



STATUTORY INSTRUMENTS.

S.I. No. 126 of 2016



EMPLOYMENT EQUALITY ACT 1998 (WITHDRAWAL OF CERTAIN
CLAIMS) (RELEVANT DATE) REGULATIONS 2016

EMPLOYMENT EQUALITY ACT 1998 (WITHDRAWAL OF CERTAIN CLAIMS) (RELEVANT DATE) REGULATIONS 2016

I, RICHARD BRUTON, Minister for Jobs, Enterprise and Innovation, in exercise of the powers conferred on me by subsection (4A) (inserted by section 17 of the Credit Guarantee (Amendment) Act 2016 (No. 1 of 2016)) of section 101 of the Employment Equality Act 1998 (No. 21 of 1998), hereby make the following regulations:

1. These Regulations may be cited as the Employment Equality Act 1998 (Withdrawal of Certain Claims) (Relevant Date) Regulations 2016.

2. (1) The date that falls 42 days from the date of the notification of the employee concerned is prescribed for the purposes of the definition of “relevant date” in subsection (4A) (inserted by section 17 of the Credit Guarantee (Amendment) Act 2016 (No. 1 of 2016)) of section 101 of the Act of 1998.

(2) In this Regulation—

“Act of 1998” means the Employment Equality Act 1998 (No. 21 of 1998);

“notification” means, in relation to an employee who has referred a case or claim under section 77 of the Act of 1998 and a claim for redress under the Act of 1977 to the Director General of the Workplace Relations Commission in respect of a dismissal, a notification in writing from the Workplace Relations Commission informing the employee that subsection (4A) of section 101 of the Act of 1998 applies in respect of the said case or claim and the said claim for redress.



GIVEN under my Official Seal,
7 March 2016.

RICHARD BRUTON,
Minister for Jobs, Enterprise and Innovation.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 11th March, 2016.*

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

Section 101(4A) of the Employment Equality Act 1998 (inserted by section 17 of the Credit Guarantee (Amendment) Act 2016 (No. 1 of 2016)) provides that a person who has referred a complaint relating to dismissal under both the Unfair Dismissals Act 1977 and the Employment Equality Act 1998 to the Director General of the Workplace Relations Commission has to elect between one or the other by a prescribed date (or “the relevant date”) to be inferred from regulations by the Minister. If the person fails to elect by this date the discriminatory dismissal complaint will be deemed to have been withdrawn.

These Regulations prescribe that the “relevant date” for the purposes of Section 101(4A) of the Employment Equality Act 1998 shall be 42 days from the date of notification to the employee concerned who has referred a claim under Section 77 of the Employment Equality Act 1998 and a claim for redress under the Unfair Dismissals Act 1977 in respect of dismissal to the Director General of the Workplace Relations Commission. The “notification” for the purposes of these Regulations is the notification from the Workplace Relations Commission informing the employee concerned that subsection (4A) of section 101 applies in relation to the aforementioned claim under the Employment Equality Act 1998 and the claim for redress under the Unfair Dismissals Act 1977.

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