
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Maternity and Parental Leave etc. Regulations 1999 (S.I. 1999/3312), the Paternity and Adoption Leave Regulations 2002 (S.I. 2002/2788) and the Shared Parental Leave Regulations 2014 (S.I. 2014/3050). They also amend the Paternity and Adoption Leave (Adoption from Overseas) Regulations 2003 (S.I. 2003/921) and the Shared Parental Leave and Paternity and Adoption Leave (Adoptions from Overseas) Regulations 2014 (S.I. 2014/3092) to ensure equivalent provision for those adopting children from overseas.

The amendments extend existing requirements that apply to employers when redundancy situations arise where an employee is on maternity, adoption or shared parental leave, so that those requirements can also apply during pregnancy and for a period of time after that leave has ended. For those taking shared parental leave who have not taken maternity or adoption leave, there is a six-week threshold of continuous leave that needs to be met for the requirements to apply for a period of time after shared parental leave has ended. Where the six-week threshold is not met, the requirements apply during shared parental leave.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen. A full impact assessment has been prepared in relation to the Protection from Redundancy (Pregnancy and Family Leave) Act 2023 and to which this instrument gives effect, and a copy is available at <https://bills.parliament.uk/bills/3191/publications>.