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Hot Topic – Employment Law

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Retiring Employees at 65 – Lawful or Not?

Age Concern has been pursuing its legal challenge to the legislation which allows employers to dismiss employees (provided they follow the correct procedure) who reach the age of 65.

The challenge was taken to the European Court and the decision of that Court has now been announced.

The European Court decided that forced retirement at age 65 is in theory, capable of justification if it can be shown that it is a “proportionate means of achieving a legitimate aim”.

However it is for the UK courts to decide whether that test has been satisfied so that question will now be pondered by the High Court.

This is a case of considerable importance and we will report further in due course. Watch this space!.

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