



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,”.

Status: Point in time view as at 24/07/2023.

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)

- (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,”.

Commencement Information

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

Status:

Point in time view as at 24/07/2023.

Changes to legislation:

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