent who has been approved as a prospective adopter);

(ii) in relation to a local authority in Wales, by section 171ZB(10) of that Act (cases involving the placing of a child by a local authority in Wales with a local authority foster parent who has been approved as a prospective adopter)”;

(c) in paragraph 5B(7)(a)(2) (unfair adoption leave provisions) after “Children Act 1989” insert “or section 81 of the Social Services and Well-being (Wales) Act 2014”;

(d) for paragraph 5B(7)(b) substitute—

“(b) in relation to that child, the member satisfies the condition in section 171ZL(2) (a) of the Social Security Contributions and Benefits Act 1992, as modified—

(i) in relation to a local authority in England, by section 171ZL(9) of that Act (cases involving the placing of a child by a local authority in England with a local authority foster parent who has been approved as a prospective adopter);

(ii) in relation to a local authority in Wales, by section 171ZL(11) of that Act (cases involving the placing of a child by a local authority in Wales with a local authority foster parent who has been approved as a prospective adopter).”;

(e) for paragraph 5C(8)(a)(3) (unfair shared parental leave provisions) substitute—

---

(1) Paragraph 5A was inserted by the Pensions Act 2004, section 265(1) and sub-paragraph (7A) was inserted by the Children and Families Act 2014, Schedule 7, paragraphs 1, 2(1), (5).

(2) Paragraph 5B was inserted by the Pensions Act 2004, section 265(1) and sub-paragraph (7) was inserted by the Children and Families Act 2014, Schedule 7, paragraphs 1, 3(1), (3).

(3) Paragraph 5C was inserted by the Children and Families Act 2014, Schedule 7, paragraphs 1, 4.

- “(a) the member’s absence from work is due to the placement of a child under—
  - (i) section 22C of the Children Act 1989 by a local authority in England, or
  - (ii) section 81 of the Social Services and Well-being (Wales) Act 2014 by a local authority in Wales,with a local authority foster parent who has been approved as a prospective adopter.”;
- (f) in paragraph 5C(8)(b)(i) after “Children Act 1989” insert “or section 81 of the Social Services and Well-being (Wales) Act 2014”;
- (g) in paragraph 5C(8)(b)(ii) after “England” insert “or Wales”.