



**An Bille um Shaoire Mhéala do Thuismitheoirí (Leasú), 2019**  
**Parental Bereavement Leave (Amendment) Bill 2019**

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*Mar a tionscnaíodh*

*As initiated*

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**AN BILLE UM SHAOIRE MHÉALA DO THUISMITHEOIRÍ (LEASÚ), 2019**  
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ACTS REFERRED TO

Parental Leave Act 1998 (No. 30)

Parental Leave Acts 1998 and 2006



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**AN BILLE UM SHAOIRE MHÉALA DO THUISMITHEOIRÍ (LEASÚ), 2019  
PARENTAL BEREAVEMENT LEAVE (AMENDMENT) BILL 2019**

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# Bill

*entitled*

An Act to amend the Parental Leave Acts 1998 and 2006 to make provision for an entitlement to bereavement leave to an employee who is a bereaved parent of a child who has died and to provide for related matters. 5

**Be it enacted by the Oireachtas as follows:**

## **Interpretation**

1. In this Act, save where the context otherwise requires— 10
- “Minister” means the Minister for Justice and Equality;
- “Principal Act” means the Parental Leave Act 1998 (as amended).

## **Amendment of section 2 of Principal Act (Interpretation)**

2. Section 2 of the Principal Act is amended in by the insertion of “ ‘parental bereavement leave’ shall be construed in accordance with section 12A;”. 15

## **Entitlement to parental bereavement leave**

3. The Principal Act is amended by the insertion of the following section after section 12:

### **“Entitlement to parental bereavement leave**

- 12A.** (1) Subject to this Act, an employee who is a relevant parent in respect of a child shall be entitled to leave from his or her employment to be known as ‘parental bereavement leave’ for a period of not less than 10 working days on the death of his or her child. 20
- (2) Where an employee is entitled to leave under subsection (1), as a result of the death of more than one child, said employee shall be entitled to parental bereavement leave in respect of each child. 25
- (3) Parental bereavement leave shall be taken before the end of a period of 42 days of a child’s death, day one of said 42 days being the day of the child’s death.
- (4) In this section child means person under the age of 18.
- (5) In this section a child includes a stillborn child born after the 24th 30

week of pregnancy, and the date of death of said child is the date of the birth of the child.

- (6) When an employee takes parental bereavement leave, he or she shall, as soon as is reasonably practicable, notify his or her employer, in the prescribed form, that the employee has taken said leave, and said notification shall state— 5
- (a) the date the leave was taken,
  - (b) the circumstance for which the leave was taken, and
  - (c) any other matter as prescribed pursuant to section 3.”.

**Amendment of section 14 of Principal Act (Protection of employment rights) 10**

4. Section 14 of the Principal Act is amended by the insertion of the following subsections after subsection (3):

“(3A) An employee shall, while on parental bereavement leave, be regarded for all purposes relating to his or her employment as still working in the employment concerned and none of his or her rights relating to employment shall be affected by the leave. 15

(3B) Absence from employment while on parental bereavement leave shall not be treated as part of any other leave from the employment (including sick leave, annual leave, adoptive leave, maternity leave and parental leave) to which the employee concerned is entitled.”. 20

**Regulations**

5. (1) The Minister may make regulations for the general purpose of this Act and may, by regulation, provide for any matter referred to in this Act as prescribed or to be prescribed.
- (2) Every regulation under this Act shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the regulation is passed by either such House within the next 21 days on which that House has sat after the regulation is laid before it, the regulation shall be annulled accordingly but without prejudice to the validity of anything previously done under the regulation. 25
- (3) Regulations under this Act may contain such incidental, supplementary and consequential provisions as appear to the Minister to be necessary or expedient for the purposes of the regulations. 30

**Short title and citation**

6. (1) This Act may be cited as the Parental Bereavement Leave (Amendment) Act 2019.
- (2) The Parental Leave Acts 1998 and 2006 and this Act may be cited together as the Parental Leave Acts 1998 to 2019 and shall be read together as one. 35
- (3) This Act shall come into operation on such day or days as may be fixed by order or orders of the Minister.



An Bille um Shaoire Mhéala do  
Thuismitheoirí (Leasú), 2019

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# BILLE

*(mar a tionscnaíodh)*

*dá ngairtear*

Acht do leasú na nAchtanna um Shaoire do Thuismitheoirí, 1998 agus 2006 chun socrú a dhéanamh maidir le teideal chun saoire méala a bheith ag fostaí is tuismitheoir ar éag leanbh dá chuid nó dá cuid, agus do dhéanamh socrú i dtaobh nithe gaolmhara.

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*An Teachta Áine Uí Choinín a thug isteach,*

*26 Márta, 2019*

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Parental Bereavement Leave (Amendment)  
Bill 2019

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An Act to amend the Parental Leave Acts 1998 and 2006 to make provision for an entitlement to bereavement leave to an employee who is a bereaved parent of a child who has died and to provide for related matters.

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*Introduced by Deputy Anne Rabbitte*

*26th March, 2019*

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