

---

STATUTORY INSTRUMENTS

---

**2010 No. 772**

The Occupational and Personal Pension Schemes  
(Automatic Enrolment) Regulations 2010

**PART 7**

Automatic enrolment following the transitional  
period for defined benefit and hybrid schemes

**Arrangements to achieve active membership**

**28.** The arrangements prescribed in regulations 6, 7 and 8 are the arrangements prescribed for the purposes of section 3(2) (automatic enrolment) of the Act as modified by section 30(3) (transitional period for defined benefits and hybrid schemes) of the Act, but with the following modifications—

(a) for regulation 6 substitute—

“6.—(1) An employer must meet the obligation in section 3(2) (automatic enrolment) of the Act by entering into arrangements with the trustees or managers of an automatic enrolment scheme which is a defined benefits scheme or a hybrid scheme.

(2) An employer must ensure that a jobholder to whom section 3 of the Act applies becomes an active member of that scheme with effect from the day after the end of the transitional period prescribed for the purposes of section 30 (transitional period for defined benefits and hybrid schemes) of the Act.

(3) An employer must carry out the duties in paragraphs (1) and (2) before the end of a period of [<sup>F1</sup>six weeks] beginning with the day after the end of the transitional period prescribed for the purposes of section 30 of the Act.”; and

(b) in regulations 7 and 8 for all references to “the automatic enrolment date” substitute “;the day after the end of the transitional period prescribed for the purposes of section 30 of the Act”.

---

**Textual Amendments**

**F1** Words in reg. 28(a) substituted (1.4.2014) by [The Automatic Enrolment \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/2556\)](#), regs. 1(2), 5(4)

**Changes to legislation:**

There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Automatic Enrolment) Regulations 2010, Section 28.