
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 471

**Maternity and Parental Leave
etc. Regulations (Northern Ireland) 1999**

Part I

General

Interpretation

2.—(1) In these Regulations—

“the 1996 Order” means the Employment Rights (Northern Ireland) Order 1996;

“additional maternity leave” means leave under Article 105 of the 1996 Order;

“business” includes a trade or profession and includes any activity carried on by a body of persons (whether corporate or unincorporated);

“child” means a person under the age of eighteen;

“childbirth” means the birth of a living child or the birth of a child whether living or dead after 24 weeks of pregnancy;

“collective agreement” means a collective agreement within the meaning of Article 2(2) of the Industrial Relations (Northern Ireland) Order 1992(1), the trade union parties to which are independent trade unions within the meaning of that Article;

“contract of employment” means a contract of service or apprenticeship, whether express or implied, and (if it is express) whether oral or in writing;

“disability living allowance” means the disability leaving allowance provided for in Part III of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(2);

“employee” means an individual who has entered into or works under (or, where the employment has ceased, worked under) a contract of employment;

“employer” means the person by whom an employee is (or, where the employment has ceased, was) employed;

“expected week of childbirth” means the week, beginning with midnight between Saturday and Sunday, in which it is expected that childbirth will occur and “week of childbirth” means the week beginning with midnight between Saturday and Sunday, in which childbirth occurs;

“job”, in relation to an employee returning after additional maternity leave or parental leave, means the nature of the work which she is employed to do in accordance with her contract and the capacity and place in which she is so employed;

“ordinary maternity leave” means leave under Article 103 of the 1996 Order;

“parental leave” means leave under regulation 13(1);

(1) S.I.1992/807 (N.I. 5)

(2) 1992 c. 7

“parental responsibility” has the meaning given by Article 6 of the Children (Northern Ireland) Order 1995(3);

“workforce agreement” means an agreement between an employer and his employees or their representatives in respect of which the conditions set out in Schedule 1 are satisfied.

(2) A reference in any provision of these Regulations to a period of continuous employment is to a period computed in accordance with Chapter III of Part I of the 1996 Order, as if that provision were a provision of that Order.

(3) For the purposes of these Regulations any two employers shall be treated as associated if—

(a) one is a company of which the other (directly or indirectly) has control; or

(b) both are companies of which a third person (directly or indirectly) has control;

and “associated employer” shall be construed accordingly.