

L.N. 275 of 2025

**EMPLOYMENT AND INDUSTRIAL RELATIONS ACT
(CAP 452)**

**Minimum Special Leave Entitlement (Amendment)
Regulations, 2025**

IN EXERCISE of the powers conferred by article 48(2) of the Employment and Industrial Relations Act, the Minister responsible for employment and industrial relations, has made the following regulations:-

Citation and
commencement.

S.L. 452.101.

1. (1) The title of these regulations is the Minimum Special Leave Entitlement (Amendment) Regulations, 2025 and these regulations shall be read and construed as one with the Minimum Special Leave Entitlement Regulations, hereinafter referred to as the "principal regulations".

(2) These regulations shall come into force on the 1st January 2026.

Amends
regulation 1 of
the principal
regulations.

2. Sub-regulation (2) of regulation 1 of the principal regulations shall be substituted by the following new sub-regulation:

"(2) These regulations establish the minimum rights to sick leave, birth leave, bereavement leave, marriage leave, injury leave, leave for jury service, quarantine leave and special parental bereavement leave, and these shall apply to all employees, whether on a whole-time or a part-time basis:

Provided that employees on a part-time basis shall have the respective rights on a *pro rata* basis."

Amends
regulation 2 of
the principal
regulations.

3. Sub-regulation (1) of regulation 2 of the principal regulations shall be amended as follows:

(a) immediately after the definition "birth leave" there shall be added the following new definition:

Cap. 318. "Department" shall have the same meaning as assigned to it in the Social Security Act;";

(b) in the definition "sick leave" the words "incapacity for work." shall be substituted by the words "incapacity for work;" and immediately thereafter there shall be added the

following new definition:

" "special parental bereavement leave" means leave granted to the employee without loss of wages on the occurrence of the death of a child under the age of eighteen (18) years, without prejudice to bereavement leave."

4. Regulation 4 of the principal regulations shall be amended as follows:

Amends
regulation 4 of
the principal
regulations.

(a) sub-regulation (1) thereof shall be amended as follows:

(i) in paragraph (f) thereof the words "other public authority:" shall be substituted by the words "other public authority;" and immediately thereafter there shall be added the following new paragraph:

"(g) that number of working days of special parental bereavement leave which, when added to the bereavement leave established by an applicable Wages Council Wage Regulations Order, as the case may be, or in the absence thereof, the bereavement leave established in paragraph (a), amounts to a total of seven (7) working days. The employer has the right to file an application with the Department for a refund of the payment specifically and limitedly related to those working days of special bereavement leave, which application shall be submitted within three (3) months from when the special parental bereavement leave would have been availed of by the employee:

Provided that the employer shall not have the right for a refund of the payment related to those working days of bereavement leave established by an applicable Wages Council Wage Regulations Order, as the case may be, or in the absence thereof, the bereavement leave established in paragraph (a):

Provided further that in the event that the employer fails to submit an application with the Department for the refund of the payment specifically related to those days of special parental bereavement leave within a period of three (3) months, he shall forfeit the right to receive such refund.";

(ii) in the proviso thereof the words "Provided, that these specific leave entitlements with the exception of

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quarantine leave" shall be substituted by the words "Provided further that these specific leave entitlements, with the exception of quarantine leave and special parental bereavement leave";

(b) in paragraph (c) of sub-regulation (2) thereof the words "in paragraphs (a), (b), (c), (e) and (f)" shall be substituted by the words "in paragraphs (a), (b), (c), (e), (f) and (g)";

(c) in sub-regulation (3) thereof the words "birth leave and marriage leave" shall be substituted by the words "birth leave, marriage leave and special parental bereavement leave".
