

*Changes to legislation:* There are currently no known outstanding effects for the Children and Families Act 2014, Cross Heading: Employment Act 2002 (c. 22). (See end of Document for details)

## SCHEDULES

### SCHEDULE 7

#### STATUTORY RIGHTS TO LEAVE AND PAY: FURTHER AMENDMENTS

##### *Employment Act 2002 (c. 22)*

50 The Employment Act 2002 is amended as follows.

#### **Commencement Information**

**II** Sch. 7 para. 50 in force at 30.6.2014 by [S.I. 2014/1640](#), [art. 3\(2\)\(n\)](#)

- 51 (1) Section 7 (funding of employers' liabilities as regards certain statutory pay) is amended as follows.
- (2) In subsection (1) (power to make regulations regarding the funding of statutory pay by Her Majesty's Revenue and Customs)—
- (a) for “ordinary statutory paternity pay, additional statutory paternity pay and” there is substituted “statutory paternity pay,”;
  - (b) after “statutory adoption pay” there is inserted “and statutory shared parental pay”.
- (3) In subsection (2) (recovery relating to small employers' relief)—
- (a) in paragraph (a)—
    - (i) for “ordinary statutory paternity pay, additional statutory paternity pay or” there is substituted “statutory paternity pay,”;
    - (ii) after “statutory adoption pay” there is inserted “or statutory shared parental pay”;
  - (b) in paragraph (b)—
    - (i) for “ordinary statutory paternity pay, additional statutory paternity pay or” there is substituted “statutory paternity pay,”;
    - (ii) after “statutory adoption pay” there is inserted “or statutory shared parental pay”.
- (4) In subsection (3) (payments treated as qualifying for small employers' relief)—
- (a) for “ordinary statutory paternity pay, additional statutory paternity pay or” there is substituted “statutory paternity pay,”;
  - (b) after “statutory adoption pay”, in the first place it occurs, there is inserted “or statutory shared parental pay”;
  - (c) for the words from “treating the period” to the end there is substituted “treating—
    - “(a) the period for which the payment of statutory paternity pay is made,
    - (b) the payee's adoption pay period, or”

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- (c) the period for which the payment of statutory shared parental pay is made,  
as the maternity pay period.”

**Commencement Information**

- I2** Sch. 7 para. 51(1)(2)(b)(3)(a)(ii)(b)(ii)(4)(b)(c) in force at 30.6.2014 by [S.I. 2014/1640](#), **art. 3(2)(o)** (with [art. 9](#))
- I3** Sch. 7 para. 51(2)(a)(i)(b)(i)(4)(a) in force at 5.4.2015 by [S.I. 2014/1640](#), **art. 7(z)** (with [art. 16](#))

- 52 (1) Section 8 (regulations about payment) is amended as follows.
- (2) In subsection (1) (power to make regulations with respect to payment by employers of statutory pay)—
- (a) for “ordinary statutory paternity pay, additional statutory paternity pay and” there is substituted “statutory paternity pay,”;
- (b) after “statutory adoption pay” there is inserted “and statutory shared parental pay”.
- (3) In subsection (2) (further provision as to regulations)—
- (a) in paragraph (a)—
- (i) for “ordinary statutory paternity pay, additional statutory paternity pay and” there is substituted “statutory paternity pay,”;
- (ii) after “statutory adoption pay” there is inserted “and statutory shared parental pay”;
- (b) in paragraph (b)—
- (i) for “ordinary statutory paternity pay, additional statutory paternity pay and” there is substituted “statutory paternity pay,”;
- (ii) after “statutory adoption pay” there is inserted “and statutory shared parental pay”;
- (c) in paragraph (d)—
- (i) for “ordinary statutory paternity pay, additional statutory paternity pay and” there is substituted “statutory paternity pay,”;
- (ii) after “statutory adoption pay” there is inserted “and statutory shared parental pay”.

**Commencement Information**

- I4** Sch. 7 para. 52(1)(2)(b)(3)(a)(ii)(b)(ii)(c)(ii) in force at 30.6.2014 by [S.I. 2014/1640](#), **art. 3(2)(p)**
- I5** Sch. 7 para. 52(2)(a)(3)(a)(i)(b)(i)(c)(i) in force at 5.4.2015 by [S.I. 2014/1640](#), **art. 7(aa)** (with [art. 16](#))

- 53 (1) Section 10 (powers to require information) is amended as follows.
- (2) In subsection (1) (power to make regulations requiring the production of information or documents)—
- (a) for “ordinary statutory paternity pay, additional statutory paternity pay or” there is substituted “statutory paternity pay,”;
- (b) after “statutory adoption pay” there is inserted “or statutory shared parental pay”.

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- (3) In subsection (2) (persons who may be specified as liable to produce information or documents), in paragraph (a)—
- (a) for “ordinary statutory paternity pay, additional statutory paternity pay or” there is substituted “statutory paternity pay,”;
  - (b) after “statutory adoption pay” there is inserted “or statutory shared parental pay”.

**Commencement Information**

- I6** Sch. 7 para. 53(1)(2)(b)(3)(b) in force at 30.6.2014 by [S.I. 2014/1640](#), [art. 3\(2\)\(q\)](#)  
**I7** Sch. 7 para. 53(2)(a)(3)(a) in force at 5.4.2015 by [S.I. 2014/1640](#), [art. 7\(bb\)](#) (with [art. 16](#))

- 54 In section 11 (penalties for failure to comply), in subsection (6) (failures to make payments)—
- (a) for “ordinary statutory paternity pay, additional statutory paternity pay or” there is substituted “statutory paternity pay,”;
  - (b) after “statutory adoption pay” there is inserted “or statutory shared parental pay”.

**Commencement Information**

- I8** Sch. 7 para. 54(a) in force at 5.4.2015 by [S.I. 2014/1640](#), [art. 7\(cc\)](#) (with [art. 16](#))  
**I9** Sch. 7 para. 54(b) in force at 1.12.2014 by [S.I. 2014/1640](#), [art. 5\(2\)\(s\)](#)

- 55 (1) Section 12 (penalties for fraud or negligence) is amended as follows.
- (2) In subsection (1) (incorrect statement or declaration: ordinary statutory paternity pay)—
- (a) in paragraph (a), the word “ordinary” is repealed;
  - (b) in paragraph (b), the word “ordinary” is repealed.
- (3) In subsection (2) (incorrect statement or declaration: statutory adoption pay or additional statutory paternity pay)—
- (a) in paragraph (a), for “additional statutory paternity pay” there is substituted “statutory shared parental pay”;
  - (b) in paragraph (b), for “additional statutory paternity pay” there is substituted “statutory shared parental pay”.
- (4) In subsection (3) (incorrect payment: ordinary statutory paternity pay), the word “ordinary” is repealed.
- (5) In subsection (4) (incorrect payment: statutory adoption pay or additional statutory paternity pay), for “additional statutory paternity pay” there is substituted “statutory shared parental pay”.
- (6) In subsection (5) (fraudulently or negligently providing incorrect information or receiving incorrect payments), the word “ordinary” is repealed.

**Commencement Information**

- I10** Sch. 7 para. 55(1)(3)(5) in force at 1.12.2014 by [S.I. 2014/1640](#), [art. 5\(2\)\(t\)](#) (with [art. 12](#))

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**I11** Sch. 7 para. 55(2)(4)(6) in force at 5.4.2015 by [S.I. 2014/1640](#), [art. 7\(dd\)](#) (with [art. 16](#))

- 56 In section 13 (supply of information held by Her Majesty's Revenue and Customs), in subsection (1)—
- (a) for “ordinary statutory paternity pay, additional statutory paternity pay or” there is substituted “ statutory paternity pay, ”;
  - (b) after “statutory adoption pay” there is inserted “ or statutory shared parental pay ”.

**Commencement Information**

**I12** Sch. 7 para. 56(a) in force at 5.4.2015 by [S.I. 2014/1640](#), [art. 7\(ee\)](#) (with [arts. 16, 19](#))

**I13** Sch. 7 para. 56(b) in force at 1.12.2014 by [S.I. 2014/1640](#), [art. 5\(2\)\(u\)](#)

- 57 (1) Section 14 (supply of information held by the Secretary of State) is amended as follows.
- (2) In subsection (1)—
- (a) for “ordinary statutory paternity pay, additional statutory paternity pay or” there is substituted “ statutory paternity pay, ”;
  - (b) after “statutory adoption pay” there is inserted “ or statutory shared parental pay ”.
- (3) In subsection (2)—
- (a) for “ordinary statutory paternity pay, additional statutory paternity pay or” there is substituted “ statutory paternity pay, ”;
  - (b) after “statutory adoption pay” there is inserted “ or statutory shared parental pay ”.

**Commencement Information**

**I14** Sch. 7 para. 57(1)(2)(b)(3)(b) in force at 1.12.2014 by [S.I. 2014/1640](#), [art. 5\(2\)\(v\)](#)

**I15** Sch. 7 para. 57(2)(a)(3)(a) in force at 5.4.2015 by [S.I. 2014/1640](#), [art. 7\(ff\)](#) (with [arts. 16, 19](#))

- 58 In section 15 (use of information by Her Majesty's Revenue and Customs), in subsection (2) (functions for the purposes of which information may be used)—
- (a) in paragraph (a) (functions relating to ordinary statutory paternity pay), the word “ordinary” is repealed;
  - (b) paragraph (aa) (functions relating to additional statutory paternity pay) is repealed;
  - (c) the “and” following paragraph (b) is repealed;
  - (d) after paragraph (b) there is inserted—
    - “(ba) their functions in relation to statutory shared parental pay; and”.

**Commencement Information**

**I16** Sch. 7 para. 58(a)(b) in force at 5.4.2015 by [S.I. 2014/1640](#), [art. 7\(gg\)](#) (with [arts. 16, 19](#))

**I17** Sch. 7 para. 58(c)(d) in force at 1.12.2014 by [S.I. 2014/1640](#), [art. 5\(2\)\(w\)](#)

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- 59 In section 55 (short title etc), in subsection (8) (references to Great Britain statutory pay to include statutory pay under corresponding Northern Ireland legislation)—
- (a) for “ordinary statutory paternity pay, additional statutory paternity pay or” there is substituted “ statutory paternity pay, ”;
  - (b) after “statutory adoption pay” there is inserted “ or statutory shared parental pay ”;
  - (c) for “or Part 12ZB” there is substituted “ , Part 12ZB or Part 12ZC ”.

**Commencement Information**

- I18** Sch. 7 para. 59 in force at 15.3.2015 being the date on which 1992 c. 7, Pt. 12ZC comes into force by virtue of S.R. 2015/86, art. 3(1)(d) by [S.I. 2014/1640](#), **art. 8(c)** (with [art. 18](#))
- I19** Sch. 7 para. 59(a) in force at 5.4.2015 by [S.I. 2014/1640](#), **art. 7(hh)** (with [art. 16](#))

**Changes to legislation:**

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