

*These notes refer to the Domestic Abuse (Safe Leave) Act (Northern Ireland) 2022 (c.27) which received Royal Assent on 12 May 2022*

# Domestic Abuse (Safe Leave) Act (Northern Ireland) 2022

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### *Section 1 Safe leave for victims of domestic abuse*

Inserts a new Chapter 5 into Part III of the 1996 Order, entitled Domestic Abuse Safe Leave.

#### **New Article 112EG**

Requires the Department for the Economy to make regulations entitling an employee who is a victim of domestic abuse to be absent from work on safe leave in accordance with the provisions of the Order. Safe leave is paid leave designed to be used by the employee to deal with issues related to domestic abuse. Paragraph (4) gives a non-exhaustive list of the things safe leave might be used for. Paragraph (5) ensures that employees will be entitled to at least 10 days of safe leave in each leave year. The regulations will make supplementary provision. The regulations will require approval of the Assembly (**Section 1(2)**).

#### **New Article 112EH**

Makes provision to protect the rights of employees on safe leave. In essence, they are entitled to the same rights (including as to pay) while on leave as they would be entitled to while at work, and they are entitled to return to employment.

#### **New Article 112EI**

Allows the regulations introducing safe leave to make provision about redundancy and dismissal during a period of safe leave.

#### **New Article 112EJ**

Allows the regulations to make provision for a remedy or means of enforcement for a failure to comply with any provision in the Act. Provision may, in particular, include recourse to an industrial tribunal.

#### **New Article 112EK**

Extends the provisions of the new Chapter to workers (who are not employees).

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**New Article 112EL**

Allows the regulations introducing safe leave to make supplementary provision.