



2015 CHAPTER 1

PART 2

SHARED RIGHTS TO LEAVE AND PAY

*Other statutory rights*

**Other statutory rights to leave of applicants for parental orders**

**10.—**(1) The Employment Rights Order is amended as follows.

(2) After Article 107AB (ordinary adoption leave: prospective adopters with whom looked after children are placed) (inserted by section 8(3)), insert—

**“Power to apply Article 107A to other cases**

**107AC.** The Department may by regulations provide for Article 107A to have effect in relation to cases which involve an employee who has applied, or intends to apply, with another person for a parental order under section 54 of the Human Fertilisation and Embryology Act 2008 and a child who is, or will be, the subject of the order, with such modifications as may be prescribed”.

(3) After Article 107B (additional adoption leave), insert—

**“Power to apply Article 107B to other cases**

**107BA.** The Department may by regulations provide for Article 107B to have effect in relation to cases which involve an employee who has applied, or intends to apply, with another person for a parental order under section 54 of the Human Fertilisation and Embryology Act 2008 and a child who is, or will be, the subject of the order, with such modifications as may be prescribed”.

(4) In Article 107D (supplemental provision about adoption leave), after paragraph (1) insert—

“(1A) Where Article 107A or 107B has effect in relation to such cases as are described in Article 107AC or 107BA, regulations under Article 107A or 107B about evidence to be produced may require statutory declarations as to—

- (a) eligibility to apply for a parental order,
- (b) intention to apply for such an order.”.

(5) After Article 112BA (entitlement to paternity leave: prospective adopters with whom looked after children placed) (inserted by section 8(5)), insert—

**“Power to apply Article 112B to other cases**

**112BAA.** The Department may by regulations provide for Article 112B to have effect in relation to cases which involve an employee who has applied, or intends to apply, with another person for a parental order under section 54 of the Human Fertilisation and Embryology Act 2008 and a child who is, or will be, the subject of the order, with such modifications as may be specified”.