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STATUTORY INSTRUMENTS

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**2002 No. 2788**

The Paternity and Adoption Leave Regulations 2002

PART 3

ADOPTION LEAVE

**Application of terms and conditions during ordinary adoption leave**

**19.**—(1) An employee who takes ordinary adoption leave—

- (a) is entitled, during the period of leave, to the benefit of all of the terms and conditions of employment which would have applied if he had not been absent, and
- (b) is bound, during that period, by any obligations arising under those terms and conditions, subject only to the exception in section 75A(3)(b) of the 1996 Act<sup>(1)</sup>.

(2) In paragraph (1)(a), “terms and conditions of employment” has the meaning given by section 75A(4) of the 1996 Act, and accordingly does not include terms and conditions about remuneration.

(3) For the purposes of section 75A of the 1996 Act, only sums payable to an employee by way of wages or salary are to be treated as remuneration.

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<sup>(1)</sup> Section 75A was inserted by section 3 of the Employment Act 2002.