

THE INDUSTRY-WIDE MINeworkERS' PENSION SCHEME (THE "SCHEME")**1. RECITALS**

- 1.1 The Co-ordinator wishes to amend the Trust Deed and Rules so that certain day-to-day administrative expenses of the Co-ordinator may be paid from the assets of the Scheme.
- 1.2 The Trustee has received advice that amendments of this nature would not increase the protected liabilities of the Scheme (as defined in section 131 of the Pensions Act 2004). Consequently the amendments below will form part of the admissible rules of the Scheme for the purposes of paragraph 35 of Schedule 7 to the Pensions Act 2004.
- 1.3 Clause 38(1) of the Trust Deed provides that the Co-ordinator may amend the Trust Deed and Rules with the consent of the Committee of Management subject to certain restrictions which are not relevant to the amendments set out in this Resolution.
- 1.4 Section 67 of the Pensions Act 1995 (the "Act") provides that a Regulated Modification (as defined in the Act) is voidable unless certain conditions are met. The Co-ordinator and the Committee of Management are satisfied that the proposed amendments do not constitute Regulated Modifications.
- 1.5 The Actuary has confirmed to the Trustee for the purposes of Regulation 42(2) of the Occupational Pension Schemes (Contracting Out) Regulations 1996 that he is satisfied that if the amendments in this Resolution are made, the Scheme will continue to satisfy the statutory standard under section 12A of the Pension Schemes Act 1993.
- 1.6 The Co-ordinator has agreed to make the amendments set out below and a majority of the Committee of Management has consented to those amendments as required by Clause 38(4) of the Trust Deed, as evidenced by their respective signatures on this Resolution.
- 1.7 This Resolution may be executed in any number of counterparts, all of which when taken together shall constitute one and the same instrument. Each of the parties may enter into this Resolution by executing any such counterpart.

2. RESOLUTIONS**Amendments to the main Trust Deed and Rules**

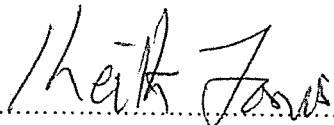
- 2.1 With effect on and from the date of this Resolution, the version of Clause 2(b) set out in the Trust Deed will be deleted in its entirety and the following new Clause 2(b) will be inserted in its place:
 - "(b) Each Employer shall pay to the Co-ordinator such amounts and at such times as the Co-ordinator shall determine and notify to the Employer, as contributions towards the costs and expenses of the Co-ordinator that do not fall to be paid out of the Scheme assets in accordance with Clause 15(1). The amounts so determined in respect of each employer shall represent an appropriate proportion of such total costs and expenses of the Co-ordinator, on such basis as the Co-ordinator shall determine from time to time."

2.2 With effect on and from the date of this Resolution, the version of Clause 15 set out in the Trust Deed will be deleted in its entirety and the following new Clause 15 will be inserted in its place:

"15. COSTS OF ADMINISTRATION

The costs and expenses of managing and administering the Scheme, including some or all of the costs and expenses of the Co-ordinator incurred in relation to day-to-day management and administration of the Scheme (as agreed by the Committee of Management), shall be borne by the Expenses Fund except that if the Committee of Management considers that a cost or expense relates (in whole or in part) to one or more (but not all) Employers such cost or expense (or such part thereof) shall be borne by the Employer's Fund which relates to the Employer (or if more than one in such proportions as the Committee of Management considers to be equitable)."

It is HEREBY CONFIRMED that the Committee of Management consents to the above amendments in accordance with Clause 38 of the Trust Deed.

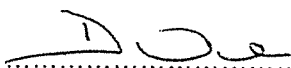


.....
On behalf of the Committee of Management

..... 11 October 2013

Date

It is HEREBY RESOLVED by the Co-ordinator to amend the Scheme in the matter set out above.



.....
On behalf of the Co-ordinator

..... 29 November 2013

Date