
STATUTORY INSTRUMENTS

1988 No. 1303

The Sex Discrimination (Northern Ireland) Order 1988

Age of retirement, etc.: unfair dismissal

5.—(1) In Article 24(1) of the Industrial Relations (Northern Ireland) Order 1976(1) (qualifying period and upper age limit for unfair dismissal cases), for sub-paragraph (b) there shall be substituted the following sub-paragraph—

“(b) attained the following age on or before the effective date of termination, that is to say—

(i) if in the undertaking in which he was employed there was a normal retiring age for an employee holding the position which he held and the age was the same whether the employee holding that position was a man or a woman, that normal retiring age; and

(ii) in any other case, the age of 65.”.

(2) In Article 34(7) of that Order (definitions for the purpose of the provision for reducing a basic award for unfair dismissal), for the words from “a man” to “her birth” there shall be substituted the words “an employee means the 64th anniversary of the date of his birth”.

(3) Paragraph (2) shall not affect any award for the unfair dismissal of an employee in relation to whom the effective date of termination (within the meaning given by Article 21 of that Order) was before the commencement of that paragraph.