
DRAFT STATUTORY INSTRUMENTS

2006 No. 0000

EMPLOYMENT AND TRAINING

AGE DISCRIMINATION

The Employment Equality (Age) Regulations 2006

Made - - - - *2006*
Coming into force *1st October 2006*

THE EMPLOYMENT EQUALITY (AGE) REGULATIONS 2006

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- 1. The part of the Norwegian sector of the Continental Shelf...
- 2. In this Schedule, the “Dividing Line” means the dividing line...

SCHEDULE 2 — Pension schemes

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7. Admission to schemes
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13. In relation to workers who are active or prospective members...
14. An early retirement pivot age or a late retirement pivot...
15. The enhancement of any age related benefit in the event...
16. Any rule, practice, action or decision whereby a male member...
17. The reduction of any pension payable in consequence of a...
18. In relation to pensioner members who have retired on ill...
19. Other rules, practices, actions and decisions relating to benefit
20. Any difference in the amount of any age related benefit...
21. Any limitation of the amount of any age related benefit...
22. Any rule, practice, action or decision whereby any age related...
23. Any limitation on the amount of any age related benefit...
24. Any limitation on the amount of any age related benefit...
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28. Any difference in the rate of increase of pensions in...
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32. Any difference in the rate of contributions by an employer...

SCHEDULE 3 — Questionnaire of person aggrieved

SCHEDULE 4 — Reply by respondent

SCHEDULE 5 — Validity of contracts, collective agreements and rules of undertakings

Part 1 — Validity and revision of contracts

1. (1) A term of a contract is void where—
2. (1) Paragraph 1(3) does not apply— (a) to a contract...
3. (1) On the application of a person interested in a...
 - Part 2 — Collective agreements and rules of undertakings
4. (1) This Part of this Schedule applies to—
5. A person to whom this paragraph applies may present a...
6. In the case of a complaint about—
7. In the case of a complaint about a rule made...
8. (1) When an employment tribunal finds that a complaint presented...
9. The avoidance by virtue of paragraph 4(2) of any term...
10. In this Schedule “collective agreement” means any agreement relating to...

SCHEDULE 6 — Duty to consider working beyond retirement

1. Interpretation
2. Duty of employer to inform employee
3. (1) This paragraph applies if the employer has notified the...
4. Continuing duty to inform employee
5. Statutory right to request not to retire
6. An employer's duty to consider a request
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11. Complaint to employment tribunal: failure to comply with paragraph 2
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SCHEDULE 7 — Duty to consider working beyond retirement - transitional provisions

1. In paragraphs 2 to 6— (a) “the expiry date” means...
2. (1) This paragraph applies in a case where—
3. (1) This paragraph applies in a case where the employer...
4. (1) This paragraph applies in a case where—
5. (1) This paragraph applies in a case where—
6. In every case to which paragraph 2, 3, 4 or...

SCHEDULE 8 — Amendments to legislation and related transitional provisions

Part 1 — Primary legislation

1. The Mines and Quarries Act 1954
2. (1) In section 42(1) (charge of winding and rope haulage...
3. The Parliamentary Commissioner Act 1967
4. (1) Section 1 (appointment and tenure of office) is amended...
5. (1) Section 3A (appointment of acting Commissioner) is amended in...
6. The amendments made to the Parliamentary Commissioner Act 1967 apply...
7. The Pilotage Act 1987
8. The Social Security Contributions and Benefits Act 1992
9. (1) Section 163(1) (interpretation of Part 11 and supplementary provisions)...
10. (1) Section 171(1) (interpretation of Part 12 and supplementary provisions)...
11. (1) Section 171ZJ (Part 12ZA: supplementary) is amended in accordance...
12. (1) Section 171ZS (Part 12ZB: supplementary) is amended in accordance...
13. (1) In Schedule 11 omit paragraph 2(a) (period of entitlement...
14. The Health Service Commissioners Act 1993
15. (1) Schedule 1 (the English Commissioner) is amended in accordance...
16. The amendments made to the Health Service Commissioners Act 1993...
17. The Statutory Sick Pay Act 1994
18. The Employment Tribunals Act 1996
19. (1) Section 18(1) (conciliation) is amended in accordance with this...
20. (1) Section 21(1) (jurisdiction of Appeal Tribunal) is amended in...
21. The Employment Rights Act 1996
22. (1) Section 98 (fairness of dismissal: general) is amended as...
23. After section 98 insert— Retirement No normal retirement age: dismissal...
24. In section 108 (qualifying period of employment) in subsection (3)...
25. Omit section 109 (upper age limit on unfair dismissal right)...
26. (1) Section 112 (remedies for unfair dismissal: orders and compensation)...

27. (1) Section 119 (basic award) is amended as follows.
28. (1) Section 120 (basic award: minimum in certain cases) is...
29. In section 126(1) (acts which are both unfair dismissal and...
30. Section 156 (upper age limit) is repealed.
31. Section 158 (pension rights) is repealed.
32. (1) Section 162 (amount of a redundancy payment) is amended...
33. In relation to any case where the date that is...
34. (1) Section 209 (powers to amend Act) is amended as...
35. (1) Section 211 (period of continuous employment) is amended in...
36. The Employment Act 2002
37. The Equality Act 2006
38. (1) Section 14(1) (codes of practice) is amended in accordance...
39. (1) Section 27(1) (conciliation) is amended in accordance with this...
40. (1) Section 33(1) (equality and human rights enactments) is amended...
Part 2 — Other legislation
41. (1) The Coal and Other Mines (Locomotives) Regulations 1956, Schedule...
42. (1) The Stratified Ironstone, Shale and Fireclay Mines (Explosives) Regulations...
43. (1) The Miscellaneous Mines (Explosives) Regulations 1959 are amended in...
44. (1) The Lynemouth Mine (Diesel Vehicles and Storage Battery Vehicles)...
45. (1) The South Crofty Mine (Locomotive) Special Regulations 1965 are...
46. (1) The Glebe Mine (Locomotives and Diesel Vehicles) Special Regulations...
47. (1) The Winsford Rock Salt Mine (Diesel Vehicles and Storage...
48. (1) The Thoresby Mine (Cable Reel Load-Haul-Dump Vehicles) Special Regulations...
49. The Statutory Sick Pay (General) Regulations 1982 are amended as...
50. (1) Regulation 16 (meaning of “employee”) is amended in accordance...
51. (1) Regulation 17(2) (meaning of “earnings”) is amended in accordance...
52. The Statutory Maternity Pay (General) Regulations 1986 are amended as...
53. (1) Regulation 17 (meaning of “employee”) is amended in accordance...
54. (1) Regulation 20(2) (Meaning of “earnings”) is amended in accordance...
55. (1) The Coal and Other Safety-Lamp Mines (Explosives) Regulations 1993...
56. (1) The Employment Tribunals (Interest on Awards In Discrimination Cases)...
57. (1) The Employment Protection (Continuity of Employment) Regulations 1996 are...
58. (1) The National Minimum Wage Regulations 1999 are amended in...
59. The Statutory Paternity Pay and Statutory Adoption Pay (General) Regulations...
60. (1) Regulation 32 (Treatment of persons as employees) is amended...
61. (1) Regulation 39(2) (Meaning of “earnings”) is amended in accordance...
62. (1) Schedule 1A (occupational pension schemes) to the Employment Equality...
63. (1) Schedule 1A (occupational pension schemes) to the Employment Equality...
64. (1) The Employment Act 2002 (Dispute Resolution) Regulations 2004 are...

SCHEDULE 9 — Repeals and revocations

Explanatory Note