



# Pensions Act 2004

## 2004 CHAPTER 35

### PART 5

#### OCCUPATIONAL AND PERSONAL PENSION SCHEMES: MISCELLANEOUS PROVISIONS

##### *Consultation by employers*

#### **259 Consultation by employers: occupational pension schemes**

- (1) Regulations may require any prescribed person who is the employer in relation to an occupational pension scheme and who—
  - (a) proposes to make a prescribed decision in relation to the scheme, or
  - (b) has been notified by the trustees or managers of the scheme that they propose to make a prescribed decision in relation to the scheme,to consult prescribed persons in the prescribed manner before the decision is made.
- (2) Regulations may require the trustees or managers of an occupational pension scheme not to make a prescribed decision in relation to the scheme unless—
  - (a) they have notified the employer of the proposed decision, and
  - (b) they are satisfied that the employer has undertaken any consultation required by virtue of subsection (1).
- (3) The validity of any decision made in relation to an occupational pension scheme is not affected by any failure to comply with regulations under this section.
- (4) Section 261 contains further provisions about regulations under this section.