



Pensions Act 2008

2008 CHAPTER 30

PART 1

PENSION SCHEME MEMBERSHIP FOR JOBHOLDERS

CHAPTER 3

SAFEGUARDS: EMPLOYMENT AND PRE-EMPLOYMENT

Prohibited recruitment conduct

52 Penalty notices

- (1) The Regulator may issue a penalty notice to an employer if the Regulator is of the opinion that the employer—
 - (a) has contravened section 50, or
 - (b) has failed to comply with a compliance notice under section 51.
- (2) A penalty notice is a notice requiring the person to whom it is issued to pay a penalty within the period specified in the notice.
- (3) The penalty—
 - (a) is to be determined in accordance with regulations, and
 - (b) must not exceed £50,000.
- (4) A penalty notice must—
 - (a) state the amount of the penalty;
 - (b) state the date, which must be at least 4 weeks after the date on which the notice is issued, by which the penalty must be paid;
 - (c) specify the contravention or failure to which the notice relates;
 - (d) notify the employer of the review process under section 43 and the right to make a reference under section 44 (as applied by section 53).

Status: This is the original version (as it was originally enacted).

- (5) Section 42 (penalty notices: recovery) applies to a penalty payable under this section, and to a notice under this section, as it applies to a penalty payable under section 40, and to a notice under that section.