

2012 No. 2480 (C. 97)

PENSIONS

**The Pensions Act 2008 (Commencement No. 14 and
Supplementary Provisions) Order 2012**

Made - - - - *27th September 2012*

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by sections 144(2)(a) and 149(1) of the Pensions Act 2008(a).

Citation and interpretation

1.—(1) This Order may be cited as the Pensions Act 2008 (Commencement No. 14 and Supplementary Provisions) Order 2012.

Commencement of provision

2. The day appointed for the coming into force of section 87 of the Pensions Act 2008 is 1st October 2012.

Supplementary provisions

3.—(1) Where an employer is making deductions from a person's remuneration in accordance with a request under section 3(5) (duty of employers to facilitate access to stakeholder pension schemes) of the Welfare Reform and Pensions Act 1999(b), paragraph (2) of this article applies.

(2) Where the person withdraws a request to the employer to make deductions in accordance with section 3(5) of that Act, that employer must notify the person—

- (a) that the employer is no longer required to make deductions from the person's remuneration and pay contributions to the trustees or managers of the stakeholder pension scheme; and
- (b) that the person may still be able to make payments directly to the stakeholder pension scheme, subject to the rules of that scheme or the terms and conditions of any contract governing that scheme.

Signed by authority of the Secretary of State for Work and Pensions.

27th September 2012

Steve Webb
Minister of State,
Department for Work and Pensions

(a) 2008 c. 30.
(b) 1999 c. 30.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force section 87 (stakeholder pension schemes) of the Pensions Act 2008 (c.30) ('the 2008 Act') which amends section 3 of the Welfare Reform and Pensions Act 1999 (c.30), on 1st October 2012.

Section 3 of the Welfare Reform and Pensions Act 1999 relates to the duty of employers to designate a stakeholder pension scheme for relevant employees. Section 3, as amended by section 87 of the 2008 Act, requires employers to continue to deduct contributions from the remuneration of those relevant employees who are contributing to a stakeholder pension scheme before the coming into force of section 87, and to pass those contributions to the scheme.

Article 2 brings section 87 of the 2008 Act into force on 1st October 2012, the date on which the employer duties in sections 2 to 9 of the 2008 Act first apply to employers.

Article 3 makes supplementary provisions which apply from 1st October 2012, requiring an employer to notify an employee of the consequences of having made a request to cease making deductions.

This instrument has a savings impact on the private sector and civil society organisations. An assessment of that impact has been made. A copy of that assessment is available in the Libraries of both Houses of Parliament and alongside the instrument on www.legislation.gov.uk. Copies may also be obtained from the Better Regulation Unit of the Department for Work and Pensions, Caxton House, Tothill Street, London SW1H - 9NA or on the Department for Work and Pensions website: <http://www.dwp.gov.uk/publications/impact-assessments>.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force by commencement order made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1	30th June 2012	2012/1682
Section 2 (for all other purposes)	30th June 2012	2012/1682
Section 3 (for all other purposes)	30th June 2012	2012/1682
Section 5 (for all other purposes)	30th June 2012	2012/1682
Section 6 (for all other purposes)	30th June 2012	2012/1682
Section 7 (for all other purposes)	30th June 2012	2012/1682
Section 8 (for all other purposes)	30th June 2012	2012/1682
Section 9 (for all other purposes)	30th June 2012	2012/1682
Section 10 (for all other purposes)	30th June 2012	2012/1682
Section 13 (for all other purposes)	30th June 2012	2012/1682
Section 14	6th March 2012	2012/683
Section 15 (for all other purposes)	30th June 2012	2012/1682
Section 15A	7th March 2012	2012/683
Section 16 (for all other purposes)	30th June 2012	2012/1682
Section 17 (for all other purposes)	30th June 2012	2012/1682
Section 18 (for all other purposes)	30th June 2012	2012/1682
Section 19	30th June 2012	2012/1682
Section 20 (for all other purposes)	30th June 2012	2012/1682
Section 21 (for all other purposes)	30th June 2012	2012/1682

Section 22 (for all other purposes)	30th June 2012	2012/1682
Section 24 (for all other purposes)	30th June 2012	2012/1682
Section 26 (for all other purposes)	30th June 2012	2012/1682
Section 28	7th March 2012	2012/683
Section 29 (for all other purposes)	30th June 2012	2012/1682
Section 30 (for all other purposes)	30th June 2012	2012/1682
Section 31	30th June 2012	2012/1682
Section 32 (for all other purposes)	30th June 2012	2012/1682
Section 33 (for all other purposes)	30th June 2012	2012/1682
Section 34	30th June 2012	2012/1682
Section 35	30th June 2012	2012/1682
Section 36	30th June 2012	2012/1682
Section 37 (for all other purposes)	30th June 2012	2012/1682
Section 38 (for all other purposes)	30th June 2012	2012/1682
Section 39	30th June 2012	2012/1682
Section 40 (for all purposes other than paragraph (d) of subsection (1) (commenced for certain purposes)	30th June 2012	2012/1682
Section 41 (for all purposes other than paragraph (d) of subsection (1) (commenced for certain purposes)	30th June 2012	2012/1682
Section 42	30th June 2012	2012/1682
Section 43 (for all other purposes)	30th June 2012	2012/1682
Section 44	30th June 2012	2012/1682
Section 45	30th June 2012	2012/1682
Section 46	30th June 2012	2012/1682
Section 47	30th June 2012	2012/1682
Section 48	30th June 2012	2012/1682
Section 49 (partially)	3rd January 2012	2011/3033
Section 49 (for all other purposes)	30th June 2012	2012/1682
Section 50	30th June 2012	2012/1682
Section 51	30th June 2012	2012/1682
Section 52 (for all other purposes)	30th June 2012	2012/1682
Section 53	30th June 2012	2012/1682
Section 54 (for all other purposes)	30th June 2012	2012/1682
Section 55	30th June 2012	2012/1682
Section 56	30th June 2012	2012/1682
Section 57 (except for subsection (3))	30th June 2012	2012/1682
Section 58 (for all other purposes)	30th June 2012	2012/1682
Section 59	30th June 2012	2012/1682
Section 61	30th June 2012	2012/1682
Sections 62 to 64	26th January 2009	2009/82
Section 65	16th March 2011	2011/664
Section 66	30th June 2012	2012/1682
Section 74	1st July 2009	2009/1566
Section 75 (for all remaining purposes)	5th July 2010	2010/10
Section 76	5th July 2010	2010/10
Section 88	30th June 2012	2012/1682
Section 89	30th June 2012	2012/1682
Section 90	30th June 2012	2012/1682

Section 91	30th June 2012	2012/1682
Section 92	30th June 2012	2012/1682
Section 93	30th June 2012	2012/1682
Section 94	30th June 2012	2012/1682
Section 95	30th June 2012	2012/1682
Section 96 (for all other purposes)	30th June 2012	2012/1682
Section 97 (for all other purposes)	30th June 2012	2012/1682
Section 99	5th July 2010	2010/10
Section 100	6th April 2009	2009/82
Section 101 (partially)	6th April 2009	2009/82
Section 101 (for all other purposes)	6th April 2009	2009/809
Section 103(1) and (3) (partially)	8th April 2010	2010/1221
Section 104 (partially)	3rd January 2012	2011/3033
Section 106	6th April 2012	2011/1266
Sections 107 to 119	6th April 2011	2011/664
Section 120 (partially)	6th March 2011	2011/664
Section 120 (for all other purposes)	6th April 2011	2011/664
Section 121 (partially)	6th March 2011	2011/664
Section 121 (for all other purposes)	6th April 2011	2011/664
Section 122 (partially)	1st April 2009	2009/809
Section 123	6th April 2011	2011/664
Section 124(2) and (6) (partially)	19th December 2008	2008/3241
Section 124(2) and (6) (for all remaining purposes)	31st March 2010	2010/1145
Section 126 (for all remaining purposes)	29th June 2009	2009/1566
Section 127	30th June 2012	2012/1682
Section 128	26th January 2009	2009/82
Section 129 (partially)	26th February 2010	2010/467
Section 130	6th April 2009	2009/82
Section 132	26th January 2009	2009/82
Section 138	26th January 2009	2009/82
Section 139	6th April 2009	2009/82
Section 148 (partially)	6th April 2009	2009/82
Section 148 (partially)	6th April 2011	2011/664
Section 148 (partially)	6th April 2012	2011/1266
Schedule 1 (for all remaining purposes)	5th July 2010	2010/10
Schedule 2 Parts 1 and 3	6th April 2009	2009/82
Schedule 2 Part 2	6th April 2009	2009/809
Schedule 4 (partially)	3rd January 2012	2011/3033
Schedule 5 (partially)	6th April 2011	2011/664
Schedule 6 (partially)	6th March 2011	2011/664
Schedule 6 (for all other purposes)	6th April 2011	2011/664
Schedule 7 (partially)	6th March 2011	2011/664
Schedule 7 (for all other purposes)	6th April 2011	2011/664
Schedule 8 (partially)	1st April 2009	2009/809
Schedule 9 (for all remaining purposes)	29th June 2009	2009/1566
Schedule 10 (partially)	26th February 2010	2010/467
Schedule 11 Part 2	6th April 2009	2009/82
Schedule 11 Part 3	6th April 2012	2011/1266
Schedule 11 Part 4	6th April 2011	2011/664

STATUTORY INSTRUMENTS

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