



# 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
  - <sup>F1</sup>(b) secure that for any employer there is not more than one automatic re-enrolment date in any period of [<sup>F2</sup>2 years and 9 months].
- (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) <sup>F3</sup>.....
- (4) The [<sup>F4</sup>first case] is where—
  - (a) <sup>F5</sup>... the jobholder ceases to be an active member of a qualifying scheme <sup>F6</sup>... ,
  - (b) that event is not the effect of any action or omission by the jobholder <sup>F7</sup>... , and
  - (c) the relevant date is the jobholder's first automatic re-enrolment date after that [<sup>F8</sup>event].
- (5) The [<sup>F9</sup>second case] is where—

*Changes to legislation: Pensions Act 2008, Section 6 is up to date with all changes known to be in force on or before 14 February 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) View outstanding changes*

- (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) <sup>F3</sup> .....

**Textual Amendments**

- F1** Words in s. 6(1)(b) substituted (3.11.2011 for specified purposes, 1.4.2015 in so far as not already in force) by [Pensions Act 2011 \(c. 19\)](#), [ss. 7, 38\(1\)](#); [S.I. 2015/676](#), [art. 2](#)
- F2** Words in s. 6(1)(b) substituted (3.11.2011 for specified purposes otherwise prosp.) by [Pensions Act 2011 \(c. 19\)](#), [ss. 7, 38\(1\)\(4\)](#)
- F3** S. 6(3)(6) omitted (3.11.2011 for specified purposes otherwise 30.6.2012) by virtue of [Pensions Act 2011 \(c. 19\)](#), [ss. 6\(4\)\(a\)](#), [38\(1\)\(4\)](#); [S.I. 2012/1681](#), [art. 2\(1\)\(b\)](#)
- F4** Words in s. 6(4) substituted (3.11.2011 for specified purposes otherwise 30.6.2012) by [Pensions Act 2011 \(c. 19\)](#), [ss. 6\(4\)\(b\)](#), [38\(1\)\(4\)](#); [S.I. 2012/1681](#), [art. 2\(1\)\(b\)](#)
- F5** Words in s. 6(4)(a) omitted (3.11.2011 for specified purposes otherwise 30.6.2012) by virtue of [Pensions Act 2011 \(c. 19\)](#), [ss. 4\(5\)\(a\)](#), [38\(1\)\(4\)](#); [S.I. 2012/1681](#), [art. 2\(1\)\(a\)](#)
- F6** Words in s. 6(4)(a) omitted (3.11.2011 for specified purposes otherwise 30.6.2012) by virtue of [Pensions Act 2011 \(c. 19\)](#), [ss. 4\(5\)\(b\)](#), [38\(1\)\(4\)](#); [S.I. 2012/1681](#), [art. 2\(1\)\(a\)](#)
- F7** Words in s. 6(4)(b) omitted (3.11.2011 for specified purposes otherwise 30.6.2012) by virtue of [Pensions Act 2011 \(c. 19\)](#), [ss. 4\(5\)\(c\)](#), [38\(1\)\(4\)](#); [S.I. 2012/1681](#), [art. 2\(1\)\(a\)](#)
- F8** Words in s. 6(4)(c) substituted (3.11.2011 for specified purposes otherwise 30.6.2012) by [Pensions Act 2011 \(c. 19\)](#), [ss. 4\(5\)\(d\)](#), [38\(1\)\(4\)](#); [S.I. 2012/1681](#), [art. 2\(1\)\(a\)](#)
- F9** Words in s. 6(5) substituted (3.11.2011 for specified purposes otherwise 30.6.2012) by [Pensions Act 2011 \(c. 19\)](#), [ss. 6\(4\)\(c\)](#), [38\(1\)\(4\)](#); [S.I. 2012/1681](#), [art. 2\(1\)\(b\)](#)

**Commencement Information**

- I1** 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](#)

**Changes to legislation:**

Pensions Act 2008, Section 6 is up to date with all changes known to be in force on or before 14 February 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.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3(1A) inserted by [2023 c. 44 s. 1\(2\)](#)
- s. 5(1C) inserted by [2023 c. 44 s. 1\(3\)](#)
- s. 13(3)(ec) inserted by [2023 c. 20 Sch. para. 56](#)
- s. 13A inserted by [2023 c. 44 s. 1\(4\)](#)
- s. 24(1)(c) inserted by [2015 c. 8 Sch. 2 para. 43\(2\)\(d\)](#)
- s. 143(6)(7) inserted by [2023 c. 44 s. 1\(5\)\(b\)](#)