
STATUTORY INSTRUMENTS

2010 No. 917

The National Employment Savings Trust Order 2010

PART 5

The Scheme Fund

Multiple employment

26.—(1) A person is in multiple employment during a tax year if during that year—

- (a) they are a member of the Scheme;
- (b) they are in employment with more than one participating employer; and
- (c) more than one of those participating employers makes contributions to the Scheme on behalf or in respect of that person.

(2) Where a person is in multiple employment, the Trustee may continue to accept contributions (including minimum contributions) made by a participating employer on behalf or in respect of that person, even if such contributions are made in excess of the annual contribution limit.

(3) Where paragraph (2) applies, the Trustee—

- (a) must retain contributions of an amount equal to minimum contributions made by a participating employer on behalf or in respect of the member which exceed the annual contribution limit, and must apply those contributions to the member's pension account; and
- (b) may refund any contributions in excess of the amount referred to in sub-paragraph (a) to either a participating employer or the member.

(4) For the avoidance of doubt, nothing in this article affects the operation—

- (a) (i) of, in Great Britain, section 20 of the Act; or
(ii) of, in Northern Ireland, section 20 of the NI Act; or
- (b) of paragraph (1)(a) of article 23.

(5) In this article, “minimum contributions” has the same meaning as in article 23(1)(a).