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**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.

3rd March 2012

*Steve Webb*  
Minister of State,  
Department for Work and Pensions

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(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.

## 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 49 (partially)	3rd January 2012	2011/3033
Sections 62 to 64	26th January 2009	2009/82
Section 65	16th March 2011	2011/664
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 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)	31st March 2010	2010/1145

purposes)		
Section 126 (for all remaining purposes)	29th June 2009	2009/1566
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