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STATUTORY INSTRUMENTS

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**2017 No. 394**

**PENSIONS**

**The Automatic Enrolment (Earnings Trigger and Qualifying Earnings Band) Order 2017**

*Made* - - - - *14th March 2017*

*Coming into force* - - *6th April 2017*

The Secretary of State for Work and Pensions has considered whether any of the amounts in sections 3(1)(c), 5(1)(c) and 13(1)(a) and (b) of the Pensions Act 2008<sup>(1)</sup> should be increased or decreased, as required by section 14(1) of that Act.

A draft of this Order was laid before Parliament in accordance with section 143(4) and (5)(c) of that Act<sup>(2)</sup> and approved by a resolution of each House of Parliament.

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by sections 14(2), 15A(1) and 144(4) of that Act<sup>(3)</sup>.

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Automatic Enrolment (Earnings Trigger and Qualifying Earnings Band) Order 2017 and comes into force on 6th April 2017.

(2) In this Order, “the Act” means the Pensions Act 2008.

**Increase of amounts**

2. In section 13(1) of the Act (qualifying earnings)—

(a) in paragraph (a) for “£5,824” substitute “£5,876”; and

(b) in paragraph (b) for “£43,000” substitute “£45,000”.

**Rounding of figures**

3. For the purposes of sections 3(6B), 5(7B) and 13(2) of the Act<sup>(4)</sup>, in the case of a pay reference period of a length described in the first row of the table, the rounded figure in respect of the provision

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(1) 2008 c. 30. Sections 3(1) and 5(1) were substituted by section 5 of the Pensions Act 2011 (c. 19) (“the 2011 Act”) and amended by S.I. 2012/1506, 2013/667 and 2014/623. Section 13(1) was amended by S.I. 2012/1506, 2013/667, 2014/623, 2015/468 and 2016/435. Section 14 was substituted by section 8(1) of the 2011 Act.

(2) Section 143(5)(c) was amended by section 8(3) of the 2011 Act.

(3) Section 15A was inserted by section 9 of the 2011 Act.

(4) Sections 3(6B) and 5(7B) were inserted by section 5 of the 2011 Act.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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of the Act mentioned in the first column of the table is that which appears below the pay reference period which corresponds to that provision.

**Table**

	<i>1 week</i>	<i>2 weeks</i>	<i>4 weeks</i>	<i>1 month</i>	<i>3 months</i>	<i>6 months</i>
Sections 3(6B) and 5(7B)	£192	£384	£768	£833	£2,499	£4,998
Section 13(2) (referring to section 13(1)(a))	£113	£226	£452	£490	£1,469	£2,938
Section 13(2) (referring to section 13(1)(b))	£866	£1,731	£3,462	£3,750	£11,250	£22,500

**Revocation**

4. The following Orders are revoked—

- (a) the Automatic Enrolment (Earnings Trigger and Qualifying Earnings Band) Order 2015<sup>(5)</sup>;
- (b) the Automatic Enrolment (Earnings Trigger and Qualifying Earnings Band) Order 2016<sup>(6)</sup>.

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

14th March 2017

*Richard Harrington*  
Parliamentary Under-Secretary of State  
Department for Work and Pensions

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(5) S.I. 2015/468.

(6) S.I. 2016/435.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes provision under sections 14 and 15A of the Pensions Act 2008.

Article 2 increases the amounts in section 13(1)(a) and (b) of the Act (qualifying earnings). Section 13 of the Act provides that a person's qualifying earnings are earnings of more than the amount specified in subsection (1)(a) of that section and not more than the amount specified in subsection (1)(b) of that section.

Article 3 specifies rounded figures for the purposes of sections 3(6B), 5(7B) and 13(2) of the Act. The amounts specified in sections 3(1)(c), 5(1)(c) and 13(1) of the Act are in relation to a pay reference period of 12 months. Sections 3(6B), 5(7B) and 13(2) provide that, where a pay reference period is less or more than 12 months, the amounts specified in sections 3(1)(c), 5(1)(c) and 13(1) apply as if they were proportionately less or more. This article prescribes rounded figures in respect of pay reference periods of less than 12 months.

Article 4 revokes the Automatic Enrolment (Earnings Trigger and Qualifying Earnings Band) Order 2015 and the Automatic Enrolment (Earnings Trigger and Qualifying Earnings Band) Order 2016.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is published with the Explanatory Memorandum alongside this instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk) and copies can be obtained from the Department for Work and Pensions, First Floor, Caxton House, Tothill Street, London, SW1H 9NA.