

SCHEDULE 8

Amendments to legislation and related transitional provisions

Part 1

Primary legislation

- 22.**—(1) Section 98 (fairness of dismissal: general) is amended as follows.
- (2) In subsection (2), after paragraph (b) insert—
- “(ba) is retirement of the employee,”.
- (3) After subsection (2) insert—
- “(2A) Subsections (1) and (2) are subject to sections 98ZA to 98ZF.”.
- (4) After subsection (3) insert—
- “(3A) In any case where the employer has fulfilled the requirements of subsection (1) by showing that the reason (or the principal reason) for the dismissal is retirement of the employee, the question whether the dismissal is fair or unfair shall be determined in accordance with section 98ZG.”.
- (5) In subsection (4) for “Where” substitute “ In any other case 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch. 8 para. 22-24 omitted by [S.I. 2011/1069 reg. 4\(2\)](#)
- 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](#))