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**AN BILLE UM CHOMHIONANNAS FOSTAÍOCHTA (AOIS  
SCOIR SHAINORDAITHEACH A CHEALÚ), 2014  
EMPLOYMENT EQUALITY (ABOLITION OF MANDATORY  
RETIREMENT AGE) BILL 2014**

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**EXPLANATORY MEMORANDUM**

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*Purpose of Bill*

The purpose of the Bill is to amend the Employment Equality Act 1998 to abolish mandatory retirement ages for persons able and willing to continue the job for which they are employed. Exceptions are provided for security related areas such as An Garda Síochána. The Bill is based on similar progressive legislation elsewhere including the US, where compulsory retirement ages have been outlawed for many years, and the UK, where the practice has recently been outlawed by the Employment Equality (Repeal of Retirement Age Provisions) Regulations 2011.

Section 1 specifically allows an employer to provide financial incentives for voluntary retirement at a specified age. The emphasis will be on the voluntary nature of any such retirement, but a worker who wishes to continue in employment may do so.

The Bill does not affect statutory offices where a specific retirement age is set by law, although these may warrant review following enactment.

The Bill is designed to combat ageism and to promote a more positive experience of ageing and more positive attitudes to older citizens.

*Provisions of Bill*

*Section 1* provides that section 34 of the Employment Equality Act 1998 is amended to state that it shall not be lawful to set a compulsory retirement age for an employee who is capable of doing the job for which he or she is employed, save in relation to the security related exceptions.

*Section 2* is a standard provision.

*Financial and regulatory implications*

By requiring employers to focus on ability to do the job, rather than age, the Bill will promote equality in the workplace and other regulatory objectives. Experienced older workers can bring many benefits to employers.

In addition, allowing older workers to continue in work where they wish to will have significant benefits for such individuals and will promote better health and financial independence. This will reduce

costs to the social protection and health budgets. Apart from the foregoing there are no direct financial implications of the Bill.

*Anne Ferris T.D.,  
Aibreán, 2014.*