

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations implement Council Directive 2010/18/EU on the revised framework agreement on parental leave (“the Directive”). They amend provisions relating to parental leave in the Employment Rights Act 1996 (“the 1996 Act”) and the Maternity and Parental Leave etc. Regulations 1999 (“1999 Regulations”).

Regulation 2 amends section 80F of the 1996 Act to extend the right to request a contract variation to employed agency workers who are returning to work from a period of parental leave.

Regulation 3 makes amendments to the 1999 Regulations. It amends regulation 14 of the 1999 Regulations to increase a qualifying employee’s entitlement to parental leave in respect of an individual child from 13 weeks to 18 weeks. It also introduces a provision which requires the Secretary of State to review the operation and effect of those provisions which implement the Directive and to publish a report within five years and within every five years after that. Following a review it will fall to the Secretary of State to consider whether the relevant provisions should remain as they are, or be revoked or be amended. A further instrument would be needed to revoke the relevant provisions or to amend them.

A transposition note and an impact assessment of the effect that this instrument will have on the costs to business and the voluntary sector are attached to the Explanatory Memorandum which is available alongside the instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk). Copies have also been placed in the Libraries of both Houses of Parliament.