

2004 No. 116

EMPLOYMENT

**Paternity and Adoption Leave (Amendment) Regulations
(Northern Ireland) 2004**

Made - - - - - *15th March 2004*

Coming into operation *6th April 2004*

The Department for Employment and Learning^(a) in exercise of the powers conferred on it by Articles 107A(7), 107B(8) and 107D(1) of the Employment Rights (Northern Ireland) Order 1996^(b), and now vested in it^(c), and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Paternity and Adoption Leave (Amendment) Regulations (Northern Ireland) 2004 and shall come into operation on 6th April 2004.

(2) In these Regulations “the Principal Regulations” means the Paternity and Adoption Leave Regulations (Northern Ireland) 2002^(d).

Amendments to the Principal Regulations

2. The Principal Regulations shall be amended as provided in regulations 3 and 4.

3. Omit paragraph (3)(b) of regulation 17 (Notice and evidential requirements for ordinary adoption leave).

4. In paragraph (b) of regulation 27(1) (Incidents of the right to return from adoption leave) omit “as to remuneration”.

Sealed with the Official Seal of the Department for Employment and Learning on 15th March 2004.

(L.S.)

R. B. Gamble

A senior officer of the Department for Employment and Learning

(a) Formerly the Department of Higher and Further Education, Training and Employment; *see* 2001 c. 15 (N.I.)
(b) S.I. 1996 No. 1919 (N.I. 16); Articles 107A to 107D were inserted by Article 3 of the Employment (Northern Ireland) Order 2002 (S.I. 2002/2836 (N.I. 2))
(c) *See* S.R. 1999 No. 481 Departments (Transfer and Assignment of Functions) Order (Northern Ireland) 1999
(d) S.R. 2002 No. 377

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend provisions relating to adoption leave in the Paternity and Adoption Leave Regulations (Northern Ireland) 2002 (“the Principal Regulations”). Regulation 3 removes the provision enabling an employer to request the name and date of birth of a child in respect of whom leave is taken (regulation 17(3) of the Principal Regulations). Regulation 4 amends regulation 27 of the Principal Regulations to provide that all terms and conditions applying in relation to an employee returning to work from adoption leave, not just those relating to remuneration, are to be not less favourable than those which would have applied if the employee had not been absent.

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