

STATUTORY INSTRUMENTS

2010 No. 772

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

[^{F1}PART 1A

Exemption [^{F1}and Exceptions]]

[^{F1}Winding-up lump sum

- 5E.**—(1) This regulation applies to a worker where—
- (a) that worker has received a winding-up lump sum as defined in paragraph 10 of Schedule 29 to the Finance Act 2004 (winding-up lump sums) (“paragraph 10”);
 - (b) at the time the winding-up lump sum was paid, the worker was employed by the person mentioned in sub-paragraph (1)(c) of paragraph 10; and
 - [^{F2}(c) during the period of 12 months beginning with the date on which the winding-up lump sum was paid—
 - (i) the worker has ceased to be employed and been re-employed by that person; and
 - (ii) after re-employment, either section 3(1) (automatic enrolment) or 5(1A) or (1B) (automatic re-enrolment) of the Act applies to the worker.]
- (2) In relation to the worker to whom this regulation applies—
- (a) during the period of 12 months beginning with the date on which the winding-up lump sum was paid—
 - (i) sections 3(2) and 5(2) of the Act are to be read as if for “must” there were substituted “may”; and
 - (ii) sections 7 and 9 of the Act do not apply; 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**

F2 Reg. 5E(1)(c) substituted (6.4.2016) by [The Occupational and Personal Pension Schemes \(Automatic Enrolment\) \(Miscellaneous Amendments\) Regulations 2016 \(S.I. 2016/311\)](#), regs. 1(1), **4(2)**

Changes to legislation:

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