

Draft Order laid before Parliament under section 97 of the Pensions Act 2008, for approval by resolution of each House of Parliament.

D R A F T S T A T U T O R Y I N S T R U M E N T S

2011 No. []

PENSIONS

The Automatic Enrolment (Offshore Employment) Order 2011

Made - - - - - ***

Coming into force - - - - - ***

Whereas a draft of this Order has been approved by a resolution of each House of Parliament.

Now, therefore, Her Majesty, in exercise of the powers conferred on Her by section 97 of the Pensions Act 2008, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

Citation, commencement and interpretation

1. This Order may be cited as the Automatic Enrolment (Offshore Employment) Order 2011 and comes into force on xx.

Application of relevant provisions

2.—(1) The relevant provisions apply in relation to a person in offshore employment as if the reference in section 1(1)(a) of the Pensions Act 2008 to an worker “who is working or ordinarily working in Great Britain” included a reference to a person in offshore employment.

(2) The relevant provisions do not apply in relation to offshore employment connected with the exploration or exploitation, in a foreign sector of the continental shelf, of a cross-border petroleum field.

(3) For the purposes of this article, “cross-border petroleum field” and “foreign sector of the continental shelf” have the same meaning respectively as in section 201 of the Employment Rights Act 1996.

Jurisdiction

3.—(1) In this article the expressions “the English area”, “the Scottish area” and “the Northern Irish area” have the same meaning respectively as in the Civil Jurisdiction (Offshore Activities) Order 1997.

(2) In England and Wales—

- (a) the employment tribunals have jurisdiction to determine complaints or appeals; and
- (b) the first tier tribunal has jurisdiction to determine references made to it,

arising (in connection with employment to which this Order applies) from acts or omissions taking place in the English area, as they would if those acts or omissions had taken place in England and Wales.

(3) In Scotland—

- (a) the employment tribunals have jurisdiction to determine complaints or appeals; and
- (b) the first tier tribunal has jurisdiction to determine references made to it,

arising (in connection with employment to which this Order applies) from acts or omissions taking place in the Scottish area as they would if those acts or omissions had taken place in Scotland..

(4) In Northern Ireland—

- (a) the employment tribunals have jurisdiction to determine complaints or appeals; and
- (b) the first tier tribunal has jurisdiction to determine references made to it,

arising (in connection with employment to which this Order applies) from acts or omissions taking place in the Northern Irish area as they would if those acts or omissions had taken place in Northern Ireland.

Signatory text

Name
Clerk to the Privy Council