



Pensions Act 2008

2008 CHAPTER 30

PART 1

PENSION SCHEME MEMBERSHIP FOR JOBHOLDERS

CHAPTER 8

APPLICATION AND INTERPRETATION

f¹Exceptions

Textual Amendments

- F1** S. 87A and cross-heading inserted (11.9.2014) by [Pensions Act 2014 \(c. 19\)](#), ss. **38(2)**, 56(1); S.I. 2014/2377, art. 2(1)(a)(i)(2)(c)

87A Power to create exceptions from the employer duties etc

- (1) The Secretary of State may by regulations provide for exceptions to the employer duties; and an exception may in particular—
 - (a) turn an employer duty into a power;
 - (b) be framed by reference to a description of worker, particular circumstances or in some other way.
- (2) But the regulations may not provide for an exception for employers of a particular size.
- (3) Regulations which make provision under subsection (1)(a) may make provision modifying this Part or regulations made under it in connection with that provision.
- (4) The regulations may make provision in connection with the coming to an end of the state of affairs that caused an exception to apply, including provision—
 - (a) modifying this Part or regulations made under it in relation to a person;

Changes to legislation: *Pensions Act 2008, Cross Heading: Exceptions is up to date with all changes known to be in force on or before 29 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (b) for the purpose of putting a person, wholly or partly, in the position he or she would have been in if the exception had never applied.
- (5) In this section “employer duties” means any duty of an employer under any provision of sections 2 to 11 and 54 or of regulations made under those sections.]

Changes to legislation:

Pensions Act 2008, Cross Heading: Exceptions is up to date with all changes known to be in force on or before 29 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3(1A) inserted by [2023 c. 44 s. 1\(2\)](#)
- s. 5(1C) inserted by [2023 c. 44 s. 1\(3\)](#)
- s. 13(3)(ec) inserted by [2023 c. 20 Sch. para. 56](#)
- s. 13A inserted by [2023 c. 44 s. 1\(4\)](#)
- s. 24(1)(c) inserted by [2015 c. 8 Sch. 2 para. 43\(2\)\(d\)](#)
- s. 143(6)(7) inserted by [2023 c. 44 s. 1\(5\)\(b\)](#)