Part 42-04-18 - PAYE

Employees on leave of absence, special leave, career break

Income Tax (Employments) (Consolidated) Regulations 2001

Reviewed August 2017

- 1. Where an employee is "absent from work" because of leave of absence, or a career break has been taken with the agreement of the employer, and the employee is not prohibited from taking up a new employment elsewhere during the period of absence, the commencement of the period of absence should be regarded as a cessation of employment and the P45 procedure followed (Regulation 20 of the Income Tax (Employments) (Consolidated) Regulations 2001 refers).
- Regulation 26(2) of the Income Tax (Employments) (Consolidated) Regulations 2001 (Repayment during sickness and unemployment) may be applied where an employee takes leave of absence, without pay, to care for a sick relative, provided the employer is satisfied that the employee is not gainfully employed.

