



Employment Rights Act 1996

1996 CHAPTER 18

[^{F1}PART VIII]

CHAPTER 3

PATERNITY LEAVE

80B Entitlement to paternity leave: adoption

- (1) The Secretary of State shall make regulations entitling an employee who satisfies specified conditions—
 - (a) as to duration of employment,
 - (b) as to relationship with a child placed, or expected to be placed, for adoption under the law of any part of the United Kingdom, and
 - (c) as to relationship with a person with whom the child is, or is expected to be, so placed for adoption,to be absent from work on leave under this section for the purpose of caring for the child or supporting the person by reference to whom he satisfies the condition under paragraph (c).
- (2) The regulations shall include provision for determining—
 - (a) the extent of an employee's entitlement to leave under this section in respect of a child;
 - (b) when leave under this section may be taken.
- (3) Provision under subsection (2)(a) shall secure that where an employee is entitled to leave under this section in respect of a child he is entitled to at least two weeks' leave.
- (4) Provision under subsection (2)(b) shall secure that leave under this section must be taken before the end of a period of at least 56 days beginning with the date of the child's placement for adoption.
- (5) Regulations under subsection (1) may—

Status: Point in time view as at 16/08/2004. This version of this provision has been superseded.

Changes to legislation: Employment Rights Act 1996, Section 80B is up to date with all changes known to be in force on or before 31 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) specify things which are, or are not, to be taken as done for the purpose of caring for a child or supporting a person with whom a child is placed for adoption;
 - (b) make provision excluding the right to be absent on leave under this section in the case of an employee who exercises a right to be absent from work on adoption leave;
 - (c) make provision excluding the right to be absent on leave under this section in respect of a child where more than one child is placed for adoption as part of the same arrangement;
 - (d) make provision about how leave under this section may be taken.
- (6) Where more than one child is placed for adoption as part of the same arrangement, the reference in subsection (4) to the date of the child’s placement shall be read as a reference to the date of placement of the first child to be placed as part of the arrangement.
- (7) In this section, “week” means any period of seven days.
- (8) The Secretary of State may by regulations provide for this section to have effect in relation to cases which involve adoption, but not the placement of a child for adoption under the law of any part of the United Kingdom, with such modifications as the regulations may prescribe.

Modifications etc. (not altering text)

- C1** S. 80B applied (with modifications) (1.4.2003) by [The Employment Rights Act 1996 \(Application of Section 80B to Adoptions from Overseas\) Regulations 2003 \(S.I. 2003/920\)](#), **reg. 2**

Status:

Point in time view as at 16/08/2004. This version of this provision has been superseded.

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