



Employment Rights Act 1996

1996 CHAPTER 18

[^{F1}PART VIII

^{F1}CHAPTER I

MATERNITY LEAVE

^{F2}[^{F1}72 **Compulsory maternity leave.**

- (1) An employer shall not permit an employee who satisfies prescribed conditions to work during a compulsory maternity leave period.
- (2) A compulsory maternity leave period is a period calculated in accordance with regulations made by the Secretary of State.
- (3) Regulations under subsection (2) shall secure—
 - (a) that no compulsory leave period is less than two weeks, and
 - (b) that every compulsory maternity leave period falls within an ordinary maternity leave period.
- (4) Subject to subsection (5), any provision of or made under the ^{M1}Health and Safety at Work etc. Act 1974 shall apply in relation to the prohibition under subsection (1) as if it were imposed by regulations under section 15 of that Act.
- (5) Section 33(1)(c) of the 1974 Act shall not apply in relation to the prohibition under subsection (1); and an employer who contravenes that subsection shall be—
 - (a) guilty of an offence, and
 - (b) liable on summary conviction to a fine not exceeding level 2 on the standard scale.]

Status: Point in time view as at 01/12/2014.

Changes to legislation: Employment Rights Act 1996, Section 72 is up to date with all changes known to be in force on or before 28 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F1** Pt. 8 (ss. 71-80) substituted for Pt. 8 (ss. 71-85) (15.12.1999) by 1999 c. 26, s. 7, **Sch. 4 Pt. 1**; S.I. 1999/2830, art. 2(1)(2), **Sch. 1 Pt. 2** (with transitional provisions in **Sch. 3 para. 10**)
- F2** Pt. VIII (ss. 71-80) substituted for Pt. VIII (ss. 71-85) (15.12.1999) by 1999 c. 26, s. 7, **Sch. 4 Pt. I**; S.I. 1999/2830, art. 2(2), **Sch. 1 Pt. II** (with **Sch. 3 para. 10**)
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Marginal Citations

- M1** 1974 c. 37.

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