
STATUTORY INSTRUMENTS

2002 No. 2788

The Paternity and Adoption Leave Regulations 2002

PART 3

ADOPTION LEAVE

Disrupted placement in the course of adoption leave

- 22.**—(1) This regulation applies where—
- (a) an employee has begun a period of adoption leave in respect of a child before the placement of the child with him, and the employee is subsequently notified that the placement will not be made, or
 - (b) during an employee's period of adoption leave in respect of a child placed with him—
 - (i) the child dies, or
 - (ii) the child is returned to the adoption agency under section 30(3) of the Adoption Act 1976 or section 30(3) of the Adoption (Scotland) Act 1978.
- (2) Subject to regulation 24, in a case where this regulation applies—
- (a) except in the circumstances referred to in sub-paragraphs (b) and (c), the employee's adoption leave period ends eight weeks after the end of the relevant week specified in paragraph (3);
 - (b) where the employee is taking ordinary adoption leave and the period of 26 weeks provided for in regulation 18 ends within eight weeks of the end of the relevant week—
 - (i) the employee's ordinary adoption leave period ends on the expiry of the 26-week period;
 - (ii) the employee is entitled to additional adoption leave, and
 - (iii) the employee's additional adoption leave period ends eight weeks after the end of the relevant week;
 - (c) where the employee is taking additional adoption leave and the period of 26 weeks provided for in regulation 20 ends within eight weeks of the end of the relevant week, the employee's additional adoption leave period ends on the expiry of the 26-week period.
- (3) The relevant week referred to in paragraph (2) is—
- (a) in a case falling within paragraph (1)(a), the week during which the person with whom the child was to be placed for adoption is notified that the placement will not be made;
 - (b) in a case falling within paragraph (1)(b)(i), the week during which the child dies;
 - (c) in a case falling within paragraph (1)(b)(ii), the week during which the child is returned.
- (4) In paragraph (3), "week" means the period of seven days beginning with Sunday.