

Statutory Document No. 2020/0359

*Employment Act 2006*

ANNUAL LEAVE (AMENDMENT) (NO. 2) REGULATIONS 2020

Approved by Tynwald: 22nd July 2020
Coming into operation in accordance with regulation 2

The Department for Enterprise makes the following Regulations under section 167 of the Employment Act 2006.

1 Title

These Regulations are the Annual Leave (Amendment) (No. 2) Regulations 2020.

2 Commencement

If approved by Tynwald¹, these Regulations come into operation on 24 July 2020.

3 Amendment to the Annual Leave Regulations 2007

- (1) The Annual Leave Regulations 2007² are amended as follows.
- (2) In regulation 4 (entitlement to annual leave)—
 - (a) in paragraph (8) –
 - (i) in sub-paragraph (a) omit “Subject to paragraphs (10) and (11),”; and
 - (ii) at the beginning of sub-paragraph (b) insert **44**subject to paragraphs (10) and (11),**45**; and
 - (b) for paragraph (10) substitute –

44(10) Paragraphs (11) and (12) apply where, as a result of the effects of Coronavirus (whether on the worker, the employer, the wider economy or society or otherwise), it has not been reasonably practicable for a worker to take some or all of the leave to which the worker was entitled under this regulation in a leave year (“unused leave”).**45**

¹ By virtue of section 175 of the Employment Act 2006, Regulations made under section 167 of the Employment Act 2006 shall not have effect unless they are approved by Tynwald.

² SD 102/07 as amended by SD 2020/0300.

- (3) In regulation 8 (compensation related to entitlement to leave)—
- (a) in paragraph (1) for the introductory text substitute **4** Paragraphs (1) to (6) of this regulation apply where— **2**; and
 - (b) renumber paragraph (4A) as paragraph (9) and relocate it accordingly.

MADE 18TH JUNE 2020

LAURENCE SKELLY
Minister for Enterprise

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Annual Leave Regulations 2007 (“the principal regulations”) as amended by the Annual Leave (Amendment) Regulations 2020.

In regulation 4 of the principal regulations the new right of a worker to carry forward any leave which has not been taken in a leave year as a result of the effects of Coronavirus to the next two leave years is made subject to the condition that it was not reasonably practicable for the worker to have taken the leave in that leave year.

Minor corrections are also made to regulations 4 and 8 of the principal regulations.