STATUTORY RULES OF NORTHERN IRELAND

2012 No. 266 (C. 25)

PENSIONS

The Pensions (2008 No. 2 Act) (Commencement No. 9) Order (Northern Ireland) 2012

Made - - - - 29th June 2012

The Department for Social Development makes the following Order in exercise of the powers conferred by section 118(1) of the Pensions (No. 2) Act (Northern Ireland) 2008(**1**).

Citation and interpretation

1.—(1) This Order may be cited as the Pensions (2008 No. 2 Act) (Commencement No. 9) Order (Northern Ireland) 2012.

(2) In this Order "the Act" means the Pensions (No. 2) Act (Northern Ireland) 2008.

Commencement of provisions

2. The following provisions of the Act shall come into operation on 30th June 2012—

(a) the provisions specified in Part 1 of the Schedule, in so far as they are not already in operation, and

(b) the provisions specified in Part 2 of the Schedule.

Sealed with the Official Seal of the Department for Social Development on 29th June 2012

Anne McCleary
A senior officer of the Department for Social Development

(**1**) 2008 c. 13 (N.I.)

SCHEDULE Article 2

PART 1

Provisions of the Act coming into operation on 30th June 2012 in so far as they are not already in operation

Provisions of the Act	*Subject matter*
Section 2(**2**)	Continuity of scheme membership
Section 3(**3**)	Automatic enrolment
Section 5(**4**)	Automatic re-enrolment
Section 6(**5**)	Timing of automatic re-enrolment
Section 7(**6**)	Jobholder's right to opt in
Section 8	Jobholder's right to opt out
Section 9	Workers without qualifying earnings
Section 10	Information to be given to workers
Section 13(**7**)	Qualifying earnings
Section 15	Pay reference period
Section 16(**8**)	Qualifying schemes
Section 17	Automatic enrolment schemes
Section 18	Occupational pension schemes
Section 20(**9**)	Quality requirement: UK money purchase schemes
Section 21	Quality requirement: UK defined benefits schemes
Section 22(**10**)	Test scheme standard
Section 24	Quality requirement: UK hybrid schemes
Section 26(**11**)	Quality requirement: UK personal pension schemes
Section 29	Transitional periods for money purchase and personal pension schemes
Section 30(**12**)	Transitional period for defined benefits and hybrid schemes

(**2**) Section 2 was amended by section 5(1) of the Pensions Act (Northern Ireland) 2012 (c. 3 (N.I.))
(**3**) Section 3 was amended by sections 6(1) and (2) and 7(1) of the Pensions Act (Northern Ireland) 2012 and Article 2(1) of S.R. 2012 No. 240
(**4**) Section 5 was amended by sections 5(2) to (4), 6(3) and (4) and 7(3) of the Pensions Act (Northern Ireland) 2012 and Article 2(1) of S.R. 2012 No. 240
(**5**) Section 6 was amended by sections 5(5), 7(4) and 8 of the Pensions Act (Northern Ireland) 2012
(**6**) Section 7 was amended by section 7(5) of the Pensions Act (Northern Ireland) 2012
(**7**) Section 13 was amended by Article 2(2) of S.R. 2012 No. 240
(**8**) Section 16 was amended by section 11 of the Pensions Act (Northern Ireland) 2012
(**9**) Section 20 was amended by regulation 3(2) of S.R. 2012 No. 120
(**10**) Section 22 was amended by section 12(1) of the Pensions Act (Northern Ireland) 2012
(**11**) Section 26 was amended by regulation 3(3) of S.R. 2012 No. 120
(**12**) Section 30 was amended by sections 7(6), 15 and 16 of the Pensions Act (Northern Ireland) 2012

Provisions of the Act	*Subject matter*
Section 32(**13**)	Power of trustees or managers to modify by resolution
Section 33	Deduction of contributions
Section 37	Unpaid contributions notices
Section 38	Calculation and payment of contributions
Section 40(**14**), except for subsection (1)(d) which is commenced for the purpose only of the exercise of the Regulator's functions under Part 1 of the Act	Fixed penalty notices
Section 41(**15**), except for subsection (1)(d) which is commenced for the purpose only of the exercise of the Regulator's functions under Part 1 of the Act	Escalating penalty notices
Section 43	Review of notices
Section 49	Monitoring of employers' payments to personal pension schemes
Section 52	Penalty notices
Section 54(**16**)	Inducements
Section 58	Restrictions on agreements to limit operation of this Part

PART 2

Provisions of the Act coming into operation on 30th June 2012

Provisions of the Act	*Subject matter*
Section 1	Jobholders
Section 19	Personal pension schemes
Section 31	Effect of freezing order or assessment period
Section 34	Effect of failure to comply
Section 35	Compliance notices
Section 36	Third party compliance notices
Section 39	Meaning of "relevant contributions"
Section 42	Penalty notices: recovery

(**13**) Section 32 was amended by sections 13(7) and 17 of the Pensions Act (Northern Ireland) 2012

(**14**) Section 40 was amended by paragraph 29 of Schedule 1 to the Pensions Regulator Tribunal (Transfer of Functions) Act (Northern Ireland) 2010 (c. 4 (N.I.))

(**15**) Section 41 was amended by paragraph 30 of Schedule 1 to the Pensions Regulator Tribunal (Transfer of Functions) Act (Northern Ireland) 2010

(**16**) Section 54 was amended by section 5(6) of the Pensions Act (Northern Ireland) 2012