



# Employment Rights Act 1996

## 1996 CHAPTER 18

### PART I

#### EMPLOYMENT PARTICULARS

##### *Right to statements of employment particulars*

#### **[<sup>F1</sup>7A Use of alternative documents to give particulars**

- (1) Subsections (2) and (3) apply where—
  - (a) an employer gives an employee a document in writing in the form of a contract of employment or letter of engagement,
  - (b) the document contains information which, were the document in the form of a statement under section 1, would meet the employer's obligation under that section in relation to the matters mentioned in subsections (3) and (4)(a) to (c), (d)(i), (f) and (h) of that section, and
  - (c) the document is given after the beginning of the employment and before the end of the period for giving a statement under that section.
- (2) The employer's duty under section 1 in relation to any matter shall be treated as met if the document given to the employee contains information which, were the document in the form of a statement under that section, would meet the employer's obligation under that section in relation to that matter.
- (3) The employer's duty under section 3 shall be treated as met if the document given to the employee contains information which, were the document in the form of a statement under section 1 and the information included in the form of a note, would meet the employer's obligation under section 3.
- (4) For the purposes of this section a document to which subsection (1)(a) applies shall be treated, in relation to information in respect of any of the matters mentioned in section 1(4), as specifying the date on which the document is given to the employee as the date as at which the information applies.

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*Status: Point in time view as at 01/10/2004. This version of this provision has been superseded.*

*Changes to legislation: Employment Rights Act 1996, Section 7A is up to date with all changes known to be in force on or before 24 June 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. (See end of Document for details)*

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- (5) Where subsection (2) applies in relation to any matter, the date on which the document by virtue of which that subsection applies is given to the employee shall be the material date in relation to that matter for the purposes of section 4(1).
- (6) Where subsection (3) applies, the date on which the document by virtue of which that subsection applies is given to the employee shall be the material date for the purposes of section 4(1) in relation to the matters of which particulars are required to be given under section 3.
- (7) The reference in section 4(6) to an employer having given a statement under section 1 shall be treated as including his having given a document by virtue of which his duty to give such a statement is treated as met.]

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**Textual Amendments**

- F1** Ss. 7A, 7B inserted (1.10.2004) by [Employment Act 2002 \(c. 22\)](#), **ss. 37, 55(2)**; S.I. 2004/1717, **art. 2(2)** (subject to [art. 3](#))

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