

Status: Point in time view as at 01/04/2015.

Changes to legislation: Pensions (No. 2) Act (Northern Ireland) 2008, Section 6 is up to date with all changes known to be in force on or before 12 June 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)



2008 CHAPTER 13

PART 1

PENSION SCHEME MEMBERSHIP FOR JOBHOLDERS

CHAPTER 1

EMPLOYERS' DUTIES

Employers' duties

Timing of automatic re-enrolment

6.—(1) Regulations under section 5(8) must either—

- (a) secure that for any jobholder there is no automatic re-enrolment date less than three years after the jobholder's automatic enrolment date, and that there is not more than one automatic re-enrolment date in any period of three years, or
- (b) secure that for any employer there is not more than one automatic re-enrolment date in any period of [^{F1}2 years and 9 months] .

(2) Subsection (1) does not restrict the provision that regulations may make about the timing of a jobholder's automatic re-enrolment date (“the relevant date”) in the following cases.

^{F2}(3)

(4) The [^{F3}first case] is where—

- (a) ^{F4}... the jobholder ceases to be an active member of a qualifying scheme
^{F5}....

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- (b) that event is not the effect of any action or omission by the jobholder ^{F6}...,
and
- (c) the relevant date is the jobholder's first automatic re-enrolment date after that [^{F7}event] .
- (5) The [^{F8}second case] is where—
- (a) there is a period beginning at any time after the jobholder's automatic enrolment date during which the requirements of section 1(1)(a) or (c) are not met (so that the person is not a jobholder for that period), and
- (b) the relevant date is the jobholder's first automatic re-enrolment date after that period.
- ^{F9}(6)

Textual Amendments

- F1** Words in s. 6(1)(b) substituted (2.6.2012 for specified purposes, 1.4.2015 in so far as not already in operation) by [Pensions Act \(Northern Ireland\) 2012 \(c. 3\), ss. 8, 34\(1\)\(3\)](#); S.R. 2015/206, art. 2
- F2** S. 6(3) omitted (2.6.2012 for specified purposes, 30.6.2012 in so far as not already in operation) by virtue of [Pensions Act \(Northern Ireland\) 2012 \(c. 3\), ss. 7\(4\)\(a\), 34\(1\)\(3\)](#); S.R. 2012/265, art. 2(1)(b)
- F3** Words in s. 6(4) substituted (2.6.2012 for specified purposes, 30.6.2012 in so far as not already in operation) by [Pensions Act \(Northern Ireland\) 2012 \(c. 3\), ss. 7\(4\)\(b\), 34\(1\)\(3\)](#); S.R. 2012/265, art. 2(1)(b)
- F4** Words in s. 6(4)(a) omitted (2.6.2012 for specified purposes, 30.6.2012 in so far as not already in operation) by virtue of [Pensions Act \(Northern Ireland\) 2012 \(c. 3\), ss. 5\(5\)\(a\), 34\(1\)\(3\)](#); S.R. 2012/265, art. 2(1)(a)
- F5** Words in s. 6(4)(a) omitted (2.6.2012 for specified purposes, 30.6.2012 in so far as not already in operation) by virtue of [Pensions Act \(Northern Ireland\) 2012 \(c. 3\), ss. 5\(5\)\(b\), 34\(1\)\(3\)](#); S.R. 2012/265, art. 2(1)(a)
- F6** Words in s. 6(4)(b) omitted (2.6.2012 for specified purposes, 30.6.2012 in so far as not already in operation) by virtue of [Pensions Act \(Northern Ireland\) 2012 \(c. 3\), ss. 5\(5\)\(c\), 34\(1\)\(3\)](#); S.R. 2012/265, art. 2(1)(a)
- F7** Word in s. 6(4)(c) substituted (2.6.2012 for specified purposes, 30.6.2012 in so far as not already in operation) by [Pensions Act \(Northern Ireland\) 2012 \(c. 3\), ss. 5\(5\)\(d\), 34\(1\)\(3\)](#); S.R. 2012/265, art. 2(1)(a)
- F8** Words in s. 6(5) substituted (2.6.2012 for specified purposes, 30.6.2012 in so far as not already in operation) by [Pensions Act \(Northern Ireland\) 2012 \(c. 3\), ss. 7\(4\)\(c\), 34\(1\)\(3\)](#); S.R. 2012/265, art. 2(1)(b)
- F9** S. 6(6) omitted (2.6.2012 for specified purposes, 30.6.2012 in so far as not already in operation) by virtue of [Pensions Act \(Northern Ireland\) 2012 \(c. 3\), ss. 7\(4\)\(a\), 34\(1\)\(3\)](#); S.R. 2012/265, art. 2(1)(b)

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Modifications etc. (not altering text)

- C1** Pt. 1 applied (with modifications) (1.7.2012) by [The Automatic Enrolment \(Offshore Employment\) Order 2012 \(S.I. 2012/1388\)](#), arts. 1(1), 2 (with art. 5)

Commencement Information

- I1** S. 6 partly in force; s. 6 in force for certain purposes at Royal Assent see s. 118(2)
- I2** S. 6 in operation at 30.6.2012 in so far as not already in operation by [S.R. 2012/266](#), art. 2, [Sch. Pt. 1](#)

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