
STATUTORY RULES OF NORTHERN IRELAND

2010 No. 122

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

PART 7

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

Arrangements to achieve active membership

29. The arrangements prescribed in regulations 6, 7 and 8 are prescribed for the purposes of section 3(2) (automatic enrolment) as modified by section 30(5) (transitional period for defined benefits and hybrid schemes), but with the following modifications—

- (a) for regulation 6 substitute—

“Arrangements to achieve active membership

6.—(1) An employer must meet the obligation in section 3(2) (automatic enrolment) by entering into arrangements with—

- (a) the trustees or managers of an automatic enrolment scheme which is a defined benefits scheme or a hybrid scheme, so that before the end of a period of one month beginning with the closure date a jobholder to whom section 3 applies becomes an active member of that scheme with effect from the closure date; or
- (b) the trustees or managers of an automatic enrolment scheme which is a money purchase scheme, so that before the end of a period of one month beginning with the closure date a jobholder to whom section 3 applies becomes an active member of that scheme with effect from the automatic enrolment date.”;

- (b) in regulations 7 and 8 for all references to “the automatic enrolment date” substitute “the closure date”, and

- (c) in regulation 7 after paragraph (3) add—

“(4) At the request of the jobholder the employer must, for the period prescribed in paragraph (5), deduct any contributions which would have been payable by the jobholder to the scheme in respect of the period beginning on the automatic enrolment date and ending on the closure date, from any qualifying earnings or pensionable pay due to the jobholder in any applicable pay reference period.

- (5) For the purposes of paragraph (4), the prescribed period is a period of—

- (a) 5 years beginning with the date on which section 3 comes into operation in accordance with provision made by an order by the Department under section 118(1), or
- (b) such shorter period as agreed between the jobholder and the employer.

(6) For the purposes of this regulation and regulation 6 “closure date” has the meaning given by section 30(4) (transitional period for defined benefits and hybrid schemes).”.