



An Bille um Chosaint Mháithreachais (Méala ar Bhás Linbh) (Leasú), 2026
Maternity Protection (Child Bereavement) (Amendment) Bill 2026

Mar a tionscnaíodh

As initiated



**AN BILLE UM CHOSAINT MHÁITHREACHAIS (MÉALA AR BHÁS LINBH)
(LEASÚ), 2026
MATERNITY PROTECTION (CHILD BEREAVEMENT) (AMENDMENT) BILL 2026**

Mar a tionscnaíodh

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ACTS REFERRED TO

Children Act 2001 (No. 24)

Maternity Protection Act 1994 (No. 34)

Medical Practitioners Act 2007 (No. 25)



AN BILLE UM CHOSAINT MHÁITHREACHAIS (MÉALA AR BHÁS LINBH)
(LEASÚ), 2026
MATERNITY PROTECTION (CHILD BEREAVEMENT) (AMENDMENT) BILL 2026

Bill

entitled

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An Act to amend the Maternity Protection Act 1994 to provide for postponement of maternity leave in the event of the death of a child of a relevant employee, and to provide for related matters.

Be it enacted by the Oireachtas as follows:

Definition

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1. In this Act—

“child” means a person under the age of 18 years, as defined by the Children Act 2001;

“Principal Act” means the Maternity Protection Act 1994.

Amendment of section 8 of Principal Act

2. Section 8 of the Principal Act is amended in subsection (1)(b) by the substitution of “section 14B to D” for “section 14B or section 14C”. 15

Amendment of section 13 of Principal Act

3. Section 13 of the Principal Act is amended in subsection (2)(b) by the substitution of “section 14B to D” for “section 14B or section 14C”.

Amendment of section 14 of Principal Act

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4. Section 13 of the Principal Act is amended in subsection (1)(a) by the substitution of “postponed under section 14B to D” for “postponed under section 14B or section 14C”.

Amendment of Principal Act - insertion of new section

5. The Principal Act is amended by the insertion of the following section after section 14C:

“Postponement of maternity leave in event of death of child of relevant employee 25

14D. (1) A relevant employee may, in accordance with this section, notify her employer, or cause her employer to be notified, in writing (in this

section referred to as a ‘relevant notification’) that she intends to postpone the commencement of all or part of her maternity leave to such date that is not later than 52 weeks from the date on which the postponement (in this section referred to as the ‘first postponement’) is to commence.

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(2) A relevant notification shall—

(a) subject to subsection (5), specify the date on which the proposed postponement is to—

(i) commence, and

(ii) end (referred to in this section as the ‘end date’), which date shall be at least 5 weeks from the date referred to in subparagraph (i),

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and

(b) be accompanied by a medical certificate signed by a relevant medical practitioner and specifying the dates referred to in paragraph (a).

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(3) A relevant employee shall make a relevant notification not later than 2 weeks before the date on which the proposed postponement is to commence.

(4) Where a relevant notification has been made in accordance with subsections (1), (2) and (3)—

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(a) the maternity leave concerned shall be postponed with effect from the date specified in the relevant notification,

(b) subject to subsection (5), the postponement shall end on the end date, and

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(c) the relevant employee shall be entitled to the maternity leave, or part thereof (in this section referred to as ‘relevant resumed leave’) not taken by the relevant employee by reason of the postponement, to be taken in one continuous period commencing on the day immediately after the end date.

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(5) Entitlement to relevant resumed leave shall be subject to a relevant employee having notified her employer in writing (or caused her employer to be so notified) as soon as reasonably practicable, but not later than the day on which the leave begins, of her intention to commence such leave.

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(6) Subject to subsections (7), (8) and (9), a relevant employee who has postponed all or part of her maternity leave in accordance with subsection (4)(a) may, once only, notify her employer, or cause her employer to be notified, in writing (in this section referred to as a ‘second notification’) that she intends to further postpone (referred to in this section as the ‘second postponement’) the commencement of her maternity leave, or the part of the maternity leave that she has not

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yet taken, to a date that is not later than 52 weeks from the date on which the first postponement is to commence.

(7) A second notification shall—

(a) specify the date on which the second postponement is to—

(i) commence (referred to in this section as the ‘second commencement date’) and which shall be no later than the end date, and

(ii) end (referred to in this section as the ‘second end date’),
and

(b) be accompanied by a medical certificate signed by a relevant medical practitioner and specifying the dates referred to in paragraph (a).

(8) A relevant employee shall make a second notification not later than 2 weeks before the second commencement date.

(9) Where a second notification has been made in accordance with subsections (6), (7) and (8)—

(a) the maternity leave concerned shall be postponed with effect from the second commencement date,

(b) the second postponement shall end on the second end date, and

(c) the relevant employee shall be entitled to the maternity leave, or part thereof, as the case may be, not taken by the relevant employee by reason of the first postponement and the second postponement, to be taken in one continuous period commencing on the day immediately after the second end date.

(10) An employee to whom subsection (1) of section 14B and subsection (1) apply shall not be entitled to postpone maternity leave under section 14B and this section in respect of the same birth.

(11) In this section—

‘Act of 2007’ means the Medical Practitioners Act 2007;

‘maternity leave’ includes, where applicable, a further period of maternity leave referred to in section 8, section 13(2), or section 13B;

‘medical practitioner’, ‘register’ and ‘Specialist Division’ have the same meanings as they have in the Act of 2007;

‘relevant employee’ means an employee who—

(a) is—

(i) a pregnant employee, or

(ii) on maternity leave,

and

(b) suffers the death of a child to whom she is a parent, or a guardian, or is primary caregiver to;

‘relevant medical practitioner’ means a medical practitioner who—

- (a) is for the time being registered in the Specialist Division of the register of medical practitioners pursuant to section 47 of the Act of 2007 and is a specialist in a medical speciality recognised by the Medical Council under section 89 of that Act, and 5
- (b) is treating, or is responsible for the treatment of, the child of the relevant employee concerned.”.

Short title and citation

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6. This Act may be cited as the Maternity Protection (Child Bereavement) (Amendment) Act 2026.

An Bille um Chosaint Mháithreachais
(Méala ar Bhás Linbh) (Leasú), 2026

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do leasú an Achta um Chosaint Mháithreachais, 1994 chun socrú a dhéanamh maidir le saoire mháithreachais a iarchur i gcás leanbh le fostaí iomchuí d'fháil bháis; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Na Seanadóirí Nicole Ryan, Póilín Nic an Tuile,
Maria McCormack, Joanne Collins, Conor Murphy
agus Críostóir Mac Aindriú a thug isteach,

28 Eanáir, 2026

Maternity Protection (Child Bereavement)
(Amendment) Bill 2026

BILL

(as initiated)

entitled

An Act to amend the Maternity Protection Act 1994 to provide for postponement of maternity leave in the event of the death of a child of a relevant employee, and to provide for related matters.

Introduced by Senators Nicole Ryan, Pauline Tully,
Maria McCormack, Joanne Collins, Conor Murphy
and Chris Andrews,

28th January, 2026

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