
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

Early return from additional paternity leave period

30.—(1) Subject to regulations 13(1) and 23(1) (variation or cancellation of leave in the event of death of the mother or adopter), where, after P's additional leave period has begun, P intends to return to work earlier than the end of P's additional paternity leave period, P must give E at least six weeks' notice of the date on which P intends to return.

(2) If P attempts to return to work earlier than the end of P's additional paternity leave period without complying with paragraph (1), E is entitled to postpone P's return to a date such as will secure, subject to paragraph (5), that E has six weeks' notice of P's return.

(3) Where P complies with P's obligations in paragraph (1), or where E has postponed P's return in the circumstances described in paragraph (2), if P then decides to return to work—

- (a) earlier than the original return date, P must give E not less than six weeks' notice of the date on which P now intends to return;
- (b) later than the original return date, P must give E not less than six weeks' notice ending with the original return date.

(4) In paragraph (3) the "original return date" means the date which P notified E as the date of P's return to work under paragraph (1) or the date to which P's return was postponed by E under paragraph (2).

(5) In a case where P's return to work has been postponed under paragraph (2) and P—

- (a) has been notified that P is not to return to work before the date to which P's return was postponed, and
- (b) returns to work before that date,

E is under no contractual obligation to pay P's remuneration until the date to which P's return was postponed.

(6) This regulation does not apply in a case where E fails to notify P of the date on which P's additional paternity leave period ends, in accordance with regulation 8, regulation 8 as modified by regulation 10, regulation 18 or regulation 18 as modified by regulation 20 (confirmation of period of leave), as applicable.