2012 No. 683 (C. 17)

PENSIONS

The Pensions Act 2008 (Commencement No. 12) Order 2012

Made - - - - 3rd March 2012

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by section 149(1) and (6) of the Pensions Act 2008**(a)**.

Citation

1. This Order may be cited as the Pensions Act 2008 (Commencement No. 12) Order 2012.

Commencement of provisions

2.—(1) Section 14**(b)** of the Pensions Act 2008 (review of earnings trigger and qualifying earnings band), in so far as it is not already in force, comes into force on 6th March 2012.

(2) The following provisions of that Act come into force on 7th March 2012, in so far as they are not already in force–

(a) section 15A**(c)** (power to specify rounded figures), and

(b) section 28**(d)** (certification that quality requirement or alternative quality requirement is satisfied).

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

Steve Webb
Minister of State,
Department for Work and Pensions

3rd March 2012

(a) 2008 c. 30.
(b) Section 14 was substituted by section 8(1) of the Pensions Act 2011 ("the 2011 Act").
(c) Section 15A was inserted by section 9 of the 2011 Act.
(d) Section 28 was amended by sections 12 and 13 of the 2011 Act.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings fully into force sections 14, 15A and 28 of the Pensions Act 2008 (c. 30) ("the Act") as amended by the Pensions Act 2011 (c. 19) ("the 2011 Act").

Article 2(1) commences section 14 of the Act, as substituted by section 8 of the 2011 Act, on 6th March 2012. Section 14 requires the Secretary of State to consider, in each tax year, whether the amounts in sections 3(1)(c), 5(1)(c) and 13(1)(a) and (b) of the Act should be increased or decreased. The Secretary of State may then increase or decrease those amounts as the Secretary of State thinks appropriate.

Article 2(2)(a) commences section 15A of the Act, which was inserted by section 9 of the 2011 Act, on 7th March 2012. Section 15A allows the Secretary of State by order to specify rounded figures for the purposes of sections 3(6B), 5(7B) and 13(2) of the Act. Sections 3(6B), 5(7B) and 13(2) provide respectively that where the pay reference period is less or more than 12 months, the amounts specified in sections 3(1)(c), 5(1)(c) and 13(2) apply as if they were proportionately less or more.

Article 2(2)(b) commences section 28 of the Act, as amended by sections 12 and 13 of the 2011 Act, on 7th March 2012. Section 28 allows an employer to certify that the pension scheme it uses meets the quality requirements imposed by Part 1 of the Act or alternative requirements that are prescribed.

A full impact assessment has not been produced for this Order as it has no impact on the private sector or civil society organisations.