



2008 CHAPTER 13

PART 1 **N.I.**

PENSION SCHEME MEMBERSHIP FOR JOBHOLDERS

CHAPTER 2 **N.I.**

COMPLIANCE

Offences and monitoring

Offences of failing to comply **N.I.**

45.—(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.

Commencement Information

II S. 45 in operation at 30.6.2012 by [S.R. 2012/266](#), art. 2, [Sch. Pt. 2](#)

Changes to legislation:

Pensions (No. 2) Act (Northern Ireland) 2008, Section 45 is up to date with all changes known to be in force on or before 22 July 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. 24(1)(c) inserted by [2016 c. 1 \(N.I.\) Sch. 2 para. 39\(2\)\(d\)](#)