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STATUTORY INSTRUMENTS

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**1996 No. 1919**

**The Employment Rights (Northern Ireland) Order 1996**

**PART X**

**TERMINATION OF EMPLOYMENT**

*Written statement of reasons for dismissal*

**Right to written statement of reasons for dismissal**

**124.**—(1) An employee is entitled to be provided by his employer with a written statement giving particulars of the reasons for the employee's dismissal—

- (a) if the employee is given by the employer notice of termination of his contract of employment,
- (b) if the employee's contract of employment is terminated by the employer without notice, or
- [<sup>F1</sup>(c) if the employee is employed under a limited-term contract and the contract terminates by virtue of the limiting event without being renewed.]

(2) Subject to [<sup>F2</sup> paragraphs (4) and (4A)], an employee is entitled to a written statement under this Article only if he makes a request for one; and a statement shall be provided within fourteen days of such a request.

(3) Subject to [<sup>F2</sup> paragraphs (4) and (4A)], an employee is not entitled to a written statement under this Article unless on the effective date of termination he has been, or will have been, continuously employed for a period of not less than [<sup>F3</sup> one year] ending with that date.

(4) An employee is entitled to a written statement under this Article without having to request it and irrespective of whether she has been continuously employed for any period if she is dismissed—

- (a) at any time while she is pregnant, or
- (b) after childbirth in circumstances in which her [<sup>F4</sup> ordinary or additional maternity leave period] ends by reason of the dismissal.

[<sup>F2</sup>(4A) An employee who is dismissed while absent from work during an ordinary or additional adoption leave period is entitled to a written statement under this Article without having to request it and irrespective of whether he has been continuously employed for any period if he is dismissed in circumstances in which that period ends by reason of the dismissal.]

(5) A written statement under this Article is admissible in evidence in any proceedings.

(6) Subject to paragraph (7), in this Article “the effective date of termination”

- (a) in relation to an employee whose contract of employment is terminated by notice, means the date on which the notice expires,
- (b) in relation to an employee whose contract of employment is terminated without notice, means the date on which the termination takes effect, and

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[<sup>F1</sup>(c) in relation to an employee who is employed under a limited-term contract which terminates by virtue of the limiting event without being renewed under the same contract, means the date on which the termination takes effect.]

(7) Where—

- (a) the contract of employment is terminated by the employer, and
- (b) the notice required by Article 118 to be given by an employer would, if duly given on the material date, expire on a date later than the effective date of termination (as defined by paragraph (6)),

the later date is the effective date of termination.

(8) In paragraph (7)(b) “the material date” means—

- (a) the date when notice of termination was given by the employer, or
- (b) where no notice was given, the date when the contract of employment was terminated by the employer.

**F1** SR 2002/298

**F2** [2002 NI 2](#)

**F3** SR 1999/277

**F4** [1999 NI 9](#)

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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

- Act applied with modifications by [S.R. 2023/156 reg. 15](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Pt. 7A inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 1](#)
- Ch. 5 inserted by [2022 c. 27 \(N.I.\) s. 1\(1\)](#)
- art. 21(4B) inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 2](#)
- art. 23(1)(zza) inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 3](#)
- art. 70F inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 4](#)
- art. 70G inserted by [2020 c. 7 Sch. 7 para. 20](#)
- art. 71(1C) inserted by [2020 c. 7 Sch. 7 para. 21\(a\)](#)
- art. 72(8) inserted by [2020 c. 7 Sch. 7 para. 22\(b\)](#)
- art. 85ZS(3)(a)-(c) substituted for words by [2022 c. 18 \(N.I.\) Sch. 3 para. 47\(4\)](#)
- art. 95F(5A) inserted by [2016 c. 15 \(N.I.\) Sch. 2 para. 32](#)
- art. 135E inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 6](#)
- art. 135G inserted by [2020 c. 7 Sch. 7 para. 25](#)
- art. 137(6D) inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 7](#)
- art. 137(7N) inserted by [2020 c. 7 Sch. 7 para. 26\(b\)](#)
- art. 140(3)(fj) inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 8](#)
- art. 140(3)(fl) inserted by [2020 c. 7 Sch. 7 para. 27](#)
- art. 143(2)(ddd) inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 9](#)
- art. 144(2)(ddd) inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 10](#)