



# Pensions Act 2008

## 2008 CHAPTER 30

### PART 1

#### PENSION SCHEME MEMBERSHIP FOR JOBHOLDERS

#### CHAPTER 8

##### APPLICATION AND INTERPRETATION

##### *[<sup>F1</sup>Exceptions*

#### **[<sup>F1</sup>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;
  - (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, Section 87A is up to date with all changes known to be in force on or before 27 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*

---

---

#### **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)

**Changes to legislation:**

Pensions Act 2008, Section 87A is up to date with all changes known to be in force on or before 27 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\(5\)\(b\)](#)