
STATUTORY INSTRUMENTS

2009 No. 2108

The Ecclesiastical Offices (Terms of Service) Regulations 2009

PART V

TIME OFF WORK, TIME SPENT ON OTHER DUTIES AND SICKNESS

Maternity, paternity, parental and adoption leave and time spent on public duties

Entitlement to maternity, paternity, parental and adoption leave

23.—(1) An office holder shall be entitled to maternity, paternity, parental and adoption leave and time off work to care for dependants in accordance with directions given by the Archbishops' Council, in the exercise of its functions as the Central Stipends Authority, and any directions given by the Council under this paragraph may—

- (a) provide for the payment of his or her stipend during any such periods of leave,
- (b) impose conditions on any such entitlement, and
- (c) impose requirements as to the procedures for applying for any such entitlement.

(2) In giving any directions under paragraph (1) above the Council shall have regard to the corresponding rights given to employees under Part VIII of the Employment Rights Act 1996⁽¹⁾.

(3) A draft of any directions proposed to be made by the Archbishops' Council under this regulation shall be laid before the General Synod and, if they are approved by the General Synod, whether with or without amendment, the draft directions as so approved shall be referred to the Archbishops' Council.

(4) Where the draft directions are referred to the Archbishops' Council under paragraph (3) above then—

- (a) if they have been approved by the General Synod without any amendment, the Archbishops' Council shall, by applying its seal, make the directions;
- (b) if they have been approved by the General Synod with amendment, the Archbishops' Council may either—
 - (i) by applying its seal make the directions as so amended, or
 - (ii) withdraw the draft directions for further consideration in view of any amendment by the General Synod;

and the directions shall not come into force until they have been sealed by the Archbishops' Council.

(5) Where the Business Committee of the General Synod determines that draft directions do not need to be debated by the General Synod, then, unless—

- (a) notice is given by a member of the General Synod in accordance with its Standing Orders that he or she wishes the draft directions to be debated, or

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(b) notice is give by any such member that he or she wishes to move an amendment to the draft directions,

the draft directions shall, for the purposes of paragraphs (3) and (4) above, be deemed to have been approved by the General Synod without amendment.

(6) The Statutory Instruments Act 1946⁽²⁾ shall apply to any directions sealed by the Archbishops' Council under paragraph (4) above as if they were a statutory instrument and were made when sealed by the Archbishops' Council and as if these regulations were an Act providing that any such directions shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(2) 1946 c.36.