

alert

“AGE-DAY” PUSHED BACK – 1 DECEMBER 2006

1 INTRODUCTION

Responding to industry pressure, the Government has pushed back the date when new age discrimination laws come into force for occupational and personal pension schemes from 1 October 2006 to 1 December 2006. Amending regulations have been laid today¹. The push-back is in line with the EC Directive² behind the age discrimination laws, which requires Member States to implement national legislation by 2 December 2006.

2 KEY POINTS

- The prohibition on employers and trustees discriminating directly or indirectly against a worker on the grounds of their age in respect of pensions will apply only to service from 1 December 2006.
- The push-back applies to both occupational and personal pension schemes.
- Further changes are in the pipeline – we understand that the current DTI guidance is likely to be replaced and that further amending regulations will adjust the pensions exemptions in Schedule 2 of the Age Regulations³.
- Employers and trustees should press on with considering age issues – the new laws will come into force in only 12 weeks' time!

We will update clients once further information about anticipated changes is available. For help with age discrimination issues, please get in touch with your usual Sackers' contact⁴.

¹ The DWP has announced the delay, but the amending regulations have not yet been published

² EC Directive 2000/78 establishing a general framework for equal treatment in employment and occupation

³ The Employment Equality (Age) Regulations 2006

⁴ For further information, please see our Sackers Extra Alert: "Action on Age Day" and our Sackers Extra News: Age-Day – focus on DB schemes, both dated August 2006