
STATUTORY INSTRUMENTS

1996 No. 1919

The Employment Rights (Northern Ireland) Order 1996

PART XI

UNFAIR DISMISSAL

CHAPTER I

RIGHT NOT TO BE UNFAIRLY DISMISSED

Exclusion of right

Upper age limit

141.—(1) Article 126 does not apply to the dismissal of an employee if on or before the effective date of termination he has attained—

(a) in a case where—

(i) in the undertaking in which the employee was employed there was a normal retiring age for an employee holding the position held by the employee, and

(ii) the age was the same whether the employee holding that position was a man or a woman,

that normal retiring age, and

(b) in any other case, the age of sixty-five.

(2) Paragraph (1) does not apply if—

(a) Article 116 or 128(1) applies,

(b) paragraph (1) of Article 131 (read with paragraph (2) of that Article) or paragraph (3) of that Article applies,

(c) paragraph (1) of Article 132 (read with paragraphs (2) and (3) of that Article) applies,

(d) Article 133 applies,

(e) Article 134 applies,

(f) paragraph (1) of Article 135 (read with paragraphs (2) and (3) of that Article) applies,

(g) Article 136 applies, or

(h) Article 137 applies.