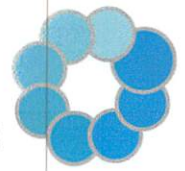


# Sestini & Co

## Pension Trustees Ltd



Workplace Pension Trustees Limited  
5300 Lakeside,  
Lakeside,  
Cheadle,  
Cheshire,  
SK8 3GP

05 February 2020

Our Ref: KAH

Dear Sirs,

I write in reference to the enclosed Deed, which has been prepared in order to allow Mr Kevan Alan Hampton to retire as a Member Trustee of the MGI 1 Limited Scheme, and subsequently transfer his benefits into a SSAS arrangement managed by Sestini and Co Pension Trustees Limited as Professional Trustee.

Upon review of the Deed, we have found several points which we need clarification on, in order to satisfy ourselves that the transfer and change of Trusteeship has been administered correctly. I have listed these points below, and would be grateful of a reply, which a further Deed to be issued, wherein Mr Hampton and the Continuing Member Trustees can countersign the Deed and we can proceed to transfer.

1. The Deed which has been provided gives reference to Rules 4.1.1 and 8.3, pertaining to a Deed dated 06 September 2018. Mr Hampton would naturally require a copy of the Deed and Rules prior to signing the Deed in hand, in order to fully understand the position.
2. The Continuing Member Trustees have been referenced in the Deed, but do not appear to have been made party to the document. Please arrange for their details to be added, as the provisions of the Deed, and the exist of a Trustee impacts the structure of the SSAS going forwards, and so they should be made party.
3. In the 'Operative Provisions' point 1, it is stated that the Principal Employer has the power to remove a Trustee. This being the case, then surely a Deed of Removal would be drafted, to which the exiting Trustee would not be party, as they are being removed, and not retired. To be clear, this Deed should be drafted as a Deed of Retirement, as Mr Hampton has requested to transfer his entitlements under the Scheme, and Retire as a Trustee. A Deed of Removal is primarily used for those who are Trustees, but not beneficiaries of a scheme, which is not the case here.
4. This would then make Operative Provision 3 null and void.
5. Operative Provision 4 should be written that all benefits belonging to the Outgoing Trustee will be transferred to an appropriate qualifying pension scheme by the date of the Deed. Should Mr Hampton hold any assets under the scheme after he has been removed as a Trustee, the scheme would be in breach of the 1995 Pensions Act, and a statement of Investment Principals would be required.
6. The word 'Deed' should be capitalised throughout the document. There are 4 instances where a lower case 'd' has been used.

In addition to the matters of the Deed, as outlined above, Mr Hampton as received confirmation from Carlton James, that his share of funds in the MGI 1 Scheme amount to £6,019.89. Naturally, before this transfer is completed, Mr Hampton requires a copy of the fund split detailing how this figure was arrived at. This requirement is of import, as thus far, the communication in relation to the figure has been communicated directly from those connected with the Sponsoring Employer, and of course, Mr Hampton should be receiving the information from the Independent Trustee.

I trust this to be in order, and look forward to hearing from you shortly.

Yours faithfully,



Samantha Hayward  
Head of Pension Operations  
Sestini and Co Pension Trustees Limited

CC: Pension Pratitioner.com, Mr K Hampton

**Deed of Removal of Trustee**

**MGI 1 Retirement Scheme**

Date of Deed:

1. **My Goal Is ... Limited** (Company No. 05627486) whose registered office is situated at Lime Kiln House, Lime Kiln, Royal Wootton Bassett, Swindon, SN4 7HF (in this Deed called the '**Principal Employer**');
2. **Workplace Pension Trustees Limited** (Company No. 08533061) of 5300 Lakeside, Lakeside, Cheadle, Cheshire, SK8 3GP (in this deed called the '**Independent Trustee**'); and,
3. **Kevan Alan Hampton** of 71 Bath Road, Bridgegate, Bristol, BS30 5NJ (in this deed called the '**Outgoing Trustee**').

#### **Recitals**

- (A) **MGI 1 Retirement Scheme** (in this Deed called the 'Scheme') is a pension scheme which is now governed by a Definitive Trust Deed and Rules dated 06 September 2018 (in this Deed called the '**Existing Provisions**'). The Independent Trustee agreed to the adoption of the Existing Provisions at the time of signing.
- (B) The Continuing Member Trustees, the Independent Trustee and the Outgoing Trustee are the present Trustees of the Scheme.
- (C) The Principal Employer wishes to remove the Outgoing Trustee as Trustee of the Scheme under clause 4.1.1 which vests the power of removal in the Principal Employer.
- (D) The Independent Trustee consents to the removal in accordance with clause 8.3 of the Existing Provisions.
- (E) In this Deed (including the recitals) "Effective Date" means the date of this Deed.

#### **Operative provisions**

1. The Principal Employer in exercise of the power conferred on them by 4.1.1 of the Existing Provisions and all other powers then enabling hereby removes the Outgoing Trustee as Trustee of the Scheme with effect from the Effective Date.
2. The Independent Trustee consents to the removal in accordance with clause 8.3 of the Existing Provisions.
3. The Outgoing Trustee consents to their removal as evidenced by their execution of this Deed.
4. The Independent Trustee agrees to take all reasonable steps to remove from the trusts of the Scheme and any assets of the Scheme held in the name of the Outgoing Trustees (jointly or alone), including the removal of the name of the Outgoing Trustees from any relevant registration at HM Land Registry.

**IN WITNESS OF WHICH** this document is executed as a Deed and is delivered on the date stated above.

SIGNED as a deed, and delivered when dated,  
by **My Goal Is ... Limited**  
acting by

Director Signature:  
Name:

Witness                      Signature:  
Name:  
Address:

**SIGNED as a Deed, and delivered when dated, by** ..... (signature)

**Kevan Alan Hampton in the presence of:**

Witness                      Signature:

   Name :

   Address:

**SIGNED as a deed, and delivered when dated,  
by Workplace Pension Trustees Limited  
acting by**

Director Signature:  
Name:

**Witness**                      **Signature:**  
    **Name:**  
    **Address:**