

SCHEDULE 4

Transitional Provisions

Waiver of employer's rights under Articles 17 and 19

3.—(1) If at any time during the pre-commencement period the employer gave notice in writing to the trustees of an Article 16 scheme that he did not intend to propose alternative arrangements under Article 17(1) in respect of the scheme before 6th May 1997, no such proposals may be made in respect of the scheme by him or any other person before that date (and paragraph 5 does not apply to any notice given in respect of the scheme in the pre-commencement period).

(2) Where such a notice was given, regulation 9(2)(a) (permitted notice time for first notice of proposals of alternative arrangements) shall have effect in relation to the scheme with the omission of head (i) and the substitution in head (iii) for “the date applicable under head (i)” of “the commencement date”.

4.—(1) If at any time during the pre-commencement period the employer gave notice in writing to an Article 18 company that he did not intend to propose alternative arrangements under Article 19(1) in respect of the company before 6th May 1997, no such proposals may be made in respect of the company by him or any other person before that date (and paragraph 6 does not apply to any notice given in respect of the company in the pre-commencement period).

(2) Where such a notice was given, regulation 15(2)(a) (permitted notice time for first notice of proposals of alternative arrangements) shall have effect in relation to the company with the omission of head (i) and the substitution in head (iii) for “the date applicable under head (i)” of “the commencement date”.