



Equal Pay Act (Northern Ireland) 1970

1970 CHAPTER 32

^{F1}6AA “Qualifying date” under section 6A(8) _{F2}

(1) This section applies for the purpose of determining the qualifying date, in relation to proceedings on a complaint in respect of a woman's service in any of the armed forces, for the purposes of section 6A(8).

(2) In this section—

“concealment case” means a case where—

- (a) the employer deliberately concealed from the woman any fact (referred to in this section as a “qualifying fact”)—
 - (i) which is relevant to the contravention to which the complaint relates, and
 - (ii) without knowledge of which the woman could not reasonably have been expected to present the complaint, and
- (b) the woman did not discover the qualifying fact (or could not with reasonable diligence have discovered it) until after the last day of the period of service during which the claim arose;

“disability case” means a case where the woman was under a disability at any time during the nine months after (as the case may be)—

- (a) the last day of the period of service during which the claim arose, or
- (b) the day on which she discovered (or could with reasonable diligence have discovered) the qualifying fact deliberately concealed from her by the employer (if that day falls after the day referred to in paragraph (a)); and

“standard case” means a case which is not—

- (a) a concealment case,
- (b) a disability case, or
- (c) both.

(3) In a standard case, the qualifying date is the date falling nine months after the last day of the period of service during which the claim arose.

Changes to legislation: There are currently no known outstanding effects for the Equal Pay Act (Northern Ireland) 1970, Section 6AA. (See end of Document for details)

- (4) In a case which is a concealment case (but not also a disability case), the qualifying date is the date falling nine months after the day on which the woman discovered the qualifying fact in question (or could with reasonable diligence have discovered it).
- (5) In a case which is a disability case (but not also a concealment case), the qualifying date is the date falling nine months after the day on which the woman ceased to be under a disability.
- (6) In a case which is both a concealment and a disability case, the qualifying date is the later of the dates referred to in subsections (4) and (5).]

F1 SR 2004/171

F2 mod. by SR 2005/377

Changes to legislation:

There are currently no known outstanding effects for the Equal Pay Act (Northern Ireland) 1970, Section 6AA .