## **DEED OF APPOINTMENT**

## among

# (1) AVX LIMITED

# (2) THE TRUSTEES OF THE AVX LIMITED PENSION SCHEME

and

(3) MARTIN BOGUES

## **AVX LIMITED PENSION SCHEME**



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#### among

- (1) **AVX LIMITED** (Company Number 01235639) whose registered office address is at Prospect House 6 Archipelago, Lyon Way, Frimley, Surrey, GU16 7ER (the "**Principal Employer**");
- (2) ROBERT JOHN LAWRENCE of 9 The Chine, Farnham, Surrey, GU10 4NN, SIMON HOWARD CUNDAY of 10 Elm Park, Paignton, Devon, TQ3 3QH, KURT P CUMMINGS c/o AVX Corporation, 1 AVX Boulevard, Fountain Inn, South Carolina 29644, USA, MARTHA HELEN McCANN of 20 Millbrook Road, Port Stewart, County Londonderry, BT55 7DY and PETER FENWICK of Somers Gold, Broad Path, Stoke Gabriel, Devon, TQ9 6SQ (the "Continuing Trustees"); and
- (3) MARTIN BOGUES of 80 Duncrun Road, Bellarina, Limavady, County Londonderry, BT49 0JD (the "New Trustee").

#### **INTRODUCTION**

- (A) This Deed of Appointment relates to the AVX Limited Pension Scheme (the "Scheme").
- (B) The Scheme is governed by a Trust Deed dated 20 September 1991 (the "**Trust Deed**") with Rules annexed (the "**Rules**"), as amended from time to time.
- (C) The Principal Employer is the current principal employer of the Scheme.
- (D) The Continuing Trustees are the current trustees of the Scheme.
- (E) In terms of Clause 16(a)(iii) and Clause 1.7 of Clause T1 of the Trust Deed (which applies to the Scheme by virtue of amendments made by the amending deed dated 8 November 2002 (the "2002 Deed")) the Principal Employer shall have the power by deed to appoint (without limit as to number) any additional trustee or trustees of the Scheme.
- (F) In accordance with Clause 16(a)(iii) and Clause 1.7 of Clause T1 of the Trust Deed, the Principal Employer wishes to appoint the New Trustee as a trustee of the Scheme with effect from 30 September 2013 (the "Effective Date").

#### **NOW THEREFORE**

## 1. **APPOINTMENT**

- 1.1 In exercise of its powers under Clause 16(a)(iii) and Clause 1.7 of Clause T1 of the Trust Deed and all and any other powers available to it, the Principal Employer hereby appoints the New Trustee as a trustee of the Scheme with effect from the Effective Date.
- 1.2 With effect from the Effective Date, the New Trustee hereby accepts the office as a trustee of the Scheme with all the rights, duties and obligations enjoyed by or incumbent on the trustees of the Scheme.

#### 2. **COUNTERPARTS**

- 2.1 This Deed may be executed in any number of counterparts and by the parties on different counterparts, but shall not be effective until each party has executed at least one counterpart.
- 2.2 Each counterpart shall constitute an original of this Deed but all the counterparts shall together constitute one and the same deed.

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# 3. **GOVERNING LAW**

3.1 This Deed shall be governed and construed in accordance with English Law or where appropriate the parallel provisions in force in Northern Ireland.

**EXECUTED** as a **DEED** and delivered by the above parties on the day and year first above written.

EXECUTED as a DEED and delivered by the above pa		
EXECUTED AND DELIVERED AS A DEED by		
AVX LIMITED		
Director		
Full Name		
Director/Secretar		
Full Name		
EXECUTED AND DELIVERED AS A DEED by ROBERT JOHN LAWRENCE		
in the presence of		
Witness		
Full Name		
Address		
Occupation		
EXECUTED AND DELIVERED AS A DEED by <b>SIMON HOWARD CUNDAY</b>		
in the presence of		
Witness		
Full Name		
Address		

...... Occupation

# EXECUTED AND DELIVERED AS A DEED by **KURT P CUMMINGS**

in the presence of	
	Witness
l	Full Name
	Address
	Occupation
EXECUTED AND DELIVERED AS A by <b>Martha Helen McCann</b>	DEED
in the presence of	
	Witness
1	Full Name
	Address
	Occupation
EVECUTED AND DELIVEDED AC A	DEED
EXECUTED AND DELIVERED AS A by <b>PETER FENWICK</b>	DEED
in the presence of	
١	Witness
I	Full Name
	Address
·	Occupation

# EXECUTED AND DELIVERED AS A DEED by **MARTIN BOGUES**

in the presence of	
	Witness
	Full Name
	Address
	Occupation