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STATUTORY INSTRUMENTS

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**2012 No. 2270**

**The Teachers' Pensions (Amendment) (No. 2) Regulations 2012**

**Amendments to the Teachers' Pensions Regulations 2010**

3. In regulation 6 (pensionable employment: general)—
- (a) after paragraph (1), insert—
    - “(1A) In this regulation—
      - (a) paragraphs (2) and (3) apply to a person's employment before the automatic enrolment date in relation to that person in respect of that employment; and
      - (b) paragraphs (2A) and (3A) apply to a person's employment on or after the automatic enrolment date in relation to that person in respect of that employment.”;
  - (b) after paragraph (2) insert—
    - “(2A) A person's employment in a capacity mentioned in Part 2 of Schedule 2 is pensionable employment if either—
      - (a) an election made under regulation 10 (election for employment to be pensionable) has effect before the automatic enrolment date; or
      - (b) the employer enrolls the person into the Scheme in relation to that employment, and no election under regulation 9 (election for employment not to be pensionable) has effect.”;
  - (c) after paragraph (3) insert—
    - “(3A) A person's employment in a capacity mentioned in Part 3 of Schedule 2 is pensionable employment if either—
      - (a) an election made under regulation 10 (election for employment to be pensionable) has effect before the automatic enrolment date; or
      - (b) the employer enrolls the person into the Scheme in relation to that employment, and no election under regulation 9 (election for employment not to be pensionable) has effect.”.