
STATUTORY INSTRUMENTS

2012 No. 215

The Automatic Enrolment (Miscellaneous
Amendments) Regulations 2012

PART 4

Amendment of the Occupational and Personal Pension
Schemes (Automatic Enrolment) Regulations 2010

Substitution of regulation 14

22. For regulation 14 substitute—

“Jobholders excluded from automatic re-enrolment

14.—(1) Section 5(2) of the Act does not apply in the cases to which paragraphs (2) and (3) apply.

(2) This paragraph applies where, in relation to re-enrolment in a case under section 5(1) of the Act, within the period of 12 months before the automatic re-enrolment date referred to in regulation 12(1)—

- (a) the jobholder ceased to be an active member of a qualifying scheme because of an action or omission by the jobholder or by the employer at the jobholder’s request;
or
- (b) the jobholder gave notice under section 8 of the Act.

(3) This paragraph applies where, in relation to re-enrolment in a case under section 5(1B) of the Act⁽¹⁾, the jobholder has ceased to be an active member of the qualifying scheme in question because of any action or omission by the employer and the action or omission was at the jobholder’s request.”.

⁽¹⁾ Section 5(1B) was inserted by the Pensions Act 2011, section 4(2).