



Pensions Act 2014

2014 CHAPTER 19

PART 6

PRIVATE PENSIONS

Automatic enrolment

42 Unpaid scheme contributions

- (1) The Pension Schemes Act 1993 is amended as follows.
- (2) In section 123 (payment by Secretary of State of unpaid scheme contributions on employer insolvency: interpretation)—
 - (a) in subsection (3), for the definition of “contract of employment” and related expressions substitute—

““employer”, “employment”, “worker” and “worker's contract” and other expressions which are defined in the Employment Rights Act 1996 have the same meaning as in that Act (see further subsections (3A) and (3B));”;
 - (b) in subsection (3), in paragraph (b) of the definition of “holiday pay”, for “the employee's contract of employment” substitute “the worker's contract”;
 - (c) after subsection (3) insert—

“(3A) Section 89 of the Pensions Act 2008 (agency workers) applies for the purposes of this Chapter as it applies for the purposes of Part 1 of that Act.

(3B) References in this Chapter to a worker include references to an individual to whom Part 1 of the Pensions Act 2008 applies as if the individual were a worker because of regulations made under section 98 of that Act; and related expressions are to be read accordingly.”
- (3) In section 124 (Secretary of State's duty to pay unpaid contributions)—

Changes to legislation: There are currently no known outstanding effects for the Pensions Act 2014, Section 42. (See end of Document for details)

- (a) for “an employee”, in each place, substitute “ a worker ”;
 - (b) for “the employee”, in each place, substitute “ the worker ”;
 - (c) for “the employee's” substitute “the worker's”;
 - (d) for “employees”, in each place, substitute “ workers ”.
- (4) In section 161, for “contract of employment” substitute “ worker's contract ”.
- (5) In section 165(7)—
- (a) in paragraph (a), for “contract of employment the employee” substitute “ worker's contract the worker ”;
 - (b) in paragraph (b), for “employee” substitute “ worker ”.

Commencement Information

II S. 42 in force at 11.9.2014 by S.I. 2014/2377, art. 2(1)(a)(i)(2)(e)

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