
STATUTORY INSTRUMENTS

1999 No. 3312

The Maternity and Parental Leave etc. Regulations 1999

PART IV

**PROVISIONS APPLICABLE IN RELATION
TO MORE THAN ONE KIND OF ABSENCE**

[^{F1}Incidents of the right to return

18A.—(1) An employee's right to return under regulation 18(1) or (2) is a right to return—

- [^{F2}(a) with her seniority, pension rights and similar rights as they would have been if she had not been absent, and]
- (b) on terms and conditions not less favourable than those which would have applied if she had not been absent.

[^{F3}(2) In the case of accrual of rights under an employment-related benefit scheme within the meaning given by Schedule 5 to the Social Security Act 1989, nothing in paragraph (1)(a) concerning the treatment of additional maternity leave shall be taken to impose a requirement which exceeds the requirements of paragraphs 5 and 6 of that Schedule.]

(3) The provisions [^{F4}in paragraph (1)] for an employee to be treated as if she had not been absent refer to her absence—

- (a) if her return is from an isolated period of statutory leave, since the beginning of that period;
- (b) if her return is from consecutive periods of statutory leave, since the beginning of the first such period.]

Textual Amendments

- F1** Regs. 18, 18A substituted for reg. 18 (24.11.2002 with effect in accordance with reg. 2 of the amending S.I.) by [The Maternity and Parental Leave \(Amendment\) Regulations 2002 \(S.I. 2002/2789\)](#), regs. 1(1), **12**
- F2** [Reg. 18A\(1\)\(a\)](#) substituted (23.7.2008 with effect in accordance with reg. 2 of the amending S.I.) by [The Maternity and Parental Leave etc. and the Paternity and Adoption Leave \(Amendment\) Regulations 2008 \(S.I. 2008/1966\)](#), regs. 1, **5(a)**
- F3** [Reg. 18A\(2\)](#) substituted (23.7.2008 with effect in accordance with reg. 2 of the amending S.I.) by [The Maternity and Parental Leave etc. and the Paternity and Adoption Leave \(Amendment\) Regulations 2008 \(S.I. 2008/1966\)](#), regs. 1, **5(b)**
- F4** Words in [reg. 18A\(3\)](#) substituted (23.7.2008 with effect in accordance with reg. 2 of the amending S.I.) by [The Maternity and Parental Leave etc. and the Paternity and Adoption Leave \(Amendment\) Regulations 2008 \(S.I. 2008/1966\)](#), regs. 1, **5(c)**

Changes to legislation:

There are currently no known outstanding effects for the The Maternity and Parental Leave etc. Regulations 1999, Section 18A.