



Pensions Act 2008

2008 CHAPTER 30

PART 1

PENSION SCHEME MEMBERSHIP FOR JOBHOLDERS

CHAPTER 2

COMPLIANCE

Offences and monitoring

45 Offences of failing to comply

- (1) An offence is committed by an employer who wilfully fails to comply with—
 - (a) the duty under section 3(2) (automatic enrolment),
 - (b) the duty under section 5(2) (automatic re-enrolment), or
 - (c) the duty under section 7(3) (jobholder's right to opt in).
- (2) A person guilty of an offence under this section is liable—
 - (a) on conviction on indictment, to imprisonment for a term not exceeding two years, or to a fine, or both;
 - (b) on summary conviction to a fine not exceeding the statutory maximum.