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STATUTORY INSTRUMENTS

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**2002 No. 2836**

**The Employment (Northern Ireland) Order 2002**

*Maternity leave*

**Rights during and after maternity leave**

**14.**—(1) Chapter I of Part IX of the Employment Rights (Northern Ireland) Order 1996 (N.I. 16) (maternity leave) shall be amended as follows.

(2) In Article 103 (ordinary maternity leave), in paragraph (4) (rights during and after leave)—

(a) in sub-paragraph (a), after “entitled” there shall be inserted “, for such purposes and to such extent as may be prescribed,”,

(b) in sub-paragraph (b), after “bound” there shall be inserted “, for such purposes and to such extent as may be prescribed”, and

(c) for sub-paragraph (c) there shall be substituted—

“(c) is entitled to return from leave to a job of a prescribed kind.”.

(3) In that Article, for paragraph (7) there shall be substituted—

“(7) The Department may make regulations making provision, in relation to the right to return under paragraph (4)(c), about—

(a) seniority, pension rights and similar rights;

(b) terms and conditions of employment on return.”.

(4) In Article 105 (additional maternity leave), after paragraph (5) there shall be inserted—

“(5A) In paragraph (4)(c), the reference to return from leave includes, where appropriate, a reference to a continuous period of absence attributable partly to additional maternity leave and partly to ordinary maternity leave.”.

(5) In Article 106 (redundancy and dismissal), in paragraph (4) (power to make provision about the right to return from, and for dismissal at the end of, an additional maternity leave period)—

(a) after “Article” (where it first appears) there shall be inserted “ 103 or ”,

(b) in sub-paragraph (a), after “Article” there shall be inserted “ 103(4)(c) or ”, and

(c) in sub-paragraph (b), after “an” there shall be inserted “ ordinary or ”.

**Changes to legislation:**

There are currently no known outstanding effects for the The Employment (Northern Ireland) Order 2002, Section 14.