
STATUTORY INSTRUMENTS

2006 No. 1031

The Employment Equality (Age) Regulations 2006

PART 6

SUPPLEMENTAL

Validity of contracts, collective agreements and rules of undertakings

43. Schedule 5 (validity of contracts, collective agreements and rules of undertakings) shall have effect.

Application to the Crown etc

44.—(1) These Regulations apply—

- (a) to an act done by or for purposes of a Minister of the Crown or government department; or
- (b) to an act done on behalf of the Crown by a statutory body, or a person holding a statutory office,

as they apply to an act done by a private person.

(2) These Regulations apply to Crown employment as they apply to employment by a private person, and shall so apply as if references to a contract of employment included references to the terms of service and references to dismissal included references to termination of Crown employment.

(3) Paragraphs (1) and (2) have effect subject to paragraph (4) and regulations 13 (police) and 14 (Serious Organised Crime Agency).

(4) These regulations do not apply to service in any of the naval, military or air forces of the Crown.

(5) Regulation 10(3) (meaning of employment and contract work at establishment in Great Britain) shall have effect in relation to any ship, aircraft or hovercraft belonging to or possessed by Her Majesty in right of the government of the United Kingdom as it has effect in relation to a ship, aircraft or hovercraft specified in regulation 10(3)(a) or (b).

(6) The provisions of Parts 2 to 4 of the Crown Proceedings Act 1947⁽¹⁾ shall apply to proceedings against the Crown under these Regulations as they apply to proceedings in England and Wales which by virtue of section 23 of that Act are treated for the purposes of Part 2 of that Act as civil proceedings by or against the Crown, except that in their application to proceedings under these Regulations section 20 of that Act (removal and transfer of proceedings) shall not apply.

(7) The provisions of Part 5 of the Crown Proceedings Act 1947 shall apply to proceedings against the Crown under these Regulations as they apply to proceedings in Scotland which by virtue of the said Part are treated as civil proceedings by or against the Crown, except that in their application to proceedings under these Regulations the proviso to section 44 of that Act (proceedings against the Crown in the Sheriff Court) shall not apply.

(1) 1947 c. 44.

Application to House of Commons staff

45.—(1) Subject to paragraphs (2) and (3), these Regulations apply in relation to employment as a relevant member of the House of Commons staff as they apply in relation to other employment.

(2) These Regulations apply to employment as such a member as they apply to employment by a private person, and shall so apply as if references to a contract of employment included references to the terms of employment of such a member and references to dismissal included references to termination of such employment.

(3) In relation to employment as such a member, subsections (6) to (12) of section 195 of the 1996 Act⁽²⁾ (person to be treated as employer of House of Commons staff) apply, with any necessary modifications, for the purposes of these Regulations.

Application to House of Lords staff

46.—(1) These Regulations apply in relation to employment as a relevant member of the House of Lords staff as they apply in relation to other employment.

(2) Section 194(7) of the 1996 Act (continuity of employment) applies for the purposes of this regulation.

Duty to consider working beyond retirement

47. Schedule 6, which sets out the procedure to be followed if an employee (within the meaning of that Schedule) is to be retired, shall have effect.

Duty to consider working beyond retirement - transitional provisions

48. Schedule 7, which sets out transitional provisions in relation to the duty to consider working beyond retirement, shall have effect.

Amendments, transitionals, repeals and revocations

49.—(1) Schedule 8, which contains amendments to and repeals of legislation and related transitional provisions, shall have effect.

(2) Schedule 9, which contains repeals and revocations, shall have effect.

(2) Employment Rights Act 1996 (c. 18); subsection (8) was amended by the Employment Rights (Dispute Resolution) Act 1998 (c. 8), section 1(2)(a).