

SCHEDULE 2

Regulation 4

Provision	Modification
Article 112A	After sub-paragraph (a) in paragraph (5) insert— “(aa) make provision excluding the right to be absent on leave under this Article in the case of an employee who satisfies— (i) the conditions specified in regulations under Article 107A(1) or 112B(1), or (ii) such of those conditions as are specified in regulations under paragraph (1);”.
Article 112B	For sub-paragraph (b) of paragraph (1) (and the following “and”) substitute— “(b) as to being a person— (i) on whose application the court has made a parental order in respect of a child, or (ii) who is an intended parent of a child, and”.
	For sub-paragraph (c) of paragraph (1) substitute— “(c) as to relationship with the other person on whose application the parental order was made or who is an intended parent of the child;”.
	In paragraph (4), for “placement for adoption” substitute “birth”.
	In sub-paragraph (a) of paragraph (5), for “a person with whom a child is placed for adoption” substitute “the other person on whose application the court has made a parental order in respect of a child or who is an intended parent of a child”.
	Omit sub-paragraph (aa) of paragraph (5)
	.
	In sub-paragraph (c) of paragraph (5), for “placed for adoption as part of the same arrangement” substitute “born as a result of the same pregnancy”.
	For paragraph (6) substitute— “(6) Where more than one child is born as a result of the same pregnancy, the reference in

Changes to legislation: There are currently no known outstanding effects for the *The Employment Rights (Northern Ireland) Order 1996 (Application of Articles 107A, 107B, 107G, 107I, 112A and 112B to Parental Order Cases) Regulations (Northern Ireland) 2015, SCHEDULE 2.* (See end of Document for details)

paragraph (4) to the date of the child's birth shall be read as a reference to the date of birth of the first child born as a result of the pregnancy.”.

After paragraph (7) insert—

“(7A) In this Article—

[^{F1}“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.”].

Textual Amendments

- F1** Words in Sch. 2 substituted (3.1.2019) by [The Human Fertilisation and Embryology Act 2008 \(Remedial\) Order 2018 \(S.I. 2018/1413\)](#), art. 1(1), **Sch. 2 para. 12(7)**

Marginal Citations

- M1** Article 112B(5)(aa) was inserted by [2015 c. 1 \(N.I.\)](#), **section 8(4)**.

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