
Committee Stage: Wednesday 20 March 2024

Shared Parental Leave and Pay (Bereavement) Bill

(Amendment Paper)

This document lists all amendments tabled to the Shared Parental Leave and Pay (Bereavement) Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

This document should be read alongside the Chair's provisional Selection and Grouping, which sets out the order in which the amendments will be debated.

Chris Elmore

1

Page 1, line 1, leave out Clause 1

Member's explanatory statement

This amendment indicates the Member's intention to oppose the Question that clause 1 stand part of the Bill.

Chris Elmore

2

Page 1, line 5, leave out Clause 2

Member's explanatory statement

This amendment indicates the Member's intention to oppose the Question that clause 2 stand part of the Bill.

Chris Elmore

3

Clause 3, page 1, line 15, at end insert—

“(2A) Regulations under subsection (2) are to be made by statutory instrument.”

Member's explanatory statement

This amendment would require commencement regulations to be made by statutory instrument.

Chris Elmore

4

Clause 3, page 1, line 16, leave out "Shared Parental Leave and Pay" and insert "Paternity Leave"

Member's explanatory statement

This amendment is consequential on NC1.

Chris Elmore

NC1

To move the following Clause—

"Paternity leave: special provision in cases of bereavement

- (1) The Employment Rights Act 1996 is amended as follows.
- (2) In section 80A (entitlement to paternity leave: birth), after subsection (6) insert—
 - “(6A) In relation to cases where a child’s mother dies, this section has effect as if—
 - (a) subsection (1)(a) were omitted;
 - (b) after subsection (1) there were inserted—
 - “(1A) But in a case where both the child and the mother die, the regulations may provide that an employee who satisfies those conditions is entitled to leave under this section despite the fact that the leave cannot be taken for that purpose.”;
 - (c) subsection (4A) were omitted.”
- (3) In section 80B (entitlement to paternity leave: adoption), after subsection (6B) insert—
 - “(6C) In relation to cases where a person with whom a child is placed or expected to be placed for adoption dies, this section has effect as if—
 - (a) subsection (1)(a) were omitted;
 - (b) after subsection (1) there were inserted—
 - “(1A) But in a case where that person dies and the child—
 - (a) dies, or
 - (b) is, having been placed for adoption, returned,
 the regulations may provide that an employee who satisfies those conditions is entitled to leave under this section despite the fact that the leave cannot be taken for that purpose.”;
 - (c) subsection (4A) were omitted.”

- (4) In section 80D (special cases)—
- (a) after subsection (1) insert—
- “(1A) Regulations under section 80A or 80B may—
- (a) make provision specifying circumstances in which a bereaved employee may work for the employer during a period of leave under that section without bringing the particular period of leave, or the employee’s entitlement to leave under that section, to an end;
- (b) make provision about redundancy of a bereaved employee after a period of leave under that section.”;
- (b) in subsection (2), after “subsection (1)” insert “or (1A)(b)”;
- (c) after subsection (2) insert—
- “(3) In subsection (1A), “bereaved employee” means an employee who—
- (a) takes leave under section 80A in a case where the child’s mother dies, or
- (b) takes leave under section 80B in a case where a person with whom the child is placed or expected to be placed for adoption dies.””

Member's explanatory statement

This new clause would make special provision for paternity leave in cases where a mother (in the case of birth) or a person with whom a child is placed or expected to be placed for adoption (in the case of adoption) dies.

Chris Elmore

5

Title, line 1, leave out from “about” to end of line 2 and insert “paternity leave in cases where a mother, or a person with whom a child is placed or expected to be placed for adoption, dies”

Member's explanatory statement

This amendment is consequential on NC1.