



# Pensions (Extension of Automatic Enrolment) Act 2023

## 2023 CHAPTER 44

### 1 Automatic enrolment: persons and earnings affected

(1) The Pensions Act 2008 is amended as follows.

(2) In section 3 (automatic enrolment), after subsection (1) insert—

“(1A) The Secretary of State may by regulations amend subsection (1)(a) so as to decrease the age for the time being specified in that paragraph.”

(3) In section 5 (automatic re-enrolment), after subsection (1B) insert—

“(1C) The Secretary of State may by regulations amend subsections (1)(a) and (1A) (a) so as to decrease either or both of the ages for the time being specified in those paragraphs.”

(4) After section 13 (qualifying earnings) insert—

#### “13A Qualifying earnings: reduction or removal of lower limit

(1) The Secretary of State may by regulations—

(a) amend section 13(1)(a) so as to reduce the amount for the time being specified in that paragraph, or

(b) repeal—

(i) section 9 (workers without qualifying earnings), and

(ii) section 13(1)(a).

(2) Regulations under subsection (1)(a) may include provision modifying the requirements as to the timing and subject matter of a review under section 14 (review of earnings trigger and qualifying earnings band) as it relates to section 13(1)(a).

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*Status: This is the original version (as it was originally enacted).*

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- (3) Regulations under this section may include such amendments, repeals or revocations of any provision of or under this or any other Act as appear to the Secretary of State to be expedient in consequence of—
- (a) the repeal of sections 9 and 13(1)(a), or
  - (b) the amendment of section 14 (as the case may be).”
- (5) In section 143 (orders and regulations)—
- (a) in subsection (5) (statutory instruments subject to affirmative resolution procedure), in paragraph (a), after “section” insert “3(1A), 5(1C), 13A,”;
  - (b) after subsection (5) insert—
    - “(6) Before making regulations under section 3(1A), 5(1C) or 13A, the Secretary of State must consult such persons as the Secretary of State considers appropriate.
    - (7) Where the Secretary of State lays before Parliament a draft of an instrument containing regulations under section 3(1A), 5(1C) or 13A, it must be accompanied by a report by the Secretary of State about the consultation under subsection (6).”