
STATUTORY RULES OF NORTHERN IRELAND

2023 No. 156

**The Parental Bereavement Leave (No. 2)
Regulations (Northern Ireland) 2023**

PART 3

TAKING PARENTAL BEREAVEMENT LEAVE

Application of terms and conditions during parental bereavement leave

9.—(1) An employee who takes parental bereavement leave, is, during any period of leave—

- (a) entitled to the benefit of all of the terms and conditions of employment which would have applied if the employee had not been absent; and
- (b) bound by any obligations arising under those terms and conditions, subject only to the exception in Article 112EB(1)(b) of the 1996 Order⁽¹⁾.

(2) In paragraph (1)(a), “terms and conditions of employment” has the meaning given by Article 112EB(2) of the 1996 Order, and accordingly does not include terms and conditions about remuneration.

(3) For the purposes of Article 112EB of the 1996 Order, only sums payable to an employee by way of wages or salary are to be treated as remuneration.

(4) In the case of accrual of rights under an employment-related benefit scheme within the meaning given by paragraph 7 of Schedule 5 to the Social Security (Northern Ireland) Order 1989⁽²⁾, nothing in paragraph (1)(a) imposes a requirement which exceeds the requirements of paragraph 5D⁽³⁾ of that Schedule.

(1) Article 112EB was inserted by section 1 of the Parental Bereavement (Leave and Pay) Act (Northern Ireland) 2022 (c. 5).

(2) S.I. 1989 No. 1342 (N.I. 13).

(3) Paragraph 5D was inserted by section 4 and Schedule 1, paragraph 1 of the Parental Bereavement (Leave and Pay) Act (Northern Ireland) 2022 (c. 5).