

*Status:* This version of this cross heading contains provisions that are prospective.  
*Changes to legislation:* There are currently no known outstanding effects for the Neonatal Care (Leave and Pay) Act 2023, Cross Heading: Employment Act 2002. (See end of Document for details)

## SCHEDULE

### NEONATAL CARE LEAVE AND PAY

#### PART 3

##### FURTHER AMENDMENTS TO DO WITH NEONATAL CARE LEAVE AND PAY

PROSPECTIVE

#### *Employment Act 2002*

35 The Employment Act 2002 is amended as follows.

#### **Commencement Information**

**II** Sch. para. 35 not in force at Royal Assent, see [s. 3\(3\)](#)

36 (1) Section 7 (funding of employers' liabilities as regards certain statutory pay) is amended as follows.

(2) In subsection (1), for “and statutory parental bereavement pay” substitute “, statutory parental bereavement pay and statutory neonatal care pay”.

(3) In subsection (2)(a) and (b), for “or statutory parental bereavement pay” substitute “, statutory parental bereavement pay or statutory neonatal care pay”.

(4) In subsection (3)—

(a) for “or statutory parental bereavement pay” substitute “, statutory parental bereavement pay or statutory neonatal care pay”;

(b) omit “or” at the end of paragraph (c);

(c) at the end of paragraph (d) insert “, or

(e) the period for which the payment of statutory neonatal care pay is made,”.

#### **Commencement Information**

**I2** Sch. para. 36 not in force at Royal Assent, see [s. 3\(3\)](#)

37 In section 8 (regulations about payment), in subsections (1) and (2)(a), (b) and (d), for “and statutory parental bereavement pay” substitute “, statutory parental bereavement pay and statutory neonatal care pay”.

#### **Commencement Information**

**I3** Sch. para. 37 not in force at Royal Assent, see [s. 3\(3\)](#)

38 In section 10 (powers to require information), in subsections (1) and (2)(a), for “or statutory parental bereavement pay” substitute “, statutory parental bereavement pay or statutory neonatal care pay”.

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**Commencement Information**

**I4** Sch. para. 38 not in force at Royal Assent, see [s. 3\(3\)](#)

- 39 In section 11 (penalties for failure to comply), in subsection (6), for “or statutory parental bereavement pay” substitute “, statutory parental bereavement pay or statutory neonatal care pay”.

**Commencement Information**

**I5** Sch. para. 39 not in force at Royal Assent, see [s. 3\(3\)](#)

- 40 In section 12 (penalties for fraud or negligence), in subsections (2)(a), (2)(b) and (4), for “or statutory shared parental pay” substitute “, statutory shared parental pay or statutory neonatal care pay”.

**Commencement Information**

**I6** Sch. para. 40 not in force at Royal Assent, see [s. 3\(3\)](#)

- 41 In section 13 (supply of information held by His Majesty’s Revenue and Customs), in subsection (1), for “or statutory parental bereavement pay” substitute “, statutory parental bereavement pay or statutory neonatal care pay”.

**Commencement Information**

**I7** Sch. para. 41 not in force at Royal Assent, see [s. 3\(3\)](#)

- 42 In section 14 (supply of information held by the Secretary of State), in subsections (1) and (2), for “or statutory parental bereavement pay” substitute “, statutory parental bereavement pay or statutory neonatal care pay”.

**Commencement Information**

**I8** Sch. para. 42 not in force at Royal Assent, see [s. 3\(3\)](#)

- 43 In section 15 (use of information by His Majesty’s Revenue and Customs), in subsection (2)—
- (a) omit “and” at the end of paragraph (bb);
  - (b) after paragraph (bb) insert—
    - “(bc) their functions in relation to statutory neonatal care pay; and”.

**Commencement Information**

**I9** Sch. para. 43 not in force at Royal Assent, see [s. 3\(3\)](#)

- 44 In section 55 (short title etc), in subsection (8)—
- (a) for “or statutory parental bereavement pay” substitute “, statutory parental bereavement pay or statutory neonatal care pay”;

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(b) for “or Part 12ZD” substitute “, Part 12ZD or Part 12ZE”.

**Commencement Information**

**I10** Sch. para. 44 not in force at Royal Assent, see **s. 3(3)**

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