



Local Government (Wales) Measure 2011

2011 nawm 4

PART 2

FAMILY ABSENCE FOR MEMBERS OF LOCAL AUTHORITIES

25 Newborn absence

- (1) This section applies to a member of a local authority who satisfies prescribed conditions—
 - (a) as to relationship with a newborn, or expected, child, and
 - (b) as to relationship with the child's mother.
- (2) The member is entitled to a period of absence (“newborn absence”) for the purpose of—
 - (a) caring for the child, or
 - (b) supporting the mother.
- (3) Regulations must include provision for determining—
 - (a) the extent of a member's entitlement to newborn absence in respect of a child;
 - (b) when newborn absence may be taken.
- (4) Regulations must not provide for a period of newborn absence in respect of a child to exceed two weeks.
- (5) Regulations must require newborn absence to be taken before the end of a prescribed period.
- (6) That period must be a period of at least 56 days beginning with the date of the child's birth.
- (7) Regulations may prescribe circumstances in which a member of a local authority, or the local authority, may—
 - (a) bring a period of newborn absence to an end, or
 - (b) cancel a period of newborn absence.

Changes to legislation: There are currently no known outstanding effects for the Local Government (Wales) Measure 2011, Section 25. (See end of Document for details)

(8) Regulations may—

- (a) (for the purpose of subsection (2)) prescribe things which are, or are not, to be taken as done for the purpose of caring for a child or supporting the child's mother;
- (b) allow a member to choose, subject to prescribed restrictions, the date on which a period of newborn absence starts;
- (c) make provision excluding an entitlement to newborn absence in respect of a child where more than one child is born as a result of the same pregnancy;
- (d) make provision about how newborn absence may be taken.

(9) Where more than one child is born as a result of the same pregnancy, the reference in subsection (6) to the date of the child's birth is to be read as a reference to the date of birth of the first child born as a result of the pregnancy.

(10) In this section—

- “newborn child” (“”) includes a child stillborn after 24 weeks of pregnancy;
- “week” (“”) means any period of seven days.

Annotations:

Commencement Information

II S. 25 in force at 30.4.2012 by S.I. 2012/1187, art. 2(1)(c)

Changes to legislation:

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