
STATUTORY INSTRUMENTS

2012 No. 1477

The Occupational and Personal Pension Schemes (Automatic Enrolment) (Amendment) (No. 2) Regulations 2012

Amendment of the Occupational and Personal Pension Schemes (Automatic Enrolment) Regulations 2010

2. After regulation 5 of the Occupational and Personal Pension Schemes (Automatic Enrolment) Regulations 2010⁽¹⁾ (pay reference periods for the purposes of section 20(1)(b) and (c) and section 26(4)(b) and (5)(b) of the Act) insert—

“PART 1A

Exemption

Exemption of European employers

5A. Sections 2(1), 3(2), 5(2), 7(3), 9(2) and 54 of the Act (employer’s obligations regarding membership of a qualifying scheme) do not apply in relation to a person’s employment of an individual in relation to whom the person is a European employer⁽²⁾.”.

⁽¹⁾ [S.I. 2010/772](#). Regulation 5 was substituted by [S.I. 2012/215](#), regulation 20.

⁽²⁾ “European employer” is defined in regulation 3 of the Occupational Pension Schemes (Cross-border Activities) Regulations 2005 ([S.I. 2005/3381](#)) as amended by [S.I. 2007/814](#), regulation 18(1) and (3) and [S.I. 2007/3014](#), regulation 5(1) and (3).