



Andrew Mold

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Clerks' Details

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Qualifications and Appointments

- First Class honours degree in Law, St John's College, Cambridge
- Clifford Chance David Gottlieb Prize for obtaining the highest law examination results in the year at the University of Cambridge
- Jacovides Prize for international law
- College and university awards for gaining a first in each year of undergraduate degree
- LLM from Harvard Law School
- Hardwicke and Mansfield Scholarships from Lincoln's Inn
- Registered advocate before DIFC Courts

“He is really, exceptionally good”

Chambers and Partners 2020

“He's a real powerhouse”

Chambers and Partners 2020

Memberships

- Chancery Bar Association
- COMBAR
- Association of Pension Lawyers
- ACTAPS
- Bar Pro Bono Panel

Publications

- [How to side-step valid trust and corporate structures](#) (2014) *Trusts & Trustees* 20 (9):891-929
- Author of the negligence section of *Cordery on Solicitors*

Practice Overview

Andrew's practice covers commercial and traditional chancery work. Within these fields, he has particularly strong interests in trusts, pensions, fraud and breach of fiduciary duties, professional liability, company and partnership disputes. He is also often brought into to assist with cases involving other areas of the law most notably family, insolvency and regulatory proceedings.

Andrew enjoys both the advisory and advocacy sides of his practice and is experienced in the main forms of alternative dispute resolution. He frequently appears on his own against QCs. He is also regularly instructed as part of a team either alongside a QC or leading more junior barristers.

In recent times, Andrew has gained significant experience of working on so-called 'big money' divorce cases involving the treatment of trust assets. He has also been instructed in many of the recent leading pension cases especially those considering the use of The Pensions Regulator's powers.

Many of Andrew's cases involve an international element, particularly in the context of trust disputes or fraud cases, and he has been admitted to the Bar of the Cayman Islands where he has appeared as an advocate. In the past few years, Andrew has been engaged on matters concerning proceedings in Jersey, the Isle of Man, Cyprus, Switzerland, Singapore, Bermuda, Nevis, the British Virgin Islands, several states of the USA and the Cayman Islands.

The recent Chambers & Partners 2020 describes him as *“an intellectually strong, exceptionally bright barrister who is also a good team player”*. It also describes Andrew as *“superb”* and *“first-rate”* who *“works extremely hard and is all over the detail of the matter”*.

A well-liked junior who is effective in fraud and breach of fiduciary duty cases. He is admired for the quality of his advice and advocacy and often appears unled in significant cases.



Practice Overview continued

Andrew adroitly handles a diverse range of traditional and commercial chancery matters, demonstrating considerable strength in cases concerning trusts, professional liability and company law. **"He's excellent with clients, excellent to work with and a talented guy."** He is also known for his expertise with regard to the treatment of trust assets in high-value divorce cases.

According to the most recent Legal 500 2020 edition, Andrew **"gets to the heart of the problem quickly, communicates complex ideas clearly and succinctly, and develops a good rapport with clients"**.

Pensions

Andrew has extensive experience in pensions law covering all sizes of matters including proceedings before the Pensions Ombudsman, The Pensions Regulator, the High Court, Court of Appeal and Supreme Court. He regularly acts for trustees, members, sponsoring companies, professional advisors and the regulatory bodies.

Recent notable matters that Andrew has worked on include the following:

- *Lloyds Banking Group Pension Trustees Ltd v Lloyds Bank plc*. Andrew was instructed on behalf of Lloyds Bank in the ground-breaking GMP equalisation litigation.
- *Pollock v Reed*. Andrew was instructed for the PPF in litigation concerning the Halcrow Pension Scheme. This case involved an application to Court by the trustee of the scheme to determine whether members' benefits could be transferred to a new scheme without their consent.
- *IBM United Kingdom Holdings Ltd v Dalgleish*. Andrew was instructed on behalf of the trustee in this long-running litigation which concerned IBM's breaches of the 'Imperial' duty of good faith and the consequences which flowed from such breaches.
- *In the matter of Nortel GMBH and others & In the matter of Lehman Brothers International (Europe) and others*. Andrew appeared for the successful appellant administrators in the decision of the Supreme Court determining the status of FSDs and CNs in an administration and any subsequent liquidation. Andrew also appeared before Briggs J and the Court of Appeal.
- *Re the Nortel Networks UK Pension Plan*. Andrew was instructed in proceedings before the Upper Tribunal concerning a decision by the Determinations Panel of the Pensions Regulator to issue FSDs against a number of targets within the Nortel group of companies.
- *Re Honda Pension Scheme*. Andrew appeared in the Court of Appeal for the determination of a question of construction arising in the context of the Honda Pension Scheme.
- *Sea Containers Pension Schemes*. Andrew was instructed for defendant benefit consultants and actuaries in a professional negligence claim arising out of alleged failed equalisation in the Sea Containers Pension Schemes.
- *Bloxwich Pension Scheme*. Andrew was instructed for defendant benefit consultants facing professional negligence claims in the administration of the Bloxwich Pension Scheme.
- *EMI Pension Scheme*. Andrew was instructed on behalf of EMI in proceedings concerning the use of the Pensions Regulator's powers under Part 3 of the Pensions Act 2004 to determine a recovery plan and schedule of contributions.
- *The PNPf Trust Company Ltd (as Trustee of the Pilots' National Pension Fund) v Taylor and others*. Andrew acted for the Port of London Authority in proceedings brought by the trustee to determine several questions relating to the powers of amendment under the scheme, the trigger and calculation of s 75 debts, what bodies constitute an 'employer' under s 75 and the scheme specific funding regime.
- *Cemex UK Marine Ltd v MNOPF Trustees Ltd* [2009] EWHC 3258 (Ch). Andrew was instructed for Cemex in this decision which determined what constituted an 'employment cessation event' for the purposes of s 75.