
STATUTORY INSTRUMENTS

1996 No. 1919

The Employment Rights (Northern Ireland) Order 1996

[^{F1}PART IX]

[^{F1}CHAPTER 4

PARENTAL BEREAVEMENT LEAVE

[^{F1}Parental bereavement leave

112EA.—(1) The Department must make regulations entitling an employee who is a bereaved parent to be absent from work on leave under this Article.

(2) For the purposes of paragraph (1) an employee is a “bereaved parent” if the employee satisfies specified conditions as to relationship with a child who has died.

(3) The conditions specified under paragraph (2) may be framed, in whole or in part, by reference to the employee’s care of the child before the child’s death.

(4) The regulations must include provision for determining—

- (a) the extent of an employee’s entitlement to leave under this Article in respect of a child;
- (b) when leave under this Article may be taken.

(5) Provision under paragraph (4)(a) must secure that where an employee is entitled to leave under this Article in respect of a child, the employee is entitled to at least two weeks’ leave.

(6) Provision under paragraph (4)(b) must secure that leave under this Article must be taken before the end of a period of at least 56 days beginning with the date of the child’s death.

(7) The regulations must secure that where an employee is eligible under paragraph (1) as the result of the death of more than one child, the employee is entitled to leave in respect of each child.

(8) The regulations may make provision about how leave under this Article is to be taken.

(9) In this Article—

“child” means a person under the age of 18 (see also Article 112EE for the application of this Chapter in relation to stillbirths);

“week” means any period of seven days.

(10) In this Article and Articles 112EB and 112ED, “specified” means specified for the time being in regulations made under this Article.]

F1 Art. 112EA-112EF inserted (22.3.2022) by [Parental Bereavement \(Leave and Pay\) Act \(Northern Ireland\) 2022\(c.5\)](#)ss. 1, 5(1)

Changes to legislation:

The Employment Rights (Northern Ireland) Order 1996, Section 112EA is up to date with all changes known to be in force on or before 08 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

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

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](#)