
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 261

**The Employment Equality (Age)
Regulations (Northern Ireland) 2006**

PART 1

GENERAL

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954⁽¹⁾ shall apply to these Regulations as it applies to an Act of the Assembly.

(2) In these Regulations, references to discrimination are to any discrimination falling within regulation 3 (discrimination on grounds of age), regulation 4 (discrimination by way of victimisation), or regulation 5 (instructions to discriminate), and related expressions shall be construed accordingly, and references to harassment shall be construed in accordance with regulation 6 (harassment on grounds of age).

(3) In these Regulations—

“the 1996 Order” means the Employment Rights (Northern Ireland) Order 1996⁽²⁾;

“act” includes a deliberate omission;

“benefits”, except in regulation 12 and Schedule 1 (pension schemes), includes facilities and services;

“the Commission” means the Equality Commission for Northern Ireland established by section 73 of the Northern Ireland Act 1998⁽³⁾;

“Crown employment” means—

- (a) service for purposes of a Minister of the Crown, a Northern Ireland Minister or government department, other than service of a person holding a statutory office; or
- (b) service on behalf of the Crown for purposes of a person holding a statutory office or purposes of a statutory body;

“detriment” does not include harassment within the meaning of regulation 6;

“employment” means employment under a contract of service or of apprenticeship or a contract personally to do any work, and related expressions (such as “employee” and “employer”) shall be construed accordingly, but this definition does not apply in relation to regulation 32 (exception for retirement) or to Schedules 1, 5, 6 and 7;

“Minister of the Crown” includes the Treasury and the Defence Council;

“Northern Ireland” includes such of the territorial waters of the United Kingdom as are adjacent to Northern Ireland;

(1) 1954 c. 33 (N.I.)

(2) S.I.1996/1919 (N.I. 16)

(3) 1998 c. 47

“Northern Ireland Minister” includes the First Minister and deputy First Minister acting jointly;

“proprietor”, in relation to a school, has the same meaning as in Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986⁽⁴⁾;

“school” has the same meaning as in Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986;

“service for purposes of a Minister of the Crown, a Northern Ireland Minister or government department” does not include service in any office mentioned in Schedule 2 (Ministerial offices) to the House of Commons Disqualification Act 1975⁽⁵⁾;

“statutory body” means a body set up by or in pursuance of a statutory provision, and “statutory office” means an office so set up;

“statutory provision” has the meaning assigned to it by section 1(f) of the Interpretation Act (Northern Ireland) 1954; and

“worker”, in relation to regulations 34 and 36 and to Schedule 1, means, as the case may be—

- (a) an employee;
- (b) a person holding an office or post to which regulation 13 (office-holders etc) applies;
- (c) a person holding the office of constable;
- (d) a partner within the meaning of regulation 18 (partnerships);
- (e) a member of a limited liability partnership within the meaning of that regulation or;
- (f) a person in Crown employment.

(4) In these Regulations, references to “employer”, in their application to a person at any time seeking to employ another, include a person who has no employees at that time.

(4) S.I. 1986/594 (N.I. 3)

(5) 1975 c. 24