

L.N. 338 of 2016

**TRUSTS AND TRUSTEES ACT
(CAP. 331)**

**Trusts and Trustees (Maternity Leave Trust)
(Amendment) Regulations, 2016**

IN exercise of the powers conferred by article 57 of the Trust and Trustees Act, the Minister for Finance has made the following regulations –

1. The title of these regulations is the Trusts and Trustees (Maternity Leave Trust) (Amendment) Regulations, 2016 and they shall be read and construed as one with the Trusts and Trustees (Maternity Leave Trust) Regulations, hereinafter referred to as "the principal regulations". Citation.
S.L. 331.07
2. The title of the principal regulations shall be substituted by the words "Trusts and Trustees (Maternity and Adoption Leave Trust) Regulations". Amends the title of the principal regulations.
3. In regulation 1 of the principal regulations, the words "Maternity Leave Trust" shall be substituted by the words "Maternity and Adoption Leave Trust". Amends regulation 1 of the principal regulations.
4. In regulation 3 of the principal regulations:
 - (a) the words "to be known as the Maternity Leave Trust" shall be substituted by the words "to be known as the Maternity and Adoption Leave Trust";
 - (b) in paragraph (b) thereof, the words "receiving maternity leave contributions" shall be substituted by the words "receiving maternity and adoption leave contributions"; and
 - (c) in paragraph (c) thereof, the words "maternity leave payment" shall be substituted by the words "maternity and adoption leave payment".Amends regulation 3 of the principal regulations.
5. In regulation 4 of the principal regulations, the words "Maternity Leave Trust" shall be substituted by the words "Maternity and Adoption Leave Trust". Amends regulation 4 of the principal regulations.
6. In sub-regulation (2) of regulation 5 of the principal regulations, the words "maternity leave" shall be substituted by the words "maternity and adoption leave". Amends regulation 5 of the principal regulations.

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Amends
regulation 9 of
the principal
regulations.

7. In paragraph (a) of regulation 9 of the principal regulations, the words "the payment of the maternity leave" shall be substituted by the words "the payment of the maternity and of the adoption leave".

Amends
regulation 10 of
the principal
regulations.

8. In regulation 10 of the principal regulations, the words "Maternity Leave Trust" shall be substituted by the words "Maternity and Adoption Leave Trust".

Adds new
regulation 11A
to the principal
regulations.

9. Immediately after regulation 11 of the principal regulations, there shall be added the following new regulation 11A:

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"11A. In accordance with the provisions of the Adoption Leave National Standard Order, an employee on adoption leave shall be entitled to the first fourteen weeks of adoption leave with full wages but if the employee chooses to avail himself of any additional adoption leave beyond the fourteen weeks, the employer shall not be obliged to pay any wages for those weeks of adoption leave which go beyond the aforementioned fourteen weeks, without prejudice to any relevant benefit in respect of any period of adoption leave which goes beyond fourteen weeks in terms of the Social Security Act to which the employee may be entitled if he chooses to avail himself of adoption leave beyond the paid fourteen weeks."

Amends
regulation 12 of
the principal
regulations.

10. In regulation 12 of the principal regulations, the words "Maternity Leave Trust" shall be substituted by the words "Maternity and Adoption Leave Trust".

