STATUTORY RULES OF NORTHERN IRELAND

2015 No. 95

The Maternity and Adoption Leave (Curtailment of Statutory Rights to Leave) Regulations (Northern Ireland) 2015

PART 3

CURTAILMENT OF STATUTORY ADOPTION LEAVE

Entitlement to curtail statutory adoption leave

9.—(1) A may bring forward the date on which A's ordinary adoption leave period(**1**) or additional adoption leave period(**2**) ends by giving A's employer a leave curtailment notice and either—

(a) a notice of entitlement; or

(b) a declaration of consent and entitlement.

(2) A must give A's employer the leave curtailment notice at the same time as A gives the employer either a notice of entitlement or a declaration of consent and entitlement.

(3) If A has an entitlement to statutory adoption leave in relation to C with more than one employer, A must curtail the ordinary adoption leave period or additional adoption leave period in accordance with paragraphs (1) and (2) with each of those employers at the same time.

(4) A's obligation in paragraph (3) does not apply in relation to any employer with which A has returned to work on or before the date on which A gives notices in accordance with paragraphs (1) and (2).

Leave curtailment notice: adoption

10.—(1) A leave curtailment notice must be in writing and must state—

(a) where A curtails A's ordinary adoption leave period, the date on which A's ordinary adoption leave period is to end; or

(b) where A curtails A's additional adoption leave period, the date on which A's additional adoption leave period is to end.

(2) The date specified in the leave curtailment notice must be—

(a) at least eight weeks after the date on which A gives the leave curtailment notice to A's employer;

(b) at least two weeks after the first day of A's ordinary adoption leave period; and

(c) where A curtails A's additional adoption leave period, at least one week before the last day of A's additional adoption leave period.

(**1**) Ordinary adoption leave period is determined in accordance with Article 107A of the 1996 Order and S.R. 2002 No. 377.
(**2**) Additional adoption leave period is determined in accordance with Article 107B of the 1996 Order and S.R. 2002 No. 377.

Effect of the leave curtailment notice: adoption

11.—(1) Where A has brought forward the date on which A's ordinary adoption leave period or additional adoption leave period ends in accordance with regulation 9, A's statutory adoption leave period will end on the leave curtailment date.

(2) In this Regulation "statutory adoption leave period" means the period during which A is on statutory adoption leave.

Revocation: adoption

12.—(1) A may revoke a leave curtailment notice by giving a revocation notice if—

(a) neither A nor AP are eligible for shared parental leave or statutory shared parental pay; or

(b) AP dies.

(2) A revocation notice must be given to A's employer before the leave curtailment date and—

(a) if given in accordance with paragraph (1)(a), within 8 weeks of the date on which A gave the leave curtailment notice to A's employer in accordance with regulation 9(1);

(b) if given in accordance with paragraph (1)(b), within a reasonable time of the date of AP's death.

(3) A revocation notice—

(a) must be in writing;

(b) must state that A revokes the leave curtailment notice; and

(c) if given in accordance with paragraph (1)(b), must state the date of AP's death.

(4) If A has given a leave curtailment notice to more than one employer, A must give revocation notices to each of those employers.

(5) The obligation in paragraph (4) does not apply to any employer with which A has returned to work on or before the date on which A gives the revocation notice.

(6) A may not give A's employer a leave curtailment notice subsequent to giving a revocation notice.