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STATUTORY INSTRUMENTS

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**2008 No. 1966**

**The Maternity and Parental Leave etc. and the Paternity and Adoption Leave (Amendment) Regulations 2008**

**Application**

2.—(1) The amendments to the Maternity and Parental Leave etc. Regulations 1999<sup>(1)</sup> provided for in these Regulations have effect only in relation to employees whose expected week of childbirth begins on or after 5th October 2008.

(2) The amendments to the Paternity and Adoption Leave Regulations 2002<sup>(2)</sup> provided for in these Regulations have effect only in relation to an employee with whom a child is expected to be placed for adoption, where the placement is expected to occur on or after 5th October 2008.

(3) For the purposes of paragraph (2) the date on which the child is actually placed for adoption is immaterial.

(4) The amendments to the Paternity and Adoption Leave Regulations 2002 applied to adoption from overseas by virtue of and as modified by the Paternity and Adoption Leave (Adoption from Overseas) Regulations 2003<sup>(3)</sup> have effect only where the adopter's child enters Great Britain on or after 5th October 2008.

(5) For the purposes of paragraph (4)—

“adopter”, in relation to a child, means a person by whom the child has been or is to be adopted or, in a case where the child has been or is to be adopted by two people jointly, whichever of them has elected to take adoption leave in respect of the child;

“adoption from overseas” means the adoption of a child who enters Great Britain from outside the United Kingdom in connection with or for the purposes of adoption which does not involve the placement of the child for adoption under the law of any part of the United Kingdom; and

“enters Great Britain” means enters Great Britain from outside the United Kingdom in connection with or for the purposes of adoption.

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<sup>(1)</sup> S.I. 1999/3312, amended by S.I. 2002/2789. There are other amending instruments, but none is relevant.

<sup>(2)</sup> S.I. 2002/2788, amended by S.I. 2005/275. There are other amending instruments, but none is relevant.

<sup>(3)</sup> S.I. 2003/921.