

6 February, 2023

PRIVATE MEMBERS' MOTION

The Hon E J Phillips has given notice on 6th February 2023 that he proposes to move the following Motion at the next meeting of Parliament:

“THIS HOUSE:

NOTES that Gibraltar legislation does not currently provide for a legal right to paid leave for parents who are grieving the loss of a pregnancy before 24 weeks.

NOTES that His Majesty's Government previously introduced a legal entitlement to two weeks paid leave for working parents in respect to the loss of a child of any age or those who suffer a stillbirth from 24 weeks of pregnancy commonly referred as 'Jack's Law'.

NOTES the introduction of groundbreaking legislation in New Zealand to provide workers with three days' paid leave in the event of miscarriage.

NOTES that a Bill for the provision of miscarriage leave has been presented by Angela Crawley Member of Parliament for Lanark and Hamilton East before the British Parliament.

NOTES that the loss of a baby by miscarriage is a devastating experience for families and for some in our community miscarriage is tragically not a singular event.

NOTES that whilst employers and organisations in Gibraltar are sensitive to the grief and loss associated with miscarriage and may have made provision in the context of their employment policies and practices, it is important that support by way of paid leave be enshrined in Gibraltar law for those persons who have suffered the devastating loss of a pregnancy before 24 weeks.

AND CALLS on His Majesty's Government to present either: (1) a Bill before the House to make provision by way of: (i) the introduction of new legislation; or (ii) amendment to employment and/or benefits legislation for paid leave for people who have experienced miscarriage, ectopic pregnancy or molar pregnancy; or in the alternative (2) to amend secondary legislation such as for example, the Employment (Maternity and Parental Leave and Health & Safety) Regulations 1996, amongst others, pursuant to powers provided to



the Minister responsible under any Act(s) to widen the scope of the same to make provision for paid miscarriage leave.”

A handwritten signature in black ink, appearing to read 'Galliano', with a large, sweeping flourish underneath.

Simon C. Galliano
Clerk to the Parliament