



Application for Registration of a Retirement Benefits Scheme as an Authorised Scheme

Notes for Applicants

This form must be signed and submitted manually; unfortunately at this time electronically submitted forms are not acceptable.

A retirement benefits scheme is not qualified to be registered as an authorised scheme by the Isle of Man Financial Services Authority ("the Authority") unless:

- *The trustees have satisfied the Authority that they are fit and proper to undertake their functions;*
- *For occupational schemes, one of the trustees is independent of the employer of the members; and*
- *The scheme administrator is a registered schemes administrator, in the Isle of Man, who has satisfied the Authority that they have adequate knowledge and experience fitted for the management of the scheme.*

The administrator of an authorised scheme is the person responsible for the management of that scheme. If the scheme administrator is not already a registered schemes administrator an application for registration as a registered schemes administrator should accompany this application form and may be obtained from the Authority's website: <http://www.iomfsa.im/>. Where required, general guidance and assistance on the completion of this form may be obtained from the Authority.

If scheme tax approval is being sought, an application may be made on page 11; the Authority will then provide a copy of this form to the Treasury's Income Tax Division.

Scheme Information

1	Name of scheme:			
2	This application is for registration as:			
3	Type of scheme (if 'other', please provide details):			
4	Scheme status (see 'Additional Information' on page 10):			
5	Estimated number of scheme members:			
6	Date of scheme year end or specified accounting date:			
7	Commencement date of scheme:			
8	Name and address of the registered schemes administrator:			
Registered Status:				
Registration number (if known):				

If the scheme administrator is not already registered with the Authority as a registered schemes administrator, an application for such registration must be submitted to the Authority at the same time as this application form. See 'Additional Information' on page 10.

Individual Trustees

9 Name and address of first individual trustee (if none, proceed to question 10):

Telephone:

Email:

Name(s) of schemes registered with the Authority for which this person also acts as a trustee:

Name and address of second individual trustee (if none, proceed to question 10):

Telephone:

Email:

Name(s) of schemes registered with the Authority for which this person also acts as a trustee:

Name and address of third individual trustee (if none, proceed to question 10):

Telephone:

Email:

Name(s) of schemes registered with the Authority for which this person also acts as a trustee:

Name and address of fourth individual trustee (if none, proceed to question 10):

Telephone:

Email:

Name(s) of schemes registered with the Authority for which this person also acts as a trustee:

A completed Form F&P 1 or Form F&P 2 in respect of each person named above must be submitted with this application form; please see 'Additional Information' on page 10. Should there be more than four individual trustees, details of each additional one must be provided.

Corporate Trustees

10	Trading name and address of first corporate trustee:		
Contact name:			Telephone:
Email:		Website:	
Status of trustee (if 'other', please provide details):			
Does this trustee already act as a trustee of any other scheme that is registered as an authorised scheme?			
Does this trustee act as a registered schemes administrator for this or any other authorised scheme?			
<i>If the answer given to either of the above is no, the remainder of this question must be answered and a Form F&P 1 or Form F&P 2 completed and submitted with this application in respect of each person named below; please see 'Additional Information' on page 10.</i>			
Date & number of incorporation:			Place of incorporation:
Authorised share capital:		Issued share capital:	
Paid up share capital:		Amount and nature of loan capital:	
Is the company associated with any other company or a subsidiary of a parent organisation? If yes , please include an organisation chart with this application form, including details of the parent organisation and its paid-up share capital.			
Full name and role of each director, manager and controller (see page 10 for definitions) of the company, and the full name of each person who holds the ultimate beneficial interest in the shares of the company or the controller and, where the ultimate beneficial interests in all shareholdings in the company (or its controller) exceed 10% of the issued capital of the company or controller, the name of the person holding those interests:			
Name:		Role:	
<i>A completed Form F&P 1 or Form F&P 2 in respect of each person named above must be submitted with this application form; please see 'Additional Information' on page 10. Should there be more such persons, details of each additional person must be provided.</i>			

Disclosures:

Has the company or any associated or parent company ever been investigated by any regulatory authority, fined, or reprimanded by such a body or disbarred from any trade association or professional body?

Has the company or any associated or parent company ever had any debts or judgements recorded against it, or are any judgements pending?

Has the company or any associated or parent company ever been censured, disciplined or publicly criticised by any court of law or by an officially appointed enquiry on the Isle of Man or elsewhere?

Has any associated company been voluntarily or compulsorily wound up?

Has the company or any associated or parent company made any compromise or arrangement with its creditors, or ceased trading in circumstances where its creditors did not receive or have not yet received full settlement of their claims?

Is the company, or any associated or parent company, a regulated business?

If yes has been answered to any of these questions, please provide full details:

Corporate Trustees

11	Trading name and address of second corporate trustee:		
Contact name:			Telephone:
Email:		Website:	
Status of trustee (if 'other', please provide details):			
Does this trustee already act as a trustee of any other scheme that is registered as an authorised scheme?			
Does this trustee act as a registered schemes administrator for this or any other authorised scheme?			
<i>If the answer given to either of the above is no, the remainder of this question must be answered and a Form F&P 1 or Form F&P 2 completed and submitted with this application in respect of each person named below; please see 'Additional Information' on page 10.</i>			
Date & number of incorporation:			Place of incorporation:
Authorised share capital:		Issued share capital:	
Paid up share capital:		Amount and nature of loan capital:	
Is the company associated with any other company or a subsidiary of a parent organisation? If yes , please include an organisation chart with this application form, including details of the parent organisation and its paid-up share capital.			
Full name and role of each director, manager and controller (please see page 10 for definitions) of the company, and the full name of each person who holds the ultimate beneficial interest in the shares of the company or the controller and, where the ultimate beneficial interests in all shareholdings in the company (or its controller) exceed 10% of the issued capital of the company or controller, the name of the person holding those interests:			
Name:		Role:	
<i>A completed Form F&P 1 or Form F&P 2 in respect of each person named above must be submitted with this application form; please see 'Additional Information' on page 10. Should there be more such persons, details of each additional person must be provided.</i>			

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Has the company or any associated or parent company ever been investigated by any regulatory authority, fined, or reprimanded by such a body or disbarred from any trade association or professional body?

Has the company or any associated or parent company ever had any debts or judgements recorded against it, or are any judgements pending?

Has the company or any associated or parent company ever been censured, disciplined or publicly criticised by any court of law or by an officially appointed enquiry on the Isle of Man or elsewhere?

Has any associated company been voluntarily or compulsorily wound up?

Has the company or any associated or parent company made any compromise or arrangement with its creditors, or ceased trading in circumstances where its creditors did not receive or have not yet received full settlement of their claims?

Is the company, or any associated or parent company, a regulated business?

If yes has been answered to any of these questions, please provide full details:

Should more than two corporate trustees be appointed to the scheme, the above information and disclosures must be provided for each additional trustee.

Participating Scheme Employers

12

Name and address of the principal/sole employer:

Trading name, if different:

Legal status (if 'other', please provide details):

Contact name:

Telephone:

Email:

Website:

Name and address of the first associated/participating employer:

Trading name, if different:

Legal status (if 'other', please provide details):

Contact name:

Telephone:

Email:

Website:

Name and address of the second associated/participating employer:

Trading name, if different:

Legal status (if 'other', please provide details):

Contact name:

Telephone:

Email:

Website:

Name and address of the third associated/participating employer:

Trading name, if different:

Legal status (if 'other', please provide details):

Contact name:

Telephone:

Email:

Website:

Where more than three associated employers are participating in the scheme, details of each additional employer and their relationship with the principal employer must be provided.

Professional Advisers

13	Name and address of the scheme actuary (If the appointment is pending or does not apply, please specify):		
Contact name:			Telephone:
Email:		Website:	
Name and address of the scheme auditor (If the appointment is pending or does not apply, please specify):			
Contact name:			Telephone:
Email:		Website:	
Name and address of the scheme investment manager (If the appointment is pending or does not apply, please specify):			
Contact name:			Telephone:
Email:		Website:	
Name and address of all regulatory bodies by which the investment manager is regulated:			
Regulatory reference number:		If the investment manager is not regulated, please confirm: <input type="checkbox"/>	
Name and address of other professional adviser (please provide function as well):			
Contact name:			Telephone:
Email:		Website:	
Name and address of other professional adviser (please provide function as well):			
Contact name:			Telephone:
Email:		Website:	

Continuation

Please indicate relevant question number:

If there is not enough room on this page for your entries, please attach separate sheets of information to this application.

Additional Documentation

Copies of the following documents must be submitted with this form (please tick to indicate they are attached to this form):

Copy of the original executed Scheme trust deed and rules:	
Copy of the general Scheme guide booklet:	
Form F&P 1 or Form F&P 2 in respect of each named individual:	

Data Protection Notice

The Authority is registered with the Information Commissioner as a data controller under Isle of Man data protection legislation. The Authority collects and processes personal data to carry out its functions under relevant legislation and may share personal data with other parties where there is a legal basis for doing so. Information on how the Authority collects and processes personal data can be found in the [Privacy Policy](https://www.iomfsa.im/terms-conditions/privacy-policy/) on the Authority's website: <https://www.iomfsa.im/terms-conditions/privacy-policy/>. Please call +44 (0)1624 646000 if you have any queries. **Please note: if you make an application on page 11 to the Assessor of Income Tax for the grant of approved retirement benefits scheme status, the Authority will provide a copy of this form to the Treasury's Income Tax Division.**

Declaration by the Scheme Trustee

I/We certify that the information given on this form is complete and correct to the best of my/our knowledge and belief.

I/We acknowledge that the information given on this form will be shared with the Treasury's Income Tax Division if we make an application on page 11 to the Assessor of Income Tax for the grant of approved retirement benefits scheme status:

Signed:

Full name:

Date:

By virtue of section 46 of the Retirement Benefits Schemes Act 2000, a person commits an offence if they knowingly provide any information which is false or misleading in a material particular, or provide information recklessly which is false or misleading in a material particular.

Additional Information

Extracts from the Retirement Benefits Schemes Act 2000

'director' includes- (a) any individual occupying the position of director by whatever name called;
(b) any individual in accordance with whose directions or instructions one or more of the appointed directors are accustomed to act unless the appointed director or directors are accustomed so to act by reason only that they do so on advice given by that person in a professional capacity.

'manager' means an individual employed by the body corporate concerned who, under the immediate authority of a director or its chief executive -

- (a) exercises managerial functions; or
- (b) is responsible for maintaining the accounts or other records of the scheme.

'controller' means - (a) a managing director of a body corporate of which the body corporate concerned is a subsidiary;
(b) a chief executive of a body corporate of which the body corporate concerned is a subsidiary;
(c) an individual in accordance with whose directions or instructions one or more of the directors of a body corporate of which the body corporate concerned is a subsidiary are accustomed to act unless the director or directors are accustomed so to act by reason only that they do so on advice given by that person in a professional capacity;
(d) an individual who either alone or with any associate or associates is entitled to exercise or control the exercise of 15% or more of the voting power at any general meeting of the body corporate concerned or of another body corporate of which it is a subsidiary;

'chief executive' means an individual who is employed by the body corporate concerned and who either alone or jointly with others is or will be responsible under the immediate authority of the directors for the conduct of its business;

Extracts from the Retirement Benefits Schemes (Domestic Schemes) (General Administration) Regulations 2004/ Retirement Benefits Schemes (International Schemes) Regulations 2001

"closed scheme" means a scheme to which no new members may be admitted, but to which contributions are or may be payable by or in respect of, and under which benefits accrue to, existing members;

"frozen scheme" means a scheme under which benefits continue to be payable to existing members and to which –

- (a) no new members may be admitted,
- (b) no further contributions are payable by or in respect of existing members, and
- (c) no further benefits accrue to existing members although benefits which have already accrued to them may be increased;

"open scheme" means a scheme that is not a closed scheme, a frozen scheme or a scheme that has been wound-up;

Forms F&P 1 and F&P 2

Form F&P 1 – Individual Questionnaire – is an application form for an individual seeking appointment as a professional trustee (a trustee who carries out the role by way of business) of a retirement benefits scheme, as well as those individuals seeking appointment as director, controller, chief executive, or senior manager of a trustee or administrator of an authorised scheme.

Form F&P 2 – Notification Only Form – is an application form for an individual seeking appointment as a non-professional trustee (a trustee who does not carry out the role by way of business) of a retirement benefits scheme.

Application to the Assessor of Income Tax for the Grant of Approved Retirement Benefits Scheme Status

1	Name of scheme:	
2	Name(s) of any existing or former retirement benefits scheme(s) in which any employer participating in the scheme has, or continues to, participate:	
3	For [small] Self-Administered Schemes – name and address of each scheme member:	

Declaration by the Scheme Administrator

I/We apply for approval of the retirement benefits scheme named above under

***The Income Tax Act 1970 / *The Income Tax (Retirement Benefit Schemes) Act 1978 / *The Income Tax Act 1989**

I/We declare that to the best of my/our knowledge and belief the information given in this application is correct and complete and further declare that:

- the scheme has been bona fide established for the sole purpose of providing approvable relevant benefits; and
- there is no intention of taking any action, if approval is granted, other than in accordance with the approved terms of the trust deed and rules and all statutory and published Assessor of Income Tax conditions for the approval and continued approval of the scheme.

For agreed model document schemes only:

I/We confirm that the scheme in respect of which this application is made has been established using the following model rules:

Reference:

for which ***no alterations / *the following alterations have been made (please select one):**

A scanned copy of the trust deed and rules will be provided to the Assessor of Income Tax as part of this application.

Signed:

Full name:		Date:	
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When completed this form should be sent to:

The Isle of Man Financial Services Authority

PO Box 58, Finch Hill House, Bucks Road, Douglas, Isle of Man IM99 1DT

Tel: +44 (0)1624 646000 Email: pensions@iomfsa.im