



An Roinn Airgeadais
Department of Finance

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E 109/188/98

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Circular 25/2003: Amendment to Parental Leave Entitlement (age)
(Circulars 22/98, 22/2000 and 39/2002 refer)

A Dhuine Uasail,

1 The Parental Leave Act 1998 and the European Communities (Parental Leave) Regulations 2000 set out the statutory entitlement to Parental Leave. The main provisions of this entitlement are set out in Circular 22/98: Parental Leave and Circular 22/2000: Extended Entitlement to Parental Leave.

2. The *Programme For Prosperity and Fairness* provided for the review of the Parental Leave Act. The report of the Working Group was published in April 2002 and recommendations were made to Government following on from the review. In advance of the Government decision on changes in legislation required to give statutory effect to these recommendations, agreement was reached at the Equality Subcommittee of General Council to implement two of the recommendations for Civil Servants: the maximum age of the child in respect of whom employees may take parental leave be increased from 5 to 6 years and to 16 years in the case of a child with a disability. Circular 39/2002 implemented these changes with effect from 1 January 2003.

3. *Sustaining Progress* (par. 12.3) commits the Government to strengthening the Parental Leave scheme in line with the recommendation of the Working Group. The parties also agreed on raising the age of the eligible child from 5 to 8 years and that provision for this would be made in the amending legislation. Agreement was reached at the Equality Subcommittee of General Council that effect be given to this commitment in advance of the changes in legislation required to give it statutory effect.

Maximum age of the child increased from 5 to 8 years

4. The maximum age of the child in respect of whom employees may take parental leave is increased from 5 to 8 years. In the case of an adopted child, where an adopted child is three or more years but less than eight years at the time of the adoption, the parental leave must be taken within two years of the date of the adoption

order. In the case of an adopted child under three at the time of the adoption, the parental leave must be taken before the child is eight years.

Operative date

5. These changes come into effect from **1 December 2003**.

Queries

6. Queries in relation to this Circular should be addressed to the Personnel Section of your parent Department.

Mise le meas

John O'Connell
Assistant Secretary