

## SCHEDULE

### Employment rights and protections in connection with consultation

#### *Protections against unfair dismissal*

- 6.—(1) In section 105 of the 1996 Act (redundancy as unfair dismissal)—
- (a) for subsection (1)(c) substitute—
    - “(c) it is shown that any of subsections (2A) to (7I) apply.”; and
  - (b) after subsection (7H) insert—
    - “(7I) This subsection applies if the reason (or, if more than one, the principal reason) for which the employee was selected for dismissal was one specified in paragraph 5(3) or (5) of the Schedule to the Occupational and Personal Pension Schemes (Consultation by Employers and Miscellaneous Amendment) Regulations 2006 (read with paragraph 5(6) of that Schedule).”.
- (2) In section 108 of the 1996 Act (exclusion of right: qualifying period of employment), in subsection (3)—
- (a) omit the word “or” at the end of paragraph (k); and
  - (b) after paragraph (l) insert—
    - “, or
    - (m) paragraph 5(3) or (5) of the Schedule to the Occupational and Personal Pension Schemes (Consultation by Employers and Miscellaneous Amendment) Regulations 2006 (read with paragraph 5(6) of that Schedule) applies.”.
- (3) In section 109 of the 1996 Act (exclusion of right: upper age limit), in subsection (2)—
- (a) omit the word “or” at the end of paragraph (k); and
  - (b) after paragraph (l) insert—
    - “, or
    - (m) paragraph 5(3) or (5) of the Schedule to the Occupational and Personal Pension Schemes (Consultation by Employers and Miscellaneous Amendment) Regulations 2006 (read with paragraph 5(6) of that Schedule) applies.”.

**Changes to legislation:**

There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Consultation by Employers and Miscellaneous Amendment) Regulations 2006, Paragraph 6.