

SCHEDULE 2

Regulation 11(3)

Pension schemes

Part 1

Pension schemes - general

Interpretation

1.—(1) In this Schedule, subject to sub-paragraphs (2) and (3), “occupational pension scheme” means an occupational pension scheme within the meaning of section 1(1) of the Pension Schemes Act 1993 ^{M1}.

(2) In relation to rules, practices, actions and decisions identified at paragraph 7(a), “occupational pension scheme” means an occupational pension scheme within the meaning of section 1(1) of the Pension Schemes Act 1993 under which only retirement-benefit activities within the meaning of section 255(4) of the Pensions Act 2004 ^{M2} are carried out.

(3) In relation to rules, practices, actions and decisions identified at [^{F1}paragraphs 3A, 7(b), 9, 15A, 17 to 21, 23, 24, 25, 25A and 30], “occupational pension scheme” means an occupational pension scheme within the meaning of either section 1(1) of the Pension Schemes Act 1993 or section 150(5) of the Finance Act 2004 ^{M3}.

(4) In this Schedule, “scheme” means an occupational pension scheme, construed in accordance with sub-paragraphs (1) to (3).

(5) In this Schedule, in relation to a scheme—

“active member” has the meaning given by section 124(1) of the Pensions Act 1995 ^{M4}, but in paragraph 13 also includes an active member within the meaning of section 151(2) of the Finance Act 2004;

[^{F2}“additional state retirement pension” means the additional pension in the Category A retirement pension within the meaning of sections 44 and 45 of the Social Security Contributions and Benefits Act 1992;]

“age related benefit” means benefit provided from a scheme to a member—

- (a) on or following his retirement (including early retirement on grounds of ill health or otherwise),
- (b) on his reaching a particular age, or
- (c) on termination of his service in an employment;

[^{F2}“basic state retirement pension” means the basic pension in the Category A retirement pension within the meaning of section 44 of the Social Security Contributions and Benefits Act 1992 ;]

[^{F2}“block transfer” means a transfer in a single transaction or a series of transactions from a scheme of all the sums and assets held for the purposes of, or representing, or derived from—

- (i) all accrued rights under a scheme,
- (ii) contracted-out rights, or
- (iii) rights which are not contracted-out rights,

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Employment Equality (Age) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

relating to a period of continuous pensionable service (or pensionable service which is treated as continuous) or one or more of a number of separate periods of such pensionable service which relate to a member and at least one other member;]

[^{F2}“contracted-out rights” are such rights, under or derived from an occupational pension scheme or an appropriate personal pension scheme as fall within the following categories—

- (a) entitlement to payment of, or accrued rights to, guaranteed minimum pensions;
- (b) protected rights; or
- (c) section 9(2B) rights,

^{F3}...;]

“death benefit” means benefit payable from a [^{F4}scheme], in respect of a member, in consequence of his death;

“deferred member” has the meaning given by section 124(1) of the Pensions Act 1995;

“defined benefits arrangement” has the meaning given by section 152(6) of the Finance Act 2004 ^{M5}, but the reference in that section to an arrangement shall be read as referring to an arrangement in respect of a member under a scheme as defined in section 1(1) of the Pension Schemes Act 1993 ^{M6} rather than in respect of a member under a pension scheme as defined in section 150(1) of the Finance Act 2004;

“dependant” means [^{F5}a widow, widower or surviving civil partner or a] dependant as defined in the scheme rules;

[^{F6}“early retirement pivot age” means, in relation to age related benefit provided under a scheme, an age specified in the scheme rules (or otherwise determined) as the earliest age at which entitlement arises—

- (a) without consent (whether of an employer, the trustees or managers of the scheme or otherwise), and
- (b) without an actuarial reduction,

but disregarding any special provision as to early payment on grounds of ill health or otherwise;];

“employer” has the meaning given by section 318(1) of the Pensions Act 2004 ^{M7};

^{F7}...

“employment” includes any trade, business, profession, office or vocation, whether or not a person is employed in it under a contract of employment or is self employed;

[^{F2}“guaranteed minimum pension” has the meaning given in section 8(2) of the Pension Schemes Act 1993;]

“late retirement pivot age” means an age specified in the scheme rules [^{F8}(or otherwise determined)] above which benefit becomes payable with actuarial enhancement;

[^{F2}“lower earnings limit” means the amount specified for the tax year in question in regulations made under section 5(1)(a)(i) of the Social Security Contributions and Benefits Act 1992 (earnings limits and thresholds for Class 1 contributions);]

“managers” has the meaning given by section 124(1) of the Pensions Act 1995 ^{M8};

“member” means any active member, deferred member or pensioner member, but in paragraph 12 includes any active, deferred or pensioner member within the meaning of section 151(2) to (4) of the Finance Act 2004;

^{F7}...

“money purchase arrangement” has the meaning given by section 152(2) of the Finance Act 2004, but the reference in that section to an arrangement shall be read as referring to an arrangement in respect of a member under a scheme as defined in section 1(1) of the Pension Schemes Act 1993 rather than in respect of a member under a pension scheme as defined in section 150(1) of the Finance Act 2004;

“non-discrimination rule” means the rule in paragraph 2(1);

“normal pension age” has the meaning given by section 180 of the Pension Schemes Act 1993;

“normal retirement age”, in relation to a member, means the age at which workers in the undertaking for which the member worked at the time of his retirement, and who held the same kind of position as the member held at his retirement, were normally required to retire;

F7 ...

“pensionable pay” means that part of a member’s pay which counts as pensionable pay under the scheme rules;

“pensionable service” has the meaning given by section 124(1) of the Pensions Act 1995^{M9};

“pensioner member” has the meaning given by section 124(1) of the Pensions Act 1995^{M10}; and

“prospective member” means any person who, under the terms of his employment or the scheme rules or both—

- (a) is able, at his own option, to become a member of the scheme,
- (b) shall become so able if he continues in the same employment for a sufficient period of time,
- (c) shall be so admitted to it automatically unless he makes an election not to become a member, or
- (d) may be admitted to it subject to the consent of any person.

[^{F2}“protected rights” has the meaning given in section 10 of the Pension Schemes Act 1993;]

[^{F2}“redundancy” means being dismissed by reason of redundancy for the purposes of the Employment Rights Act 1996;]

[^{F2}“relevant transfer” has the meaning given in—

- (a) regulation 2(1) of the Transfer of Undertakings (Protection of Employment) Regulations 1981 (a relevant transfer), or as the case may be,
- (b) regulation 2(1) of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (a relevant transfer);]

[^{F2}“section 9(2B) rights” are—

- (a) rights to the payment of pensions and accrued rights to pensions (other than rights attributable to voluntary contributions) under a scheme contracted-out by virtue of section 9(2B) of the Pension Schemes Act 1993, so far as attributable to an earner’s service in contracted-out employment on or after 6th April 1997; and
- (b) where a transfer payment has been made to such a scheme, any rights arising under the scheme as a consequence of that payment which are derived directly or indirectly from—
 - (i) such rights as are referred to in sub-paragraph (a) under another scheme contracted-out by virtue of section 9(2B) of that Act; or
 - (ii) protected rights under another occupational pension scheme or under a personal pension scheme attributable to payments or contributions in respect of employment on or after 6th April 1997;]

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Employment Equality (Age) Regulations 2006*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

[^{F2}“upper earnings limit” means the amount specified for the tax year in question in regulations made under section 5(1)(a)(iii) of the Social Security Contributions and Benefits Act 1992 (earnings limits and thresholds for Class 1 contributions).]

^{F9}(6)

(7) In this Schedule—

“personal pension scheme” has the meaning given by section 1(1) of the Pension Schemes Act 1993 ^{M11};

“registered pension scheme” has the meaning given by section 150(2) of the Finance Act 2004 ^{M12}; and

references to contributions under a money purchase arrangement shall be construed as including amounts credited to a member's account whether or not they reflect payments actually made under the scheme.

(8) Any term used in regulation 11 (pension schemes) shall have the same meaning in that regulation as it has in this Schedule [^{F10}and “occupational pension scheme” shall mean an occupational pension scheme within the meaning of either section 1(1) of the Pension Schemes Act 1993 or section 150(5) of the Finance Act 2004].

- F1** Words in Sch. 2 para. 1(3) substituted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **4(1)**
- F2** Words in Sch. 2 para. 1(5) inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **4(2)(e)**
- F3** Words in Sch. 2 para. 1(5) omitted (6.4.2009) by virtue of [The Pensions Act 2008 \(Abolition of Safeguarded Rights\) \(Consequential\) Order 2009 \(S.I. 2009/598\)](#), arts. 1, **12(2)**
- F4** Word in Sch. 2 para. 1(5) substituted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **4(2)(a)**
- F5** Words in Sch. 2 para. 1(5) inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **4(2)(b)**
- F6** Words in Sch. 2 para. 1(5) substituted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **4(2)(c)**
- F7** Words in Sch. 2 para. 1(5) omitted (1.12.2006) by virtue of [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **4(2)(f)**
- F8** Words in Sch. 2 para. 1(5) inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **4(2)(d)**
- F9** Sch. 2 para. 1(6) omitted (1.12.2006) by virtue of [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **4(3)**
- F10** Words in Sch. 2 para. 1(8) added (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **4(4)**

Marginal Citations

- M1** 1993 c. 48; relevant amendments have been made to section 1(1) by the [Pensions Act 2004 \(c. 35\)](#), [section 239](#).
- M2** 2004 c. 35.
- M3** 2004 c. 12.
- M4** 1995 c. 26.
- M5** 2004 c. 12.
- M6** 1993 c. 48; relevant amendments to section 1(1) have been made by the [Pensions Act 2004 \(c. 35\)](#), [section 239](#).
- M7** 2004 c. 35.
- M8** 1995 c. 26.

- M9** 1995 c. 26; relevant amendments have been made to section 124(1) by the [Pensions Act 2004 \(c. 35\)](#), [section 320](#) and Schedule 13, Part 1.
- M10** 1995 c. 26; relevant amendments have been made to section 124(1) by the [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), [section 56](#) and Schedule 5, Part 1, paragraph 8(3).
- M11** 1993 c. 48; relevant amendments have been made to section 1(1) by the [Pensions Act 2004 \(c. 35\)](#), [section 239](#).
- M12** 2004 c. 12.

Non-discrimination rule

2.—(1) Every scheme shall be treated as including a provision (“the non-discrimination rule”) containing a requirement that the trustees or managers of the scheme refrain from doing any act which is unlawful by virtue of regulation 11.

(2) The other provisions of the scheme are to have effect subject to the non-discrimination rule.

(3) The trustees or managers of a scheme may—

- (a) if they do not (apart from this sub-paragraph) have power to make such alterations to the scheme as may be required to secure conformity with the non-discrimination rule, or
- (b) if they have such power but the procedure for doing so—
- (i) is liable to be unduly complex or protracted, or
- (ii) involves the obtaining of consents which cannot be obtained, or can only be obtained with undue delay or difficulty,

by resolution make such alterations to the scheme.

(4) Alterations made by a resolution such as is referred to in sub-paragraph (3)—

- (a) may have effect in relation to a period before the alterations are made (but may not have effect in relation to any time before [^{F11}1st December 2006]), and
- (b) shall be subject to the consent of any employer in relation to the scheme whose consent would be required for such a modification if it were to be made under the scheme rules.

- F11** Words in Sch. 2 para. 2(4)(a) substituted (30.9.2006) by [The Employment Equality \(Age\) \(Amendment\) Regulations 2006 \(S.I. 2006/2408\)](#), regs. 1, 2(5)(a)

Exception for rules, practices, actions and decisions relating to occupational pension schemes

3. Nothing in Part 2 or 3 of these Regulations shall render it unlawful for an employer, or for trustees or managers, to maintain or use, in relation to a scheme, any of the rules, practices, actions or decisions set out in Part 2 of this Schedule.

[^{F12}Length of service exemptions

3A.—(1) Subject to sub-paragraph (2), nothing in Part 2 or 3 of these Regulations shall render it unlawful for—

- (a) any rule, practice, action or decision of the trustees or managers (“A”) of a scheme regarding—
- (i) admission to the scheme (“admission terms”); or
- (ii) the accrual of, or eligibility for, any benefit under the scheme (“benefit terms”),

where the admission terms or the benefit terms put a member (“B”) of the scheme at a disadvantage when compared with another member (“C”) if and to the extent that the

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Employment Equality (Age) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

disadvantage suffered by B is because B's length of service with an employer ("D") in relation to the scheme is less than that of C;

- (b) any rule, practice, action or decision of an employer ("E") in relation to a scheme regarding the admission terms or benefit terms where it puts a member ("F") of the scheme at a disadvantage when compared with another member ("G") if and to the extent that the disadvantage suffered by F is because F's length of service with E is less than that of G; or
- (c) any rule, practice, action or decision of an employer ("H") regarding payment of contributions in respect of a worker ("I") to a personal pension scheme or to a money purchase arrangement ("contribution terms") where it puts I at a disadvantage when compared with another worker ("J") if and to the extent that the disadvantage suffered by I is because I's length of service with H is less than that of J.

(2) Where B's, or as the case may be, F's or I's length of service exceeds 5 years and a length of service criterion in the admission terms or as the case may be, the benefit terms or contribution terms puts B or F or I at a disadvantage—

- (a) where sub-paragraph (1)(a) applies, A—
 - (i) must ask D to confirm whether the length of service criterion reasonably appears to D to fulfil a business need of D's undertaking (for example by encouraging the loyalty or motivation, or rewarding the experience, of some or all of his workers), and
 - (ii) may rely on D's confirmation;
- (b) for the purposes of paragraph (a)(i), D must—
 - (i) calculate B's length of service;
 - (ii) provide A with details of B's length of service; and
 - (iii) respond to A's request within a reasonable time;
- (c) where sub-paragraph (1)(a) or (b) or (c) applies, it must reasonably appear to D or, as the case may be, E or H that the length of service criterion applies in such a way that it fulfils a business need of his undertaking (for example by encouraging the loyalty or motivation, or rewarding the experience, of some or all of his workers).

(3) When calculating B's or, as the case may be, F's or I's length of service D or, as the case may be, E or H shall calculate—

- (a) the length of time the member or worker has been working for him doing work which he reasonably considers to be at or above a particular level (assessed by reference to the demands made on the member or worker, for example, in terms of effort, skills and decision making), or
- (b) the length of time the member or worker has been working for him in total,

and it is for D or, as the case may be, E or H to decide which of paragraphs (a) or (b) to use.

(4) For the purposes of sub-paragraph (3), D or, as the case may be, E or H shall calculate the length of time a member or worker has been working for him in accordance with paragraphs (4) to (7) of regulation 32 (exception for provision of certain benefits based on length of service) and any reference in those paragraphs to—

- (a) "A" shall be read as if it were a reference to "D" or, as the case may be, "E" or "H"; and
- (b) "worker" shall, where sub-paragraph (1)(a) or (b) applies, be read as if it were a reference to "member".

(5) For the purposes of this paragraph, a "member" shall include a "prospective member".]

F12 Sch. 2 para. 3A inserted (1.12.2006) by The Employment Equality (Age) (Amendment No.2) Regulations 2006 (S.I. 2006/2931), regs. 1(1), 5

Exception for rules, practices, actions and decisions relating to contributions by employers to personal pension schemes

4. Nothing in Part 2 or 3 of these Regulations shall render it unlawful for an employer, in relation to the payment of contributions to any personal pension scheme in respect of a worker, to maintain or use any of the rules, practices, actions or decisions set out in Part 3 of this Schedule.

[^{F13}Unlawfulness of rules, practices, actions or decisions relating to Part 2 or Part 3 of Schedule 2

4A.—(1) The inclusion of a rule, practice, action or decision in Part 2 of this Schedule (excepted rules, practices, actions and decisions relating to occupational pension schemes) shall not be taken to mean that, but for the exemption in Part 2, the use or maintenance by an employer, trustees or managers of a scheme of the rule, practice, action or decision in relation to the scheme, would be unlawful.

(2) The inclusion of a rule, practice, action or decision in Part 3 of this Schedule (excepted rules, practices, actions and decisions relating to contributions by employers to personal pension schemes) shall not be taken to mean that, but for the exemption in Part 3, the use or maintenance by an employer of the rule, practice, action or decision in relation to the payment of contributions to a personal pension scheme in respect of a worker, would be unlawful.]

F13 Sch. 2 para. 4A inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), 6

Procedure in employment tribunals

5. Where under regulation 36 (jurisdiction of employment tribunals) a member or prospective member of a scheme presents to an employment tribunal a complaint that the trustees or managers of the scheme—

- (a) have committed against him an act which is unlawful by virtue of regulation 11 (pension schemes) or 24 (relationships which have come to an end); or
- (b) are by virtue of regulation 25 (liability of employers and principals) or 26 (aiding unlawful acts) to be treated as having committed against him such an act,

the employer in relation to the scheme shall, for the purposes of the rules governing procedure, be treated as a party and be entitled to appear and be heard in accordance with those rules.

Remedies in employment tribunals

6.—(1) This paragraph applies where—

- (a) under regulation 36 (jurisdiction of employment tribunals) a member or prospective member of a scheme (“the complainant”) presents to an employment tribunal a complaint against the trustees or managers of the scheme or an employer;
- (b) the complainant is not a pensioner member of the scheme;
- (c) the complaint relates to the terms on which persons become members of the scheme, or the terms on which members of the scheme are treated; and
- (d) the tribunal finds the complaint to be well-founded.

(2) Where this paragraph applies, the employment tribunal may, without prejudice to the generality of its power under regulation 38(1)(a) (power to make order declaring rights of complainant and respondent), make an order declaring that the complainant has a right—

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Employment Equality (Age) Regulations 2006*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (a) where the complaint relates to the terms on which persons become members of the scheme, to be admitted to the scheme;
 - (b) where the complaint relates to the terms on which members of the scheme are treated, to membership of the scheme without discrimination.
- (3) An order under sub-paragraph (2)—
- (a) may be made in respect of such period as is specified in the order (but may not be made in respect of any time before ^{F14}1st December 2006);
 - (b) may make such provision as the employment tribunal considers appropriate as to the terms on which, or the capacity in which, the complainant is to enjoy such admission or membership.
- (4) Where this paragraph applies, the employment tribunal may not make an order for compensation under regulation 38(1)(b), whether in relation to arrears of benefits or otherwise, except—
- (a) for injury to feelings;
 - (b) by virtue of regulation 38(3).

F14 Words in Sch. 2 para. 6(3)(a) substituted (30.9.2006) by [The Employment Equality \(Age\) \(Amendment\) Regulations 2006 \(S.I. 2006/2408\)](#), regs. 1, 2(5)(a)

Part 2

Excepted rules, practices, actions and decisions relating to occupational pension schemes

Admission to schemes

7. In relation to admission to a scheme—
- (a) a minimum or maximum age for admission, including different ages for admission for different groups or categories of worker;
 - ^{F15}(b) a minimum level of pensionable pay for admission where that minimum—
 - (i) does not exceed one and a half times the lower earnings limit;
 - (ii) does not exceed an amount calculated by reference to the lower earnings limit where the aim is more or less to reflect the amount of the basic state retirement pension; or
 - (iii) does not exceed an amount calculated more or less to reflect the amount of the basic state retirement pension plus the additional state retirement pension;]

F15 Sch. 2 para. 7(b) substituted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **7(1)**

The use of age criteria in actuarial calculations

8. The use of age criteria in actuarial calculations [^{F16}in a scheme], for example in the actuarial calculation of—
- (a) any age related benefit commencing before any early retirement pivot age or enhancement of such benefit commencing after any late retirement pivot age;

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Employment Equality (Age) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) member or employer contributions [^{F17}by or in respect of a member] to a scheme; or
- (c) any age related benefit commuted in exchange for the payment of any lump sum.

- F16** Words in Sch. 2 para. 8 inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **8(1)(a)**
- F17** Words in Sch. 2 para. 8(b) inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **8(1)(b)**

Contributions

9. Any difference in the rate of member or employer contributions [^{F18}to a scheme,] by or in respect of different members to the extent that this is attributable to any differences in the pensionable pay [^{F19}or, where paragraph 19A applies, different accrual rates] of those members.

- F18** Words in Sch. 2 para. 9 inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **8(2)(a)**
- F19** Words in Sch. 2 para. 9 inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **8(2)(b)**

Contributions under money purchase arrangements

10. Under a money purchase arrangement—

- (a) different rates of member or employer contributions according to the age of the members by or in respect of whom contributions are made where the aim in setting the different rates is—
 - (i) to equalise the [^{F20}amount of age related benefit in respect of comparable aggregate periods of pensionable service] to which members of different ages who are otherwise in a comparable situation will become entitled under the arrangement, or
 - [^{F21}(ii) to make more nearly equal the amount of the age related benefit, in respect of comparable aggregate periods of pensionable service, to which members of different ages who are otherwise in a comparable situation will become entitled under the arrangement;]
- (b) equal rates of member or employer contributions irrespective of the age of the members by or in respect of whom contributions are made.
- [^{F22}(c) any limitation on any employer contributions in respect of a member or member contributions by reference to a maximum level of pensionable pay.]

- F20** Words in Sch. 2 para. 10(a)(i) substituted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **9(a)**
- F21** Sch. 2 para. 10(a)(ii) substituted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **9(b)**
- F22** Sch. 2 para. 10(c) inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **9(c)**

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Employment Equality (Age) Regulations 2006*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Contributions under defined benefits arrangements

11. Under a defined benefits arrangement, different rates of member or employer contributions according to the age of the members by or in respect of whom contributions are made, to the extent that—

- (a) each year of pensionable service entitles members in a comparable situation to accrue a right to defined benefits based on the same fraction of pensionable pay, and
- (b) the aim in setting the different rates is to reflect the increasing cost of providing the defined benefits in respect of members as they get older.

[^{F23}**11A.** Any limitation on employer contributions in respect of a member or member contributions to a defined benefit arrangement by reference to a maximum level of pensionable pay.]

F23 Sch. 2 para. 11A inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **10**

F23 Sch. 2 para. 11A inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **10**

Age related rules, practices, actions and decisions relating to benefit

[^{F24}**12.**—(1) Subject to sub-paragraph (4), a minimum age for any member of a scheme to be entitled to a particular age related benefit that is paid in accordance with sub-paragraph (2) and is paid—

- (a) either with or without consent (whether of an employer, the trustees or managers of the scheme or otherwise), and
 - (b) before the early retirement pivot age relevant to that age related benefit.
- (2) The age related benefit must—
- (a) be actuarially reduced on the basis that the aim is to reflect that it is paid on a date before the applicable early retirement pivot age; and
 - (b) not be enhanced by crediting the member with any additional periods of pensionable service or additional benefits.

(3) Sub-paragraph (1) shall also apply to different minimum ages for different groups or categories of members.

(4) Sub-paragraph (1) shall not apply to any member who retires on the grounds to which paragraph 13, 13A or 15 apply.]

F24 Sch. 2 para. 12 substituted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **11(1)**

[^{F25}**13.**—(1) A minimum age for any active or prospective members of a scheme for payment of or entitlement to a particular age related benefit before the early retirement pivot age relevant to that age related benefit where—

- (a) the entitlement to the age related benefit at a minimum age applies to a member who is an active or prospective member of the scheme on 1st December 2006;
- (b) the age related benefit may be paid, at a minimum age, to the active or prospective member either with or without consent (whether of an employer, the trustees or managers of the scheme or otherwise); and

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Employment Equality (Age) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(c) the age related benefit is enhanced in one or more of the ways specified in sub-paragraph (2).

(2) For the purposes of sub-paragraph (1)(c) the specified ways are the enhancement of any age related benefit payable to or in respect of the member calculated in one or more of the following ways—

- (a) by reference to some or all of the years of prospective pensionable service a member would have completed if he had remained in pensionable service until normal pension age;
- (b) by reference to a fixed number of years of prospective pensionable service;
- (c) by making an actuarial reduction which is smaller than if early retirement had been on grounds to which paragraph 12 applies; or
- (d) by not making any actuarial reduction for early retirement.

(3) Sub-paragraph (1) shall also apply to different minimum ages for different groups or categories of active or prospective members.]

F25 Sch. 2 paras. 13 -13B substituted for Sch. 2 para. 13 (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **11(2)**

[^{F25}**13A.** Paragraph 13 shall continue to apply to any member who after 1st December 2006—

- (a) joins a scheme as a result of a block transfer or relevant transfer;
- (b) joins a scheme as a result of a block transfer or relevant transfer from a scheme to which paragraph (a) applied; or
- (c) joins a scheme on the basis that it will provide the same benefits as those provided by the scheme to which paragraph 13 applied.

F25 Sch. 2 paras. 13 -13B substituted for Sch. 2 para. 13 (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **11(2)**

13B.—(1) A minimum age for any member of a scheme for payment of or entitlement to a particular age related benefit on the grounds of redundancy where it is enhanced in accordance with sub-paragraph (2) and paid either with or without consent (whether of an employer, the trustees or managers of the scheme or otherwise).

(2) The enhancement of any age related benefit payable to or in respect of a member on the grounds of redundancy where the enhancement is calculated in one or more of the following ways—

- (a) by reference to the years of prospective pensionable service a member would have completed if he had remained in pensionable service until normal pension age;
- (b) by reference to a fixed number of years of prospective pensionable service;
- (c) by making an actuarial reduction which is smaller than if early retirement had been on grounds to which paragraph 12 applied; or
- (d) by not making any actuarial reduction for early retirement.

(3) Sub-paragraph (1) shall also apply to different minimum ages for different groups or categories of members.]

F25 Sch. 2 paras. 13 -13B substituted for Sch. 2 para. 13 (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **11(2)**

[^{F26}**14.** An early retirement pivot age or a late retirement pivot age including—

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Employment Equality (Age) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) different such ages for different groups or categories of member, and
- (b) any early retirement pivot age or late retirement pivot age for deferred members which is different than for active members.]

F26 Sch. 2 para. 14 substituted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **12**

[^{F27}**15.**—(1) A minimum age for any member of a scheme for payment of or entitlement to a particular age related benefit on the grounds of ill health where the age related benefit is enhanced in accordance with sub-paragraph (2) and paid either with or without consent (whether of an employer, the trustees or managers of the scheme or otherwise).

(2) The enhancement of any age related benefit payable to or in respect of a member on the grounds of ill health where the enhancement is calculated in one or more of the following ways—

- (a) by reference to some or all of the years of prospective pensionable service a member would have completed if he had remained in pensionable service until normal pension age;
- (b) by reference to a fixed number of years of prospective pensionable service;
- (c) by making an actuarial reduction which is smaller than if early retirement had been on the grounds to which paragraph 12 applied; or
- (d) by not making any actuarial reduction for early retirement.

(3) Sub-paragraph (1) shall also apply to different minimum ages for different groups or categories of members.]

F27 Sch. 2 paras. 15 -15A substituted for Sch. 2 para. 15 (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **13(1)**

[^{F27}**15A.**—(1) The calculation of any death benefit payable in respect of a member—

- (a) by reference to some or all of the years of prospective pensionable service a member would have completed if he had remained in service until normal pension age; or
- (b) by reference to a fixed number of years of prospective pensionable service.

(2) Payment after a member's death of a death benefit calculated by reference to the period remaining in a pension guarantee period.

(3) For the purposes of sub-paragraph (2), a pension guarantee period means a fixed period specified in or permitted by the scheme rules beginning on—

- (a) the date on which the payment of pension to or in respect of the member began, or
- (b) if specified in the scheme rules, the date of the member's death on or after normal pension age where payment of pension to or in respect of him had not begun.

(4) Any difference between the death benefits payable in respect of deferred members who die before normal pension age and the death benefits payable in respect of deferred members who die on or after normal pension age.]

F27 Sch. 2 paras. 15 -15A substituted for Sch. 2 para. 15 (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **13(1)**

[^{F28}**16.**—(1) Any rule, practice, action or decision where—

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Employment Equality (Age) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) the rate of pension to which a pensioner member is entitled is reduced at any time between age 60 and 65 (“the reduction date”), by either —
 - (i) an amount not exceeding the relevant state retirement pension rate at the reduction date, or
 - (ii) the rate of the pension in payment where on the reduction date the relevant state retirement pension rate is greater than the rate of that pension;
 - (b) from the date a member is entitled to present payment of a pension from a scheme he is entitled to an additional amount of pension which does not exceed the amount of the basic state retirement pension plus the additional state retirement pension that would be payable at state pension age; or
 - (c) a member who reaches his state pension age is not entitled to, or no longer entitled to, an additional amount of pension which does not exceed the amount of the basic state retirement pension plus the additional state retirement pension that would be payable at state pension age.
- (2) For the purposes of paragraph (1)—
- “relevant state retirement pension rate” has the same meaning as in paragraph 2(5) of Schedule 28 to the Finance Act 2004;
- “state pension age” means the pensionable age specified in the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995.]

F28 Sch. 2 para. 16 substituted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **14(1)**

17. The [^{F29}actuarial] reduction of any pension payable [^{F30}from a scheme] in consequence of a member's death to any dependant of the member where that dependant is more than a specified number of years younger than the member.

F29 Word in Sch. 2 para. 17 inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **15(a)**

F30 Words in Sch. 2 para. 17 inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **15(b)**

18. In relation to pensioner members who have retired [^{F31}from a scheme] on ill health grounds ^{F32}..., discontinuation of any life assurance cover once any such members reach the normal retirement age which applied to them at the time they retired, or in relation to members to whom no such normal retirement age applied, once such members reach the age of 65.

F31 Words in Sch. 2 para. 18 inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **16(a)**

F32 Words in Sch. 2 para. 18 omitted (1.12.2006) by virtue of [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **16(b)**

Other rules, practices, actions and decisions relating to benefit

19. Any difference in the amount of any age related benefit or death benefit payable under a [^{F33}scheme] to or in respect of members with different lengths of pensionable service to the extent that the difference in amount is attributable to their differing lengths of service, provided that, for each year of pensionable service, members in a comparable situation are entitled to accrue a right to benefit based upon the same fraction of pensionable pay.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Employment Equality (Age) Regulations 2006*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

F33 Word in Sch. 2 para. 19 substituted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **17**

[^{F34}**19A.**—(1) Any differences in—

- (a) the fraction of pensionable pay at which any age related benefit accrues, or
- (b) the amount of death benefit,

to or in respect of active or prospective members of a scheme where the differences are attributable to the aim specified in sub-paragraph (2).

(2) The aim referred to in sub-paragraph (1) is that members in a comparable situation will have the right to age related benefit or death benefit equal to the same fraction, proportion or multiple of pensionable pay—

- (a) without regard to each member’s length of pensionable service under the scheme, and
- (b) provided that each member continues in pensionable service under the scheme until normal pension age.

(3) Any differences in age related benefits which accrue, or entitlement to any death benefits which arises, to or in respect of active or prospective members of a scheme who are in a comparable situation where—

- (a) those differences are attributable to the aim specified in sub-paragraph (2), and
- (b) the member’s pensionable service under the arrangement ceases before normal pension age.

(4) Where sub-paragraph (1) applies, any limitation on the amount of any age related benefit or death benefit payable from a scheme where the limitation arises from imposing one or both of the following—

- (a) a maximum amount on the age related benefit or death benefit which is equal to a fraction, proportion or multiple of the member’s pensionable pay, or
- (b) a minimum period of pensionable service.

F34 Sch. 2 paras. 19A, 19B inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **18**

19B. Where paragraph 19A applies, different rates of member or employer contributions according to the age of the members by, or in respect of whom, contributions are made, where for each year of pensionable service members in comparable situations accrue different fractions of pensionable pay.]

F34 Sch. 2 paras. 19A, 19B inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **18**

F33 Word in Sch. 2 para. 19 substituted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **17**

F34 Sch. 2 paras. 19A, 19B inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **18**

20. Any difference in the amount of any age related benefit or death benefit payable from a scheme to or in respect of different members to the extent that the difference in amount is attributable to differences over time in the pensionable pay of those members.

[^{F35}21.—(1) Any limitation on the amount of any age related benefit or death benefit payable from a scheme where either or both sub-paragraphs (2) and (3) apply.

(2) The limitation results from imposing a maximum number of years of pensionable service by reference to which the age related benefit or death benefit may be calculated.

(3) The limitation arises from imposing a maximum amount on the age related benefit or death benefit which is equal to a fraction, proportion or multiple of a member's pensionable pay.]

F35 Sch. 2 para. 21 substituted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **19**

[^{F36}22. Any rule, practice, action or decision where any age related benefit or death benefit is only payable from a scheme where a member is entitled to short service benefit under section 71 of the Pension Schemes Act 1993 (basic principles as to short service benefit).]

F36 Sch. 2 para. 22 substituted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **20**

[^{F37}23. When determining a member's pensionable pay by reference to which any age related benefit or death benefit payable to or in respect of a member is calculated, to exclude from the member's remuneration an amount which—

- (a) does not exceed one and a half times the lower earnings limit;
- (b) does not exceed an amount calculated by reference to the lower earnings limit where the aim is more or less to reflect the amount of the basic state retirement pension; or
- (c) does not exceed an amount calculated more or less to reflect the amount of the basic state retirement pension plus the additional state retirement pension.]

F37 Sch. 2 para. 23 substituted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **7(2)**

[^{F38}23A. Any difference in the amount of age related benefit or death benefit payable under a scheme to or in respect of members where the difference is attributable to accrual of age related benefit at a higher fraction of pensionable pay for pensionable pay over the upper earnings limit (and a lower fraction of pensionable pay for pensionable pay under the upper earnings limit) where the aim is to reflect the additional state retirement pension.]

F38 Sch. 2 para. 23A inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **7(3)**

[^{F39}24. Any limitation on the amount of any age related benefit or death benefit payable from a scheme where the limitation—

- (a) relates to—
 - (i) all members who joined, or who became eligible to join the scheme on, after or before a particular date; or
 - (ii) any group or category of members who joined, or who became eligible to join the scheme on, after or before a particular date; and
- (b) results from imposing a maximum level of pensionable pay by reference to which the age related benefit or death benefit may be calculated.]

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Employment Equality (Age) Regulations 2006*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

F39 Sch. 2 para. 24 substituted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **21**

Closure of schemes

25. The closure of a scheme, from a particular date, to workers who have not already joined it.

[^{F40}Closure of sections of schemes

25A.—(1) The closure of any section of a scheme, from a particular date, to workers who have not already joined it.

(2) For the purposes of paragraph (1)—

- (a) a scheme may be divided into two or more sections, and
- (b) a section of a scheme shall mean any of the groups in sub-paragraph (3).

(3) A section of a scheme shall mean any of the following—

- (a) any group of members who became eligible to join, or who joined, the scheme on, after or before a particular date on the basis that particular benefits will be provided to or in respect of those members or that a particular level of contributions will be paid in respect of those members; or
- (b) any group of members who became eligible to join, or who joined, the scheme as a result of a block transfer or relevant transfer.]

F40 Sch. 2 para. 25A inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **22**

Other rules, practices, actions and decisions

26. Increases of pensions in payment which are made to members over 55 but not to members below that age.

27. Any difference in the rate of increase of pensions in payment for members of different ages to the extent that the aim in setting the different rates is to maintain [^{F41}or more nearly maintain] the relative value of members' pensions.

F41 Words in Sch. 2 para. 27 inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **23**

28. Any difference in the rate of increase of pensions in payment for members whose pensions have been in payment for different lengths of time to the extent that the aim in setting the different rates is to maintain [^{F42}or more nearly maintain] the relative value of members' pensions.

F42 Words in Sch. 2 para. 28 inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **23**

29. The application of an age limit for transfer of the value of a member's accrued rights into or out of a scheme, provided that any such age limit is not more than one year before the member's normal pension age.

Registered pension schemes

30.—(1) ^{F43}... any rules, practices, actions or decisions relating to entitlement to or payment of benefits under a [^{F44}scheme which is a] registered pension scheme insofar as compliance is necessary to secure any tax relief or exemption available under Part 4 of the Finance Act 2004 ^{M13} or to prevent any charge to tax arising under that Part of that Act, whoever is liable in relation to such charge.

^{F45}(2)

F43 Words in Sch. 2 para. 30(1) omitted (1.12.2006) by virtue of [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **24(a)(i)**

F44 Words in Sch. 2 para. 30(1) inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **24(a)(ii)**

F45 Sch. 2 para. 30(2) omitted (1.12.2006) by virtue of [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **24(b)**

Marginal Citations

M13 2004 c. 12.

Part 3

Excepted rules, practices, actions and decisions relating to contributions by employers to personal pension schemes

Contributions by employers

31. Different rates of contributions by an employer [^{F46}to a personal pension scheme] according to the age of the workers in respect of whom the contributions are made where the aim in setting the different rates is—

- (a) to equalise the [^{F47}amount of age related benefit, derived from contributions made each year by the employer,] to which workers of different ages who are otherwise in a comparable situation will become entitled under their personal pension schemes, or
- ^{F48}(b) to make more nearly equal the amount of the age related benefit, derived from contributions made each year by the employer, to which workers of different ages who are otherwise in a comparable situation will become entitled under their personal pension schemes.]

F46 Words in Sch. 2 para. 31 inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **25**

F47 Words in Sch. 2 para. 31(a) substituted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **26(a)**

F48 Sch. 2 para. 31(b) substituted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **26(b)**

32. Any difference in the rate of contributions by an employer [^{F49}to a personal pension scheme] in respect of different workers to the extent that this is attributable to any differences in remuneration payable to those workers.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Employment Equality (Age) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

F49 Words in Sch. 2 para. 32 inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **25**

[^{F50}33. Any limitation on any contributions by an employer, to a personal pension scheme, by reference to a maximum level of remuneration.

F50 Sch. 2 paras. 33-36 inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **27**

34. A minimum age for commencement of payment of contributions by an employer to a personal pension scheme in respect of a worker.

F50 Sch. 2 paras. 33-36 inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **27**

35. Different minimum ages for commencement of payment of contributions by an employer to a personal pension scheme in respect of different groups or categories of workers.

F50 Sch. 2 paras. 33-36 inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **27**

36. Equal rates of contributions by an employer to a personal pension scheme irrespective of the age of the workers in respect of whom contributions are made.]

F50 Sch. 2 paras. 33-36 inserted (1.12.2006) by [The Employment Equality \(Age\) \(Amendment No.2\) Regulations 2006 \(S.I. 2006/2931\)](#), regs. 1(1), **27**

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Employment Equality (Age) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations revoked (except Schs. 6, 8) by [2010 c. 15 Sch. 27 Pt. 2](#) (Regulations revoked except Schs. 6, 8)

Commencement Orders yet to be applied to the The Employment Equality (Age) Regulations 2006

Commencement Orders bringing legislation that affects this Instrument into force:

- [S.I. 2010/2317 art. 2\(15\)\(f\)](#) commences ([2010 c. 15](#))
- [S.I. 2011/1066 art. 2\(h\)](#) commences ([2010 c. 15](#))