

*These notes refer to the Work and Families Act (Northern Ireland)
2015 (c.1) which received Royal Assent on 8th January 2015*

Work and Families Act (Northern Ireland) 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2: Shared Rights to Leave and Pay

Section 2: Shared parental leave

Article 107J: Power to apply Articles 107G and 107I to other cases

Paragraph (1) allows the regulations under *Articles 107G* and *107I* to provide for cases where a child has been adopted under the laws of a jurisdiction outside the United Kingdom.

Paragraph (2) makes similar provision in relation to cases involving an employee who has applied, or intends to apply, with another person, under section 54 of the Human Fertilisation and Embryology Act 2008 for a parental order in respect of a child. This will allow some parents in surrogacy arrangements to be entitled to shared parental leave in the same way as certain adoptive parents. *Paragraph (3)* provides that the Department can prescribe that eligible intended parents in surrogacy arrangements who wish to take shared parental leave must make a statutory declaration as to their eligibility and intention to apply for a parental order.