
STATUTORY RULES OF NORTHERN IRELAND

2010 No. 297

**The Additional Paternity Leave
Regulations (Northern Ireland) 2010**

PART 4

Provisions applicable to both types of additional paternity leave

Application of terms and conditions during additional paternity leave

27.—(1) During the period of additional paternity leave, P—

- (a) is entitled to the benefit of all of the terms and conditions of employment which would have applied if P had not been absent, and
- (b) is bound by any obligations arising under those terms and conditions, subject only to the exception in Article 112C(1)(b) of the 1996 Order⁽¹⁾.

(2) In paragraph (1)(a), “terms and conditions of employment” has the meaning given by Article 112C(5) of the 1996 Order, and accordingly does not include terms and conditions about remuneration.

(3) For the purposes of Article 112C of the 1996 Order, only sums payable to P by way of wages or salary are to be treated as remuneration.

(4) In the case of accrual of rights under an employment-related benefit scheme within the meaning given by paragraph 7 of Schedule 5 to the Social Security (Northern Ireland) Order 1989⁽²⁾, nothing in paragraph (1)(a) shall be taken to impose a requirement which exceeds the requirements of paragraph 5A of that Schedule.

⁽¹⁾ Article 112C was inserted by Article 4 of the Employment (Northern Ireland) Order 2002 and subsequently amended by the Work and Families (Northern Ireland) Order 2006, Article 7.

⁽²⁾ S.I. 1989/1342 (N.I. 13).