
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations repeal and amend provisions in Schedule 9 to the Equality Act 2010 (and repeal and amend related provisions in the Employment Rights Act 1996) which except certain dismissals made on the basis of retirement from constituting direct age discrimination and unfair dismissal. New provision relating to insurance arranged by an employer for the employer's employees and other persons in connection with that employment is also made. These Regulations come into force on 6th April 2011.

Regulation 2 amends Schedule 9 to the Equality Act 2010 by repealing paragraphs 8 and 9 and substituting a new paragraph 14.

Regulation 3 repeals sections 98ZA to 98ZH of the Employment Rights Act 1996 and makes amendments to section 98, 105, 108, 112 and 120 of that Act.

Regulation 4 revokes Schedule 6 to the Employment Equality (Age) Regulations 2006 which sets out a duty for employers to consider requests from employees who wish to work beyond retirement. It also revokes certain amending provisions in Schedule 8 to those Regulations.

Regulations 5 to 9 contain transitional provisions.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is annexed to the Explanatory Memorandum which is available alongside the instrument on www.legislation.gov.uk.