
DRAFT STATUTORY INSTRUMENTS

2024 No.

The Carer's Leave Regulations 2024

Part 1

General

Citation, commencement and extent

- 1.—(1) These Regulations may be cited as the Carer's Leave Regulations 2024.
- (2) The Regulations come into force on 6th April 2024.
- (3) The Regulations extend to England and Wales and Scotland.

Application

- 2.—(1) Subject to paragraphs (2) to (5), these Regulations apply in relation to employees who give notice of an intention to take carer's leave on or after 6th April 2024.
- (2) Regulation 11 (protection from detriment) has effect only in relation to an act or failure to act which takes place on or after 6th April 2024.
- (3) For the purposes of paragraph (2)—
 - (a) where an act extends over a period, the reference to the date of the act is a reference to the last day of that period, and
 - (b) a failure to act is to be treated as done when it was decided on.
- (4) For the purposes of paragraph (3)(b), in the absence of evidence establishing the contrary an employer shall be taken to decide on a failure to act—
 - (a) when they do an act inconsistent with doing the failed act, or
 - (b) if they have done no such inconsistent act when the period expires within which they might reasonably have been expected to do the failed act if it was to be done.
- (5) Regulation 12 (unfair dismissal) has effect only in relation to dismissals where the effective date of termination (within the meaning of section 97 of the 1996 Act) falls on or after 6th April 2024.

Interpretation

3. In these Regulations—
 - “the 1996 Act” means the Employment Rights Act 1996;
 - “carer's leave” means leave under section 80J of the 1996 Act;
 - “day” means a period of 24 hours beginning at midnight, for the purposes of this regulation and regulations 7 and 8;
 - “relevant period” means a period of 12 months which ends on the last day of the carer's leave the employee has requested;
 - “statutory leave” means leave provided for in Part 8 of the 1996 Act;

“week” means a seven day period starting at midnight between Sunday and Monday.