This statutory instrument has been made in consequence of defects in S.I. 2014/3050 and 2014/3052 and is being issued free of charge to all known recipients of those statutory instruments.

Draft Regulations laid before Parliament under section 236(3) of the Employment Rights Act 1996, for approval by resolution of each House of Parliament.

D R A F T S T A T U T O R Y I N S T R U M E N T S

2015 No. XXXX

TERMS AND CONDITIONS OF EMPLOYMENT

The Shared Parental Leave and Leave Curtailment (Amendment) Regulations 2015

Made - - - -	*****
Coming into force - -	*5th April 2015*

A draft of these Regulations was laid before Parliament in accordance with section 236(3) of the Employment Rights Act 1996(**a**) and approved by a resolution of each House of Parliament.

The Secretary of State, in exercise of the powers conferred by sections 75A(2) and (2A)(b), 75B(2) and (3)(aa), 75D(1)(a), 75E(1) and (4), 75F(1)(a), (4), (9), (10) and (12)(a), 75G(1) and (4) and 75H(1)(a), (9), (10) and (12)(a) of the Employment Rights Act 1996(**b**), makes the following Regulations.

Citation and commencement

1. These Regulations may be cited as the Shared Parental Leave and Leave Curtailment (Amendment) Regulations 2015 and come into force on 5th April 2015.

Amendments to the Shared Parental Leave Regulations 2014

2.—(1) The Shared Parental Leave Regulations 2014(**c**) are amended as follows.

(2) In paragraph (5)(c) of regulation 6, in both places it occurs, for "P" substitute "M".

(3) In regulation 15—

(a) for paragraph (2)(c) substitute—

"(c) cancel the leave requested provided that the notice is given not less than eight weeks before the leave cancelled by the notice is due to commence.";

(**a**) 1996 c. 18. Section 236(3) was amended by the Children and Families Act 2014 (c. 6), section 117(2); there are other amending instruments but none is relevant.

(**b**) Sections 75A, 75B and 75D were inserted by the Employment Act (c. 22), section 3. Section 75A(2A) was inserted by the Work and Families Act 2006 (c. 18), Schedule 1, paragraph 33, and amended by the Children and Families Act 2014, section 118(4). Section 75B(3) was amended by the Children and Families Act 2014, section 118(4). Sections 75E to 75H were inserted by the Children and Families Act 2014, section 117(1).

(**c**) S.I. 2014/3050.

(b) for paragraph (5) substitute—

"(5) Regulations 13 and 14 apply to a notice under paragraph (1) as they apply to a period of leave notice given in accordance with regulation 12; and for these purposes a reference in those regulations to a notice under regulation 12 (however expressed) is to be read as a reference to a notice under paragraph (1).".

(4) In paragraphs (9)(b)(ii) and (10)(a) of regulation 22 for "M" substitute "A".

(5) In regulation 31—

(a) for paragraph (2)(c) substitute—

"(c) cancel the leave requested provided that the notice is given not less than eight weeks before the leave cancelled by the notice is due to commence.".

(b) for paragraph (5) substitute—

"(5) Regulations 29 and 30 apply to a notice under paragraph (1) as they apply to a period of leave notice given in accordance with regulation 28; and for these purposes a reference in those regulations to a notice under regulation 28 (however expressed) is to be read as a reference to a notice under paragraph (1).".

Amendment to the Maternity and Adoption Leave (Curtailment of Statutory Rights to Leave) Regulations 2014

3.—(1) The Maternity and Adoption Leave (Curtailment of Statutory Rights to Leave) Regulations 2014(**a**) are amended as follows.

(2) In paragraphs (2)(b) and (3)(c) of regulation 12 for "P's" substitute "AP's".

Name
Parliamentary Under Secretary of State for Employment Relations and Consumer Affairs
Date Department for Business, Innovation and Skills

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations correct errors in the Shared Parental Leave Regulations 2014 and the Maternity and Adoption Leave (Curtailment of Statutory Rights to Leave) Regulations 2014.

In addition, these Regulations amend the provision on the variation of period of leave notices in the Shared Parental Leave Regulations 2014 to protect employers and provide employees with flexibility.

A separate impact assessment has not been prepared for these Regulations. These Regulations relate to a package of legislative measures and the relevant impact assessment is the *Modern Workplaces: shared parental leave and pay implementation consultation impact assessment* which was published in February 2013. A copy of that impact assessment can be obtained from the Department for Business, Innovation and Skills, Labour Market Directorate, 1 Victoria Street, London, SW1H 0ET. Copies have also been placed in the libraries of both Houses of Parliament.

(**a**) S.I. 2014/3052.

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