

The Pensions Regulator	Standard Procedure DETERMINATION NOTICE under Section 96(2)(d) of the Pensions Act 2004 (the “Act”) 5G Futures Pension (the “Scheme”)	The Pensions Regulator case ref: C21006988
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1. The Determinations Panel (“the Panel”), on behalf of the Pensions Regulator (“the Regulator”), met by telephone on 7 May 2014 to decide whether to exercise a reserved regulatory function in relation to the issues in the “Warning Notice” dated 24 April 2014. The Regulator considered under Section 10(2) of the Act that the exercise of a reserved regulatory function may be appropriate.

Matters to be determined

2. In the Warning Notice the Panel was asked to consider the following:-
 - i. Whether to extend the period for which Garry John Williams and Susan Lynn Huxley have been suspended from acting as trustees of trust schemes in general, pursuant to section 4(2) of the Pensions Act 1995 (“the 1995 Act”).
 - ii. If the Panel was minded to extend the period of suspension of Garry John Williams and Susan Lynn Huxley, whether a further order should be made under section 4(6) of the 1995 Act for matters arising out of a trustee’s suspension.

Directly Affected Parties

3. The parties considered to be directly affected by the regulatory action outlined in this notice are as follows:-

Garry John Williams
Susan Lynn Huxley
The “suspended trustees”

Pi Consulting (Trustee Services) Ltd
The “new trustee”

XXXXXXXXXX
XXXXXXXXXX
The joint liquidators of 5G Wealth Management.

The Panel noted that one of the Directly Affected Parties to the original suspension, 5G Futures Ltd, has since been dissolved and is therefore no longer a Directly Affected Party.

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

Any person who receives this Determination Notice as a directly affected person (pursuant to Section 96(2) (d) of the Act), or any person who appears to the Tribunal to be directly affected by this Determination, may refer this Determination to the Tribunal.

Under paragraph 2(2) to Schedule 3 of the Tribunal Procedure (Upper Tribunal) Rules 2008 (S.I. 2008/2698) (the “Tribunal Rules”) a reference notice must be received by the Tribunal no later than 28 days after the date this Determination Notice is given. The Tribunal may extend this period under Tribunal Rule 5(3)(b). 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

A copy of the form for making a reference FTC3 ‘Reference Notice (Financial Services)’ can be found at:

<http://www.tribunals.gov.uk/financeandtax/Documents/forms/FTC31.doc>