



Pensions Act 2008

2008 CHAPTER 30

PART 1

PENSION SCHEME MEMBERSHIP FOR JOBHOLDERS

CHAPTER 1

EMPLOYERS' DUTIES

Employers' duties

6 Timing of automatic re-enrolment

- (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 three years.
- (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.
- (3) The first case is where the jobholder became an active member of a scheme in accordance with regulations under section 4 and—
 - (a) at any time before the end of the minimum period under that section, the jobholder ceases to be an active member of the scheme or the scheme ceases to be a scheme of the relevant kind for the purposes of that section,
 - (b) that event is not the effect of any action or omission by the jobholder or the employer, and

Status: Point in time view as at 26/11/2008. This version of this provision has been superseded.

Changes to legislation: Pensions Act 2008, Section 6 is up to date with all changes known to be in force on or before 01 April 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)

- (c) the relevant date is the jobholder's first automatic re-enrolment date after that time.
- (4) The second case is where—
- (a) at any time after the jobholder's automatic enrolment date, the jobholder ceases to be an active member of a qualifying scheme or a qualifying scheme of which the jobholder is an active member ceases to be such a scheme,
 - (b) that event is not the effect of any action or omission by the jobholder or the employer, and
 - (c) the relevant date is the jobholder's first automatic re-enrolment date after that time.
- (5) The third 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.
- (6) Where subsection (3) applies—
- (a) section 5(2) has effect as if the reference to an automatic enrolment scheme were, in relation to the relevant date, a reference to a scheme (“the new scheme”) of the kind referred to in subsection (3)(a), and
 - (b) section 4(2) to (5) apply in relation to the new scheme as they applied in relation to the scheme referred to in subsection (3).

Commencement Information

- II** S. 6 wholly in force at 30.6.2012; s. 6 in force for certain purposes at Royal Assent see s. 149(2)(k); s. 6 in force so far as not already in force at 30.6.2012 by S.I. 2012/1682, art. 2(1)(2)(a), Sch. 1

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