

---

## Ploutos Pension Trust ("The Scheme")

---



Dalriada. A better way

### Important announcement to members of the Scheme

The purpose of this Announcement is to serve an update to members.

As you are aware from the previous Announcement, Dalriada Trustees Limited ("Dalriada") was appointed as trustee to the Scheme by the Pensions Regulator (TPR) on 17 June 2020.

Dalriada's appointment was due to concerns over the use of Scheme funds and the investments purported to have been made by the previous trustees of the Scheme and concerns over the competence of the previous trustee, Knight Gray Limited.

On its appointment, Dalriada undertook to investigate the suitability of the purported investments. The previous trustees had used scheme assets to make two investments, the majority of which went to Ganita Wealth Limited as shares in Ganita Wealth Fund (a company incorporated in the British Virgin Islands). Dalriada has made contact with the various parties which received scheme funds, however, only a very small amount has been recovered.

Dalriada has not received a complete set of administration records or a full set of the documentation necessary for the ongoing operation and management of the Scheme.

At the time of our appointment there were no liquid assets or cash in the Scheme meaning that Dalriada has received no fees for the costs they have accrued to date.

# Member Announcement

## What has happened since the last Announcement?

Work to recover any of the remaining funds is nearing an end as we have concluded that there is no reasonable prospect of any meaningful recovery from them at this time.

We have prepared an initial application for compensation from the Fraud Compensation Fund ("FCF") on behalf of the Scheme. The FCF is a fund of "last resort", which means that the FCF will need to be satisfied that no further recoveries can be made from elsewhere, or else, that the costs and/or time likely to be incurred pursuing any recovery outweigh any potential return before the FCF will pay compensation to the Scheme. More information about the FCF is detailed later in this Announcement.

The former corporate trustee of Scheme was Knight Gray Ltd who were dissolved in 2016.

Dalriada, on appointment spoke with Mr. David Knight, given his role as Director of Knight Gray Ltd from 27 October 2014 to 29 April 2016.

Further contact was made with Mr. David Knight on 11 January 2021, during which he advised that he held no paperwork relating to the Scheme. Contact was made with newly appointed Director; however, we have received no response to numerous letters and emails sent to him since February 2021.

<b>Employer Admin Services</b>		This company was dissolved in January 2018.  Although contact has been made with the past Director, no paperwork has been received from him. No contact since February 2021.
<b>Masons Administration Limited</b>	Previous Administrator	This company entered liquidation in March 2017. Masons Pensions Administration Limited were dissolved on 10 October 2017. While letters issued no responses have been received.
<b>Gallium Fund Solutions Limited</b>	Previous Administrator	Despite various letters being issued to identified individuals, no response has been received.
<b>Knight Gray Limited</b>	Previous Trustee	Company dissolved. No response received from the previous director.
<b>Ganita Wealth Limited</b>	Investment	Some information has been received from the Ganita Wealth Fund Director. However, additional information, to include a current value and ongoing status for the fund, is awaited.
<b>Lawthority Ltd</b>	Investment	Dalriada were able to make a small recovery in respect of this investment.

# Member Announcement

## Member Transfers

Dalriada has identified one Scheme bank account serviced by Barclays Bank, which we now have control of. At the time of our appointment there was a balance of £66.35.

Bank statements have also been obtained and a full analysis has been carried out, however, there are a number of unidentified transactions with regards to the amounts paid into and out of the scheme bank account which Dalriada are still working to resolve.

Dalriada has identified the following:

- Transfers into the Scheme bank account from 15 members total £349,342.87.
- Transfers into the Scheme, not paid into the Scheme bank account, from approximately 12 members total £256,219.13.

With regards to the transfers that were not paid through the Scheme's bank account, Dalriada believe these member transfers were paid directly to the Scheme's Investment Manager (Gallium Fund Solutions) through one of their HSBC bank accounts.

Investigations are ongoing to try and ascertain the statements for this HSBC bank account but to date we have received no response from either Gallium Fund Solutions, or the bank involved.

## Lawthority Ltd

At the time of appointment, it is understood that the Scheme was the registered holder of £290,000 in loan notes issued by Lawthority Ltd. ("Series 2 Loan Notes"). This was high risk speculative investment which was inappropriate for an occupational defined contribution pension scheme. We have seen no evidence that the original trustees carried out appropriate due diligence or took proper investment advice before entering into this investment.

Lawthority failed to trade profitably and on 20 July 2022 Dalriada entered an agreement with Andrew Neal of Lawthority to redeem all the Series 2 Loan Notes from Lawthority, totalling £43,674.00. There is no further recovery to be made in relation to this investment.

## Ganita Wealth Ltd

We understand that The Scheme transferred £300,000.00 from The Scheme bank account to Ganita Wealth Ltd who in turn invested these monies into Ganita Wealth Fund Ltd ("GWFL"). We understand that those members who had their transfers into The Scheme sent directly to Gallium Fund Solutions may too have also had their monies invested into GWFL.

As referenced above, GWFL is a BVI registered company (also known as "The Fund"). The Fund was a mutual private fund with the BVI Financial Services Commission that, at the time of Dalriada's appointment, was administered by Apex Fund Services Ltd. They historically provided statements on the Ploutos shareholding in the fund and unit value (USD).

Dalriada has been in direct contact with the Fund director until early 2021 when a wind up of the Fund was announced and communications from GWFL stopped. We have attempted numerous times to re-engage contact with GWFL, however, we still await both the information sought and an update on the position of the

# Member Announcement

Fund by way of its status and value. We consider it unlikely that any meaningful value will be realised in respect of this investment.

This was high risk speculative investment which was inappropriate for an occupational defined contribution pension scheme. We have seen no evidence that the original trustees carried out appropriate due diligence or took proper investment advice before entering into this investment.

## General Data Protection Regulations (GDPR)

Previously, organisations were required to comply with the Data Protection Act 1998. This Act governed the collection, storage and use of personal data held electronically or in paper records.

It provided guidelines on how companies should create, store, handle or view personal data. From 25 May 2018, this Act was replaced by the General Data Protection Regulations which came into direct effect across the EU. The UK will continue to comply with these regulations following Brexit.

Dalriada Trustees Limited, as trustees of the Schemes, has a policy for meeting our obligations under GDPR. Please see link to our full Privacy Policy here, [Privacy policy - Professional Pension Trustees - Dalriada Trustees](#) however, we would like to draw your attention to the following key points:

- Individuals have increased rights under the GDPR in relation to their personal data which include, in certain circumstances, the right of access to data and rectification and erasure. We hope you understand that we need to hold your data to be able to determine any benefits and to answer any questions about your entitlement.
- The general management and administration of the Scheme, including responding to SARs, incur costs against the Scheme and therefore, should you wish to make a SAR, we would ask you to call Dalriada in the first instance on the number provided below.
- Where a SAR is received from a third party on behalf of a particular member, Dalriada's obligations are to provide the necessary information to the data subject directly i.e. to the member. Therefore, we would like to reiterate that where a member is pursuing a claim through a third party that they contact Dalriada in the first instance.
- This GDPR notification does not affect your benefits entitlement in any way.

## The Fraud Compensation Fund ("FCF")

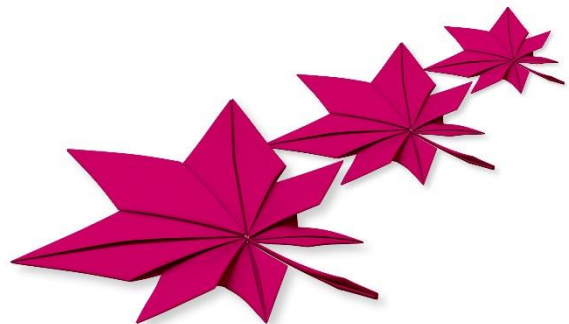
Ultimately, the best chance of any significant recovery may be through a claim on the FCF. The FCF is a fund, managed by the board of the Pension Protection Fund ("PPF"), that provides compensation where schemes have suffered a loss as a result of an offence involving dishonesty.

Dalriada and the PPF ran High Court action in 2020 and obtained a judgment clarifying a number of important legal issues concerning the operation of the FCF. Most importantly the judgment determined that a significant number of occupational pension schemes can, in principle, make claims on the FCF. The judgment also clarified that, as well as losses as a result of an act of dishonesty, schemes (and by extension their members) can be compensated for costs incurred by the trustees which are attributable to dealing with any act of dishonesty.

Dalriada is working closely with the PPF to ensure all the requirements for an application are met, including collating and submitting evidence to show where dishonesty has taken place. However, as noted above, the FCF is a compensation fund of last resort which means that the FCF will need to be satisfied that no further recoveries can be made from elsewhere, or else, that the costs and/or time likely to be incurred pursuing any recovery outweigh any potential return before the FCF will pay compensation to the Scheme.

## Member Announcement

It is important to note that the Court Judgment does not mean that the Scheme will automatically be successful in its claim, but it is an avenue that we will explore for members. It is important to note that once an application has been made, it could some time for a decision to be made.



## What should I do if I have any further questions?

Should you have any queries in relation to this Announcement or your membership of the Scheme, please contact us.

You can contact us as follows:

By Telephone:	028 9592 6105
By Post:	Dalriada Trustees Limited Linen Loft 27-37 Adelaide Street Belfast, BT2 8FE
By Email:	ploutosadmin@dalriadatrustees.co.uk

## Other Useful contact details

If you have a complaint or dispute concerning your workplace or personal pension arrangements you should contact:

The Pensions Ombudsman Telephone: 0800 917 4487

Website: [www.pensions-ombudsman.org.uk](http://www.pensions-ombudsman.org.uk)

If you have general requests for information or guidance concerning your pension arrangements contact the Money and Pension Service (MaPS).

Previously pensions guidance has been provided across the three consumer facing brands of MaPS: Pension Wise (PW), The Pensions Advisory Service (TPAS) and the Money Advice Service (MAS).

MaPS has now launched **MoneyHelper** where all retirement and pensions guidance has been brought together under one brand and one website: [moneyhelper.org.uk](http://moneyhelper.org.uk).

Consumers can request an appointment by following the links, emailing [virtual.appointments@maps.org.uk](mailto:virtual.appointments@maps.org.uk) or by calling our the pensions helpline on 0800 011 3797.

These appointments are free and impartial.

The email address to the pensions guidance team for general pensions queries is [pensions.enquiries@moneyhelper.org.uk](mailto:pensions.enquiries@moneyhelper.org.uk)

**Issued by Dalriada Trustees Limited**

**May 2023**