
STATUTORY INSTRUMENTS

2010 No. 772

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

[^{F1}PART 1A

Exemption [^{F1}and Exceptions]]

[^{F1}Former members

- 5C.**—(1) This regulation applies where a person (P) is a jobholder and—
- (a) P ceased to be an active member of a qualifying scheme because of an action or omission by P or an action by the employer at P’s request; or
 - (b) at a time when P was a worker, but not a jobholder, ceased to be an active member of a scheme which would have been a qualifying scheme in relation to P, had P been a jobholder, because of an action or omission by P or an action by the employer at P’s request.
- (2) This regulation also applies where a jobholder gives notice under section 8 of the Act (jobholder’s right to opt out).
- (3) Where this regulation applies in relation to the jobholder mentioned in paragraphs (1) or (2)—
- (a) during the period of 12 months beginning with the date that jobholder ceased to be an active member or gives notice, sections 3(2) and 5(2) of the Act are to be read as if for “must” there were substituted “may”; and
 - (b) after the expiry of that period, section 3(2) of the Act does not apply.]

F1 Regs. 5B-5F inserted (1.4.2015) by [The Occupational and Personal Pension Schemes \(Automatic Enrolment\) \(Amendment\) Regulations 2015 \(S.I. 2015/501\)](#), regs. 1, 5

Changes to legislation:

There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Automatic Enrolment) Regulations 2010, Section 5C.