
STATUTORY INSTRUMENTS

2014 No. 3050

The Shared Parental Leave Regulations 2014

PART 2

ENTITLEMENT TO SHARED PARENTAL LEAVE (BIRTH)

CHAPTER 1

Entitlement to leave – general

Father’s or partner’s notice of entitlement and intention to take shared parental leave

9.—(1) P must, not less than eight weeks before the start date of the first period of shared parental leave to be taken by P, give P’s employer a written notice which contains the information specified in paragraph (2) and is accompanied by the declarations specified in paragraph (3).

(2) The specified information is—

- (a) P’s name;
- (b) M’s name;
- (c) the start and end dates of any—
 - (i) period of statutory maternity leave taken or to be taken by M;
 - (ii) period in respect of which statutory maternity pay received or to be received by M (where statutory maternity leave was not taken or is not be taken in relation to that period) is payable; or
 - (iii) period in respect of which maternity allowance received or to be received by M (where statutory maternity leave was not taken or is not be taken in relation to that period) is payable;
- (d) the total amount of shared parental leave available (in accordance with regulation 6(1), (2) or (3));
- (e) C’s expected week of birth and C’s date of birth (except as provided for in paragraph (4));
- (f) how much shared parental leave P and M each intend to take;
- (g) an indication as to when P intends to take shared parental leave (including the start and end dates for each period of leave).

(3) The specified declarations are—

- (a) a declaration signed by P that—
 - (i) P satisfies, or will satisfy, the conditions in regulation 5(2);
 - (ii) the information given by P in the notice is accurate;
 - (iii) that P is the father of C, or the person who is married to, or the civil partner or the partner of, M;
 - (iv) P will immediately inform P’s employer if P ceases to care for C or if M informs P that she has ceased to satisfy the condition in regulation 5(3)(d);

- (b) a declaration signed by M—
 - (i) specifying M's name, address, and national insurance number (or a declaration that M does not have a national insurance number);
 - (ii) that M satisfies, or will satisfy, the conditions in regulation 5(3);
 - (iii) that M consents to the amount of leave which P intends to take (as set out in the notice for the purposes of paragraph (2)(f));
 - (iv) that M will immediately inform P if she ceases to satisfy the conditions in regulation 5(3)(d);
 - (v) that M consents to P's employer processing the information in M's declaration.
- (4) Where a notice is given under paragraph (1) before C is born, P must give C's date of birth to P's employer as soon as reasonably practicable after the birth of C and, in any event, before the first period of shared parental leave to be taken by P.
- (5) The indication provided in accordance with paragraph (2)(g) is non-binding and must not be treated as a period of leave notice unless otherwise indicated in the notice.