
DRAFT STATUTORY INSTRUMENTS

2011 No.

The Employment Equality (Repeal of Retirement Age Provisions) Regulations 2011

Amendments to the Equality Act 2010

2.—(1) Schedule 9 to the Equality Act 2010 (work: exceptions relating to age)⁽¹⁾ is amended as follows.

- (2) Omit paragraph 8 (retirement).
- (3) Omit paragraph 9 (applicants at or approaching retirement age).
- (4) For paragraph 14 (life assurance), substitute—

“Insurance etc.

14.—(1) It is not an age contravention for an employer to make arrangements for, or afford access to, the provision of insurance or a related financial service to or in respect of an employee for a period ending when the employee attains whichever is the greater of—

- (a) the age of 65, and
- (b) the state pensionable age.

(2) It is not an age contravention for an employer to make arrangements for, or afford access to, the provision of insurance or a related financial service to or in respect of only such employees as have not attained whichever is the greater of—

- (a) the age of 65, and
- (b) the state pensionable age.

(3) Sub-paragraphs (1) and (2) apply only where the insurance or related financial service is, or is to be, provided to the employer’s employees or a class of those employees—

- (a) in pursuance of an arrangement between the employer and another person, or
- (b) where the employer’s business includes the provision of insurance or financial services of the description in question, by the employer.

(4) The state pensionable age is the pensionable age determined in accordance with the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995⁽²⁾.”.

(1) 2010 c.15.

(2) 1995 c.26; paragraph 1 of Schedule 4 was amended by the State Pension Credit Act 2002 (c.16), section 14, Schedule 2, Part 3, paragraph 39; the Welfare Reform Act 2007 (c.5) section 28(1), Schedule 3, paragraph 13; and the Pensions Act 2007 (c.22), section 13(1), Schedule 3, paragraph 4.