

**SECOND SUPPLEMENT TO THE GIBRALTAR  
GAZETTE**

**No. 3,137 of 25th November, 1999**

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LEGAL NOTICE NO. 162 OF 1999

**EMPLOYMENT ORDINANCE**

**EMPLOYMENT (MATERNITY AND HEALTH AND SAFETY)  
REGULATIONS, 1996 (AMENDMENT) REGULATIONS 1999**

In exercise of the power conferred on him by section 86 of the Employment Ordinance the Governor has made the following regulations -

**Title and commencement.**

1. (1) These regulations may be cited as the Employment (Maternity and Health and Safety) Regulations 1996 (Amendment) Regulations 1999 and shall be deemed to have come into effect, subject to sub-regulations (2) and (3), on the 5th July 1999.

(2) These regulations shall have effect only in relation to women whose expected week of childbirth begins on or after the 5th July 1999.

**Amendments to the Employment (Maternity and Health and Safety) Regulations 1996.**

2.(1) The Employment (Maternity and Health and Safety) Regulations 1996 shall be amended in accordance with the provisions of this regulation.

(2) Regulation 2 shall be amended by inserting the following definition in the appropriate place -

““Director” shall be interpreted in accordance with the provisions of the Social Security (Insurance) Ordinance;”;

(3) For regulation 3, there shall be substituted the following regulation-

**“General right to maternity leave.**

3.(1) An employee who is absent from work at any time during her maternity leave period shall, subject to regulation 6 and 7, be entitled to the benefit of the terms and

conditions of employment which would have been applicable to her if she had not been absent (and had not been pregnant or given birth to a child).

(2) Except as provided in sub-regulation (3), this regulation does not confer any entitlement to remuneration.

(3) Subject to section 11A of the Social Security (Insurance) Ordinance, during her maternity leave period, an employee shall be entitled to maternity allowance.

(4) In this regulation, “maternity allowance” has the same meaning as in the Social Security (Insurance) Ordinance.”.

(2) Regulations 4, 6, 7(2), 8(1), shall be amended by substituting for references to “employer” references to “employer and the Director”.

Dated this 25th day of November, 1999

By Command,

P. SPELLER,

Deputy Governor.