



Statutory Document No. 470/07

THE EMPLOYMENT ACT 2006

THE ADOPTION LEAVE (AMENDMENT) REGULATIONS 2007

Approved by Tynwald

19th June 2007

Coming into operation

30th September 2007

In exercise of the powers conferred on the Department of Trade and Industry by sections 95 and 96 of the Employment Act 2006¹, and of all other enabling powers, the following Regulations are hereby made:—

1. Citation and commencement

These Regulations may be cited as the Adoption Leave (Amendment) Regulations 2007 and, subject to section 175(1) of the Act, shall come into operation on the 30th September 2007.

2. Amendment of Adoption Leave Regulations 2007

For regulation 15 of the Adoption Leave Regulations 2007² substitute —

"15. Requirement to notify intention to return during adoption leave period

"(1) An employee who intends to return to work earlier than the end of his ordinary adoption leave period or, where he is entitled to both ordinary and additional adoption leave, the end of his additional adoption leave period, shall give to his employer not less than 28 days' notice of the date on which he intends to return.

(2) If an employee attempts to return to work earlier than the end of an adoption leave period without complying with paragraph (1), his employer is entitled to postpone his return to a date such as will secure, subject to paragraph (3), that he has 28 days' notice of the employee's return.

(3) An employer is not entitled under paragraph (2) to postpone an employee's return to work to a date after the end of the relevant adoption leave period.

¹ 2006 c.21

² SD 77/07

Price 50p

(4) If an employee whose return has been postponed under paragraph (2) has been notified that he is not to return to work before the date to which his return was postponed, the employer is under no contractual obligation to pay him remuneration until the date to which his return was postponed if he returns to work before that date.

(5) This regulation does not apply in a case where the employer did not notify the employee in accordance with regulation 7(7) of the date on which the employee's ordinary adoption period or additional adoption leave period would end."

MADE 17th May 2007

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Minister for Trade and Industry

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend regulation 15 of the Adoption Leave Regulations 2007, which requires an employee taking additional adoption leave to give the employer at least 28 days' notice if he intends to return to work before the end of the full period of his leave. The amendment applies the same requirement to an employee who takes ordinary adoption leave only.