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STATUTORY INSTRUMENTS

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**1994 No. 2930**

**TERMS AND CONDITIONS OF EMPLOYMENT**

**The Suspension from Work (on Maternity Grounds) Order 1994**

*Made* - - - - *21st November 1994*  
*Laid before Parliament* *21st November 1994*  
*Coming into force* - - *1st December 1994*

The Secretary of State, in exercise of the powers conferred on him by section 45(3) of the Employment Protection (Consolidation) Act 1978<sup>(1)</sup> and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Suspension from Work (on Maternity Grounds) Order 1994 and shall come into force on 1st December 1994.

(2) In this Order —

- (a) “the 1978 Act” means the Employment Protection (Consolidation) Act 1978; and
- (b) “the 1992 Regulations” means the Management of Health and Safety at Work Regulations 1992<sup>(2)</sup>.

**Relevant provisions under section 45(1) of the 1978 Act**

2. The following provisions are specified as relevant provisions for the purposes of section 45(1) of the 1978 Act:

- (a) regulation 13A(3) of the 1992 Regulations; and
- (b) regulation 13B of the 1992 Regulations.

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(1) 1978 c. 44; section 45 was substituted by section 25 of, and Schedule 3 to, the Trade Union Reform and Employment Rights Act 1993 (c. 19).  
(2) S.I. 1992/2051, amended by S.I. 1994/2865.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Signed by order of the Secretary of State.

21st November 1994

*Ann Widdecombe*  
Minister of State,  
Department of Employment

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## EXPLANATORY NOTE

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

This Order (in combination with the Management of Health and Safety at Work Regulations 1992 (S.I.1992/2051) (as amended by the Management of Health and Safety at Work (Amendment) Regulations 1994 (S.I. 1994/2865)) (collectively referred to as “the 1992 Regulations”) gives effect, in Great Britain, to Articles 5(2) and 7(2) of Council Directive 92/85/EEC (OJNo. L348, 28.11.92, p.1) on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding.

The Order specifies the requirements imposed by the 1992 Regulations so that, by virtue of section 45(1) of the Employment Protection (Consolidation) Act 1978 (c. 44), where an employee is suspended from work in consequence of any of those requirements, she will have rights under section 46 (right to offer of alternative work) and section 47(right to remuneration on suspension) of that Act.