

SCHEDULE 2

Amendments to subordinate legislation consequential on the coming into force of section 54A of the Human Fertilisation and Embryology Act 2008

Employment Rights Act 1996 (Application of Sections 75A, 75B, 75G, 75H, 80A and 80B to Parental Order Cases) Regulations 2014

8.—(1) The Employment Rights Act 1996 (Application of Sections 75A, 75B, 75G, 75H, 80A and 80B to Parental Order Cases) Regulations(1) are amended as follows.

(2) In regulation 1(2)—

(a) for the definition of “intended parent” substitute—

““intended parent”, in relation to a child, means a person who, on the day of the child’s birth—

(a) applies, or intends to apply during the period of 6 months beginning with that day—

(i) with another person for an order under section 54 of the Human Fertilisation and Embryology Act 2008 in respect of the child; or

(ii) as the sole applicant for an order under section 54A of that Act in respect of the child; and

(b) expects the court to make such an order in respect of the child;”;

(b) omit the definition of “parental order” and the “and” at the end of that definition;

(c) omit the definition of “parental order parent”;

(d) in the appropriate place insert—

““section 54 parental order parent” means a person—

(a) on whose application the court has made an order under section 54 of the Human Fertilisation and Embryology Act 2008 in respect of a child; or

(b) who is an intended parent of a child by reference to an application or intended application for such an order;

“section 54A parental order parent” means a person—

(a) on whose application the court has made an order under section 54A of the Human Fertilisation and Embryology Act 2008 in respect of a child; or

(b) who is an intended parent of a child by reference to an application or intended application for such an order.”.

(3) In regulation 2 for “parental order parents” substitute “section 54 parental order parents and section 54A parental order parents”.

(4) In regulation 3 for “parental order parents” substitute “section 54 parental order parents”.

(5) In regulation 4 for “parental order parents” substitute “section 54 parental order parents”.

(6) In Schedule 1, in the second column in the entry for section 75G, in the insertion of subsection (6A), for “intended parent” to the end, substitute—

““intended parent”, in relation to a child, means a person who, on the day of the child’s birth—

(a) applies, or intends to apply during the period of 6 months beginning with that day—

(1) [S.I. 2014/3095](#).

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- (i) with another person for an order under section 54 of the Human Fertilisation and Embryology Act 2008 in respect of the child; or
 - (ii) as the sole applicant for an order under section 54A of that Act in respect of the child; and
- (b) expects the court to make such an order in respect of the child; and
“parental order” means an order under section 54 or 54A of the Human Fertilisation and Embryology Act 2008.”.
- (7) In Schedule 2, in the second column in the entry for section 80B, in the insertion of subsection (7A), from “intended parent” to the end, substitute—
- ““intended parent” in relation to a child, means a person who, on the day of the child’s birth—
- (a) applies, or intends to apply during the period of 6 months beginning with that day—
 - (i) with another person for an order under section 54 of the Human Fertilisation and Embryology Act 2008 in respect of the child; or
 - (ii) as the sole applicant for an order under section 54A of that Act in respect of the child; and
 - (b) expects the court to make such an order in respect of the child; and
“parental order” means an order under section 54 or 54A of the Human Fertilisation and Embryology Act 2008.”.