
STATUTORY INSTRUMENTS

1996 No. 2517

**The Occupational Pension Schemes
(Modification of Schemes) Regulations 1996**

Circumstances where consent to the exercise of a power to modify shall be treated as given

5. Where a power to which section 67 of the 1995 Act applies may not (apart from that section) be exercised without the consent of any person, such consent may be treated as given where—

- (a) the trustees have sent written notification (“the first notification”) to the member’s last known address of the proposed exercise of the power to modify the scheme;
- (b) a further written notification (“the second notification”) was sent by the trustees at least 2 months after the date the first notification was sent; and
- (c) no response was received from the member in respect of both the first notification and second notification before the end of a period of 1 month from the date the second notification was sent.