

<p>The Pensions Regulator</p>	<p>Standard Procedure DETERMINATION NOTICE under Section 10(2)(b) and section 96(2)(a) of the Pensions Act 2004 (“the Act”)</p> <p>XXXXXXXXXXXXXXXXXXXXXXXXXXXXX Executive Pension Scheme (“the Scheme”)</p>	<p>The Pensions Regulator case ref:</p> <p>XXXXXXX</p>
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1. The Determinations Panel (“the Panel”) met to determine whether XX
XXXXXXXXXXXXXXXXXXXX should be given notice in writing pursuant to
section 29(5) of the Pensions Act 1995 (“the 1995 Act”) to waive XXX
disqualification to act as trustee of the Scheme. This is a reserved
regulatory function under the Act and may only be exercised by the
Panel. The request to exercise this power is an application under
section 10(2)(b) of the Act.
2. The Panel determined that the power waiving XXXXXXXXXXXXXXXXXXXXXXX
disqualification should not be exercised.

Directly Affected Parties (“DAPs”)

3. The Warning Notice specified the following parties as being directly
affected by the regulatory action outlined therein.
 - i. XX an independent
trustee
 - ii. XXXXXXXXXXXXXXXXXXXXXXX (“the Applicant”)
 - iii. XXXXXXXXXXXXXXXXXXXXXXX (“the Employer”).
 - iv. XXXXXXXXXXXXXXXXXXXXXXX (Trustee)
 - v. XXXXXXXXXXXXXXXXXXXXXXX (Trustee)
 - vi. XXXXXXXXXXXXXXXXXXXXXXX (Trustee)
 - vii. XXXXXXXXXXXXXXXXXXXXXXX (Trustee)
 - viii. XXXXXXXXXXXXXXXXXXXXXXX (Trustee)
 - ix. XXXXXXXXXXXXXXXXXXXXXXX (Trustee)

Details of the Scheme

4. The Scheme is a defined contribution scheme open to future accrual
with seven members, which was established as a small self-
administered pension scheme (SSAS). The SSAS status was revoked
following the pensions tax simplification which took place in April 2006.
Nevertheless Small Schemes continue to benefit from some relaxations
of the rules, for example, the restrictions on Employer Related

for the Applicant to be a trustee bearing in mind the nature of the convictions.

18. **Appendix 1** to this Determination Notice contains important information about the Directly Affected Parties' rights to refer this decision to the Upper Tribunal.

Chairman: Andrew Long

Dated: 15 August 2014

Referral to the Tax and Chancery Chamber of the Upper Tribunal (“the Tribunal”)

You have the right to refer the matter to which this Determination Notice relates to the Tribunal. Under Section 103 of the Pensions Act 2004 (“the Act”) you have 28 days from the date this Determination Notice is given to refer the matter to the Tribunal or such other period as specified in the Tribunal rules or as the Tribunal may allow. A reference to the Tribunal is made by way of a written notice signed by you and filed with a copy of this Determination Notice. The Tribunal’s address is:

The Tax and Chancery Chamber of the Upper Tribunal
45 Bedford Square
London
WC1B 3DN
Tel: 020 7612 9700

The detailed procedures for making a reference to the Tribunal are contained in section 103 of the Act and the Tribunal Rules.

You should note that the Tribunal Rules provide that at the same time as filing a reference notice with the Tribunal, you must send a copy of the reference notice to The Pensions Regulator. Any copy reference notice should be sent to:

Determinations Panel Support
The Pensions Regulator,
Napier House
Trafalgar Place
Brighton
BN1 4DW.

Tel: 01273 811852