



# Protection from Redundancy (Pregnancy and Family Leave) Act 2023

## 2023 CHAPTER 17

### 1 Redundancy during a protected period of pregnancy

- (1) The Employment Rights Act 1996 is amended as follows.
- (2) After Part 5A (protection for applicants for employment etc in the health service) insert—

#### “PART 5B

##### REDUNDANCY DURING A PROTECTED PERIOD OF PREGNANCY

#### **49D Redundancy during a protected period of pregnancy**

- (1) The Secretary of State may, by regulations, make provision about redundancy during, or after, a protected period of pregnancy.
  - (2) A protected period of pregnancy is a period relating to the pregnancy of an employee that is calculated in accordance with regulations made by the Secretary of State.
  - (3) Provision made by virtue of subsection (1) may include—
    - (a) provision requiring an employer to offer alternative employment;
    - (b) provision for the consequences of failure to comply with the regulations (which may include provision for dismissal to be treated as unfair for the purposes of Part 10).
  - (4) Provision made by virtue of subsection (2) may include provision for the protected period of pregnancy to begin after the end of the pregnancy.”.
- (3) In section 191 (Crown employment), in subsection (2), after paragraph (b) insert—  
“(ba) Part 5B,”.

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**Changes to legislation:** There are currently no known outstanding effects for the Protection from Redundancy (Pregnancy and Family Leave) Act 2023, Section 1. (See end of Document for details)

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- (4) In section 192 (armed forces), in subsection (2), after paragraph (ab) insert—  
“(ac) Part 5B,”.
- (5) In section 194 (House of Lords staff), in subsection (2), after paragraph (c) insert—  
“(ca) Part 5B,”.
- (6) In section 195 (House of Commons staff), in subsection (2), after paragraph (c) insert—  
“(ca) Part 5B,”.
- (7) In section 199 (mariners)—  
(a) in subsection (2), after “47F,” insert “Part 5B, sections”, and  
(b) in subsection (8), after paragraph (b) insert—  
“(ba) Part 5B,”.
- (8) In section 236 (orders and regulations), in subsection (3), after “49C,” insert “49D,”.

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**Commencement Information**

**II** S. 1 in force at 24.7.2023, see s. 3(2)

**Changes to legislation:**

There are currently no known outstanding effects for the Protection from Redundancy (Pregnancy and Family Leave) Act 2023, Section 1.