

SCHEDULE 1

THE STATUTORY CONSULTATION PROCEDURE

Approval by ballot

- 9.—(1) This paragraph applies if—
- (a) the notice specifies that the direct ballot procedure is to be used, or
 - (b) at least the number of objections mentioned in paragraph 8(2)(b) is received within the objection period.
- (2) Where this paragraph applies—
- (a) the appropriate rules or, as the case may be, the alternative arrangements must be approved by a ballot of the eligible members by a majority of those voting, and
 - (b) the proposer must give the appropriate person notice of the result of the ballot as soon as it is determined by the proposer.
- (3) In sub-paragraph (2)(b) “appropriate person” means—
- (a) if the proposer is the trustees, the employer;
 - (b) if the proposer is the employer, the trustees.
- (4) If approval is given by such a ballot, the appropriate rules or, as the case may be, the alternative arrangements shall be treated as approved on the date notice is given under sub-paragraph (2)(b).