



Pensions Act 2014

2014 CHAPTER 19

PART 6

PRIVATE PENSIONS

Automatic enrolment

40 Automatic enrolment: transitional period for hybrid schemes

- (1) Section 30 of the Pensions Act 2008 (transitional period for defined benefits and hybrid schemes) is amended as follows.
- (2) In subsection (2)(b) and (c), for “a hybrid scheme” substitute “ a defined benefits member of a hybrid scheme ”.
- (3) In subsection (3), in the substituted subsection (2)—
 - (a) after “becomes” insert “ (a) ”;
 - (b) for “or a hybrid scheme” substitute “, or
 - (b) a defined benefits member, with effect from the end of that period, of an automatic enrolment scheme which is a hybrid scheme.””
- (4) In subsection (5), in the substituted subsection (2)—
 - (a) in paragraph (a), for “or a hybrid scheme, or” substitute—
 - “(aa) becomes a defined benefits member, with effect from the closure date, of an automatic enrolment scheme which is a hybrid scheme.”;
 - (b) after paragraph (b) insert—
 - “(c) becomes a money purchase member, with effect from the automatic enrolment date, of an automatic enrolment scheme which is a hybrid scheme.”.
- (5) After subsection (9) insert—

Changes to legislation: There are currently no known outstanding effects for the Pensions Act 2014, Section 40. (See end of Document for details)

“(10) For the purposes of this section—

- (a) a person is a “money purchase member” of a hybrid scheme if—
 - (i) the person is an active member of the scheme, and
 - (ii) all the benefits accruing in respect of his or her membership are money purchase benefits, and
- (b) a person is a “defined benefits member” of a hybrid scheme if the person is an active member of the scheme other than a money purchase member.”

(6) Subsection (7) applies if—

- (a) an employer whose first enrolment date is before the date on which the amendments made by this section come into force (“the commencement date”) has given a jobholder notice under section 30(3) of the 2008 Act,
- (b) the conditions in section 30(2) of that Act have continued to be satisfied during the period beginning with the employer's first enrolment date and ending with the day before the commencement date, and
- (c) had the amendments made by this section come into force on 19 December 2012, the condition in section 30(2)(c) of that Act would not have been satisfied at a time during that period.

(7) Section 30(5) to (7) of the 2008 Act (as amended by this section) applies in relation to the jobholder with the following modifications—

- (a) references in section 30(5) and (6) of that Act to the closure date are to be read as references to the commencement date, and
- (b) references in section 30(5) and (6) of that Act to the automatic enrolment date are to be read as references to—
 - (i) 19 December 2012, or
 - (ii) if later, the employer's first enrolment date;

and section 30(3) and (4) of that Act does not apply.

(8) Expressions used in this section and in section 30 of the 2008 Act have the same meaning in this section as in that section.

Commencement Information

II S. 40 in force at 11.9.2014 by S.I. 2014/2377, art. 2(1)(a)(i)(2)(d)

Changes to legislation:

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