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WELSH STATUTORY INSTRUMENTS

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**2013 No. 2901**

The Family Absence for Members of Local  
Authorities (Wales) Regulations 2013

PART 2

Newborn absence

**Prescribed conditions**

**9.**—(1) For the purposes of section 25(1) of the Measure, the prescribed conditions are that the member—

- (a) is either—
  - (i) the child’s father and has, or expects to have, responsibility for the upbringing of the child; or
  - (ii) married to, the civil partner or the partner of the child’s mother, but is not the child’s father and has, or expects to have the main responsibility (apart from any responsibility of the mother) for the upbringing of the child; and
- (b) gives the head of democratic services written notice of the date the member intends the period of newborn absence to start.

(2) A member is to be treated as having satisfied the condition in paragraph (1)(a)(ii) if that member would have satisfied the condition but for the fact that the child’s mother has died.

(3) A member is to be treated as having satisfied either of the conditions in paragraph (1)(a) if they would have satisfied the condition but for the fact that the child was stillborn after 24 weeks of pregnancy or has died.

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**Commencement Information**

**II** Reg. 9 in force at 5.12.2013, see [reg. 1\(2\)](#)

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Family Absence for Members of Local Authorities (Wales) Regulations 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- [reg. 17A](#) inserted by [S.I. 2021/243 reg. 2\(6\)](#)