

## STATUTORY INSTRUMENTS

# 2011 No. 1267 (C. 51)

## PENSIONS

### The Pensions Act 2007 (Commencement No. 4) Order 2011

Made - - - - 12th May 2011

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by section 30(2)(b) of the Pensions Act 2007 <sup>M1</sup>.

#### Marginal Citations

M1 2007 c.22.

#### Citation

1. This Order may be cited as the Pensions Act 2007 (Commencement No. 4) Order 2011.

#### Commencement of provisions

2. The following provisions of the Pensions Act 2007 shall come into force on 6th April 2012—
  - (a) section 15(1) (abolition of contracting-out for defined contribution pension schemes),
  - (b) in Part 2 of Schedule 4 (abolition of contracting-out for defined contribution pension schemes: further amendments)—
    - [<sup>F1</sup>(i) paragraph 46, in so far as it relates to the provisions specified in sub-paragraphs (ii), (iii) and (iv) of this paragraph,
    - (ii) paragraph 59(1), in so far as it relates to paragraph 59(2) and (4),
    - (iii) paragraph 59(2) and (4), and
    - (iv) paragraph 60, and]
  - (c) Part 7 of Schedule 7 (abolition of contracting-out for defined contribution pension schemes: further repeals) in so far as it relates to the repeal of the specified provisions contained within paragraph 2 of Schedule 4 to the Pension Schemes Act 1993<sup>F2</sup>, and section 137(7)(a) of the Pensions Act 1995<sup>M2</sup>.

**F1** Art. 2(b)(i)(iv) substituted for (20.3.2012) by The Pensions Act 2007 (Commencement No. 4) (Amendment) Order 2012 (S.I. 2012/911), art. 2(a)

**F2** Words in art. 2(c) inserted (20.3.2012) by The Pensions Act 2007 (Commencement No. 4) (Amendment) Order 2012 (S.I. 2012/911), art. 2(b)

### Marginal Citations

**M2** 1993 c.48.

3. The following provisions of the Pensions Act 2007 shall come into force on 6th April 2015—
- (a) in Part 2 of Schedule 4 (abolition of contracting-out for defined contribution pension schemes: further amendments)—
- (i) paragraph 42(1), in so far as it relates to paragraph 42(2) and (3)(b),
  - (ii) paragraph 42(2) and (3)(b),
  - (iii) paragraph 46, in so far as it relates to [<sup>F3</sup>the provisions specified in sub-paragraphs (iv), (v) and (vi) of this paragraph],
  - (iv) paragraphs 47, 49 and 54,
  - (v) paragraph 59(1), in so far as it relates to paragraph 59(3), and
  - (vi) paragraph 59(3), and
- (b) Part 7 of Schedule 7 (abolition of contracting-out for defined contribution pension schemes: further repeals) in so far as it relates to the repeal of the following provisions—
- (i) section 4C(2)(d) and (5)(g) and (h), of the Social Security Contributions and Benefits Act 1992 <sup>M3</sup>,
  - (ii) [<sup>F4</sup>sections 8(3), 31 and 45B] of the Pension Schemes Act 1993,
  - (iii) [<sup>F5</sup>section 139 of, and] paragraph 36 of Schedule 5 to the Pensions Act 1995 <sup>M4</sup>, and
  - (iv) [<sup>F6</sup>paragraphs 34(b), 43 and 50] of Schedule 1 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 <sup>M5</sup>.

**F3** Words in art. 3(a)(iii) substituted (20.3.2012) by *The Pensions Act 2007 (Commencement No. 4) (Amendment) Order 2012 (S.I. 2012/911)*, **art. 2(c)**

**F4** Words in art. 3(b)(ii) substituted (20.3.2012) by *The Pensions Act 2007 (Commencement No. 4) (Amendment) Order 2012 (S.I. 2012/911)*, **art. 2(d)(i)**

**F5** Words in art. 3(b)(iii) inserted (20.3.2012) by *The Pensions Act 2007 (Commencement No. 4) (Amendment) Order 2012 (S.I. 2012/911)*, **art. 2(d)(ii)**

**F6** Words in art. 3(b)(iv) substituted (20.3.2012) by *The Pensions Act 2007 (Commencement No. 4) (Amendment) Order 2012 (S.I. 2012/911)*, **art. 2(d)(iii)**

### Marginal Citations

**M3** 1992 c.4.

**M4** 1995 c.26.

**M5** 1999 c.2.

Signed by authority of the Secretary of State for Work and Pensions.

Department for Work and Pensions  
12th May 2011

*Steve Webb*  
Minister of State,

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force section 15(1) of the Pensions Act 2007 on 6th April 2012, defined as the “abolition date” by section 15(2) of that Act. Section 15(1) abolishes contracting-out of the state additional pension for defined contribution pension schemes. Part 1 of Schedule 4 to that Act will also have effect from 6th April 2012 by virtue of section 15(4). The Order also brings into force certain consequential amendments contained within Part 2 of Schedule 4 to that Act, and certain repeals contained within Part 7 of Schedule 7 to that Act, on 6th April 2012 and 6th April 2015.

This instrument has no impact on the private sector and civil society organisations. However, related legislation reduces costs on the private sector and civil society organisations, and an assessment of the overall impact of the policy has been made. A copy of the impact assessment is available in the libraries of both Houses of Parliament, and is annexed to the Explanatory Memorandum for the Pensions Act 2007 (Abolition of Contracting-out for Defined Contribution Pension Schemes) (Consequential Amendments) Regulations 2011 (S.I.2011/1245) which is available alongside that instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk).

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Pensions Act 2007 were brought into force by Statutory Instrument before this Order was made.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
section 14 (partially)	1st March 2009	2009/406
section 14 (for all other purposes)	6th April 2009	2009/406
section 17	1st November 2007	2007/3063
section 18 (partially)	14th December 2007	2007/3512
section 27 (partially)	1st November 2007	2007/3063
Schedule 5	1st November 2007	2007/3063
Schedule 7 (partially)	1st November 2007	2007/3063

**Changes to legislation:**

There are currently no known outstanding effects for the The Pensions Act 2007 (Commencement No. 4) Order 2011.