

THE INDUSTRY-WIDE MINeworkERS' PENSION SCHEME (THE "SCHEME")

1. RECITALS

- 1.1 By regulations 7 and 7ZA of The Occupational Pension Schemes (Modification of Schemes) Regulations 2006 (the "**Modification Regulations**") the Committee of Management has power to modify the rules of the Scheme (the "**Rules**") to confer benefits on surviving civil partners and surviving same sex spouses.
- 1.2 By a resolution dated 9 January 2007 the Committee of Management utilised the power in regulation 7 of the Modification Regulations to modify the Scheme to provide surviving civil partners with the minimum benefits required to comply with the relevant requirements of the Civil Partnership Act 2004 (the "**Civil Partnership Act**").
- 1.3 Where the Committee of Management wishes to provide surviving civil partners and surviving same sex spouses with rights that are in excess of what is required to comply with the Civil Partnership Act and the Marriage (Same Sex Couples) Act 2013 (the "**Marriage (Same Sex Couples) Act**") it must obtain the Co-ordinator's consent.
- 1.4 The Committee of Management now wishes to utilise the power in regulation 7 of the Modification Regulations to modify the Rules to provide surviving civil partners with the same benefits as surviving opposite sex spouses, and the Co-ordinator wishes to consent as evidenced by its signing of the resolution below.
- 1.5 The Committee of Management also wishes to utilise the power in regulation 7ZA of the Modification Regulations to modify the Rules to provide surviving same sex spouses with the same benefits as surviving opposite sex spouses, and the Co-ordinator wishes to consent as evidenced by its signing of the resolution below.

2. RESOLUTIONS

- 2.1 With effect on and from the date of this resolution the Committee of Management, pursuant to the power under regulation 7 of the Modification Regulations HEREBY RESOLVES to modify the Scheme so that for all benefits payable under the Scheme on a Member's death:
- (a) a surviving civil partner is treated in the same way as a woman whose deceased spouse was a man, or a man whose deceased spouse was a woman; and
 - (b) the rights of any other survivor are determined as if the surviving civil partner were a woman whose deceased spouse was a man, or a man whose deceased spouse was a woman.
- 2.2 With effect on and from the date of this resolution the Committee of Management, pursuant to the power under regulation 7ZA of the Modification Regulations HEREBY RESOLVES to modify the Scheme so that for all benefits payable under the Scheme on a member's death:
- (a) a surviving same sex spouse is treated in the same way as a woman whose deceased spouse was a man, or a man whose deceased spouse was a woman; and

- (b) the rights of any other survivor are determined as if the surviving same sex spouse were a woman whose deceased spouse was a man, or a man whose deceased spouse was a woman.

.....*Heith Jones*.....

On behalf of the Committee of Management

.....*24.6.14*.....

Date

.....*D*.....

On behalf of the Co-ordinator

.....*22.9.14*.....

Date