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**B I L L**

TO

Entitle employees to take a period of leave to fulfil certain caring responsibilities in respect of dependants; and for connected purposes.

**B**E IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1 Caring responsibilities: extension of eligibility for entitlement to leave**

- (1) Section 57A of the Employment Rights Act 1996 (time off for dependants) is amended as follows.
- (2) In subsection (1)(b), after “ill” insert “, disabled”.
- (3) In subsection (4)(b), after “illness” insert “, disability”.

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**2 Regulations on leave entitlement of carers**

After section 57A of the Employment Rights Act 1996, insert—

**“57AA Regulations**

- (1) The Secretary of State shall by regulations made by statutory instrument specify how the entitlements in section 57A shall be interpreted for employees who have worked for their employer for more than a specified period of time. 10
- (2) Regulations under subsection (1) may—
  - (a) specify things which are, or are not, to be taken as done for the purpose of caring for a dependant; 15
  - (b) allow time off to be taken as a single period of absence in all cases or in specified cases;
  - (c) allow time off to be taken as a series of periods of absence in all cases or in specified cases;
  - (d) specify a maximum or maximum period of time off which may be taken; 20

- (e) specify a maximum aggregate of periods of time off which may be taken during a specified period of time.
- (3) Regulations under subsection (1) must provide that a qualifying employee who is absent under the provisions of section 57A –
- (a) is entitled, for such purposes and to such extent as may be prescribed, to the benefit of the terms and conditions of employment and pay which would have applied had they not been absent; 5
  - (b) is bound, for such purposes and to such extent as may be prescribed, by any obligations arising under those terms and conditions; and 10
  - (c) is entitled to return from such absence to a job of such kind as the regulations may specify.
- (4) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.” 15

### **3 Extent, commencement and short title**

- (1) This Act extends to England and Wales and Scotland but not to Northern Ireland.
- (2) Sections 1 and 2 come into force at the end of the period of two months beginning on the day on which this Act is passed. 20
- (3) This section comes into force on the day on which this Act is passed.
- (4) This Act may be cited as the Carers (Leave Entitlement) Act 2016.



# Carers (Leave Entitlement) Bill [HL]

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*Baroness Tyler of Enfield*

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