



# Employment Rights Act 1996

## 1996 CHAPTER 18

### PART X

#### UNFAIR DISMISSAL

#### CHAPTER I

#### RIGHT NOT TO BE UNFAIRLY DISMISSED

*[<sup>F1</sup>Retirement]*

VALID FROM 01/10/2006

#### **98ZG Retirement dismissals: fairness**

- (1) This section applies if the reason (or principal reason) for a dismissal is retirement of the employee.
- (2) The employee shall be regarded as unfairly dismissed if, and only if, there has been a failure on the part of the employer to comply with an obligation imposed on him by any of the following provisions of Schedule 6 to the 2006 Regulations—
  - (a) paragraph 4 (notification of retirement, if not already given under paragraph 2),
  - (b) paragraphs 6 and 7 (duty to consider employee's request not to be retired),
  - (c) paragraph 8 (duty to consider appeal against decision to refuse request not to be retired).

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**Status:** Point in time view as at 06/04/2004. This version of this provision is not valid for this point in time.

**Changes to legislation:** Employment Rights Act 1996, Section 98ZG is up to date with all changes known to be in force on or before 02 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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**Modifications etc. (not altering text)**

- C1** Ss. 98ZA-98ZH modified (1.10.2006) by [The Employment Equality \(Age\) Regulations 2006 \(S.I. 2006/1031\)](#), regs. 1(1), 47, **Sch. 6 para. 10(4)**, (with regs. 44-46, Sch. 7)

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