



2008 CHAPTER 13

PART 1

PENSION SCHEME MEMBERSHIP FOR JOBHOLDERS

CHAPTER 1

EMPLOYERS' DUTIES

Qualifying schemes and automatic enrolment schemes

Automatic enrolment schemes

17.—(1) A pension scheme is an automatic enrolment scheme in relation to a jobholder (J) if—

- (a) it is a qualifying scheme in relation to J,
- (b) it satisfies the conditions in subsection (2), and
- (c) it satisfies any further conditions prescribed.

(2) The conditions mentioned in subsection (1)(b) are that—

- (a) no provision of the scheme prevents the employer from making arrangements prescribed under section 3(2), 5(2) or 7(4) for J to become an active member of the scheme;
- (b) no provision of the scheme requires J to express a choice in relation to any matter, or to provide any information, in order to remain an active member.