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STATUTORY RULES OF NORTHERN IRELAND

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**2015 No. 93**

The Shared Parental Leave Regulations (Northern Ireland) 2015

PART 2

ENTITLEMENT TO SHARED PARENTAL LEAVE (BIRTH)

CHAPTER 2

Entitlement to particular periods of leave

**Change of circumstances (birth)**

**18.**—(1) Where less than 8 weeks before M is due to take a period of shared parental leave or during a period of such leave—

- (a) M informs M's employer that M has ceased to care for C (and therefore M will not be absent from work on shared parental leave); and
- (b) it is not reasonably practicable for M's employer to accommodate the change in circumstances by allowing M to work during the planned period of shared parental leave,

M's employer may require M to take a period of leave.

(2) Where less than 8 weeks before P is due to take a period of shared parental leave or during a period of such leave—

- (a) P informs P's employer that P has ceased to care for C or that M has informed P that M has ceased to satisfy the condition in regulation 5(3)(d) (and therefore P will not be absent from work on shared parental leave); and
- (b) it is not reasonably practicable for P's employer to accommodate the change in circumstances by allowing P to work during the planned period of shared parental leave,

P's employer may require P to take a period of leave.

(3) This regulation does not apply where regulation 19 applies.

(4) Leave that is required to be taken under paragraph (1) or (2) must be treated as shared parental leave for the purposes of these Regulations.

(5) Where M or P, as the case may be, is not on a period of shared parental leave at the time that the employer is informed of the change of circumstances, any leave that is required to be taken under paragraph (1) or (2) must—

- (a) start on the date on which the next period of shared parental leave was due to start; and
- (b) end as soon as it is reasonably practicable for the employer to accommodate the change in circumstances by allowing M or P, as the case may be, to work and, in any event, must end no later than—

- (i) the date on which the next period of shared parental leave was due to end; or
  - (ii) eight weeks after the employer is informed of the change in circumstances,
- whichever is the earlier.

(6) Where M or P, as the case may be, is on a period of shared parental leave at the time that the employer is informed of the change of circumstances, any leave that is required to be taken under paragraph (1) or (2) must—

- (a) start on the date that the employer was informed of the change of circumstances; and
- (b) end as soon as it is reasonably practicable for the employer to accommodate the change in circumstances by allowing M or P, as the case may be, to work and, in any event, must end no later than—
  - (i) the date on which that period of shared parental leave was due to end; or
  - (ii) eight weeks after the employer is informed of the change in circumstances,whichever is the earlier.