
STATUTORY RULES OF NORTHERN IRELAND

2002 No. 377

**Paternity and Adoption Leave
Regulations (Northern Ireland) 2002**

PART III

ADOPTION LEAVE

Requirement to notify intention to return during adoption leave period

25.—(1) An employee who intends to return to work earlier than the end of his additional adoption leave period must give his employer at least 28 days' notice of the date on which he intends to return.

(2) If an employee attempts to return to work earlier than the end of his additional adoption leave period without complying with paragraph (1), his employer is entitled to postpone his return to a date such as will secure, subject to paragraph (3), that he has at least 28 days' notice of the employee's return.

(3) An employer is not entitled under paragraph (2) to postpone an employee's return to work to a date after the end of the employee's additional adoption leave period.

(4) If an employee whose return has been postponed under paragraph (2) has been notified that he is not to return to work before the date to which his return was postponed, the employer is under no contractual obligation to pay him remuneration until the date to which his return was postponed if he returns to work before that date.

(5) This regulation does not apply in a case where the employer did not notify the employee in accordance with regulation 17(7) and (8) of the date on which the employee's additional adoption leave period would end.

(6) In a case where an employee's adoption leave is curtailed because regulation 22 applies, the references in this regulation to the end of an employee's additional adoption leave period are references to the date on which that period would have ended had that regulation not applied, irrespective of whether it was the employee's ordinary adoption leave period or his additional adoption leave period that was curtailed.