

AMENDMENT NO. 5
To the Rules and Regulations of the Pension Plan
For the UTAH PIPE TRADES PENSION TRUST FUND
As Amended and Restated Effective January 1, 2015

WHEREAS, the Trustees of the Utah Pipe Trades Pension Trust Fund (the "Trust Fund") established the Pension Plan for the Trust Fund (the "Plan"), the terms of which are set forth in the Rules and Regulations for the Plan, as amended and restated effective January 1, 2015 (the "Rules and Regulations");

WHEREAS, the Trustees have authority to amend the Rules and Regulations under Section 7.1 of the Rules and Regulations and Article VI, Section 4 of the Trust Agreement; and

AND WHEREAS, the Trustees wish to make certain clarifications to the Plan;

NOW, THEREFORE, BE IT RESOLVED that the Rules and Regulations are clarified as follows:

Section 5.2, Irrevocability of Contributions.

Any and all Contributions made by the Employer to the Fund shall be irrevocable and held as provided in the Trust Agreement, except as provided herein.


Section 6.3, No Right to Assets; Non-Reversion.

Except as specifically provided in this Plan, no person, other than the Trustees of the Fund, shall have any right, title, or interest in any of the income or property of any character received or held by or for the account of the Fund, and no person shall have any vested right to benefits provided by the Plan and Fund.


In no event shall any of the corpus or assets of the Fund revert to the Employers or be subject to any claims of any kind or nature by the Employers, Notwithstanding the foregoing, if the Trustees have accepted an overpayment of contributions which were erroneously submitted as the result of a mistake of fact or law, the Trustees may, in their sole and exclusive discretion, return or refund the contributions, or credit any overpayment against any past indebtedness or future contributions due, as permitted by the Trust Agreement, any policies or procedures adopted by the Trustees, and applicable law (including Section 403(c) of ERISA and Section 401(a)(2) of the Code, and regulations issued thereunder). Any contribution returned or credited as above provided shall be without adjustment for interest or earnings but shall be reduced for any expenses or losses attributable thereto.

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The undersigned Chairman and Co-Chairman of the Board of Trustees of the Utah Pipe Trades Pension Trust Fund hereby certify that the foregoing Amendment No. 5 was duly adopted by the Board of Trustees at a meeting duly called and held on August 16, 2017.



CHAIRMAN John Wadlow
Date: 8-16-2017



CO-CHAIRMAN Robert Bergman
Date: 8/16/17