
STATUTORY INSTRUMENTS

2002 No. 2789

**The Maternity and Parental Leave
(Amendment) Regulations 2002**

Amendments to the Principal Regulations

9. For regulation 9 substitute—

“Application of terms and conditions during ordinary maternity leave

9.—(1) An employee who takes ordinary maternity leave—

- (a) is entitled, during the period of leave, to the benefit of all of the terms and conditions of employment which would have applied if she had not been absent, and
- (b) is bound, during that period, by any obligations arising under those terms and conditions, subject only to the exception in section 71(4)(b) of the 1996 Act.

(2) In paragraph (1)(a), “terms and conditions” has the meaning given by section 71(5) of the 1996 Act, and accordingly does not include terms and conditions about remuneration.

(3) For the purposes of section 71 of the 1996 Act, only sums payable to an employee by way of wages or salary are to be treated as remuneration.”