



## Application for Registration of a Retirement Benefits Scheme as a Recognised 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 a recognised scheme by the Isle of Man Financial Services Authority ("the Authority") unless:*

- *It is managed and authorised under the law of a designated country or territory outside of the Isle of Man and is of a class specified in an Order made by the Treasury;*
- *There has been appointed a person in the Isle of Man who is authorised to accept on behalf of the scheme trustees any process or any notices or other documents required or authorised to be served on them under the Retirement Benefits Schemes Act 2000; and*
- *The scheme complies with the requirements of the Retirement Benefits Schemes (Recognised Schemes) Regulations 2004.*

*Copies of regulations issued pursuant to the Retirement Benefits Schemes Act 2000 may be obtained directly from the Authority's website: <http://www.iomfsa.im/>. Further information concerning these regulations is also provided in the 'Additional Notes' at the end of this form. 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 7; the Authority will then provide a copy of this form to the Treasury's Income Tax Division.*

### Scheme Information

<b>1</b>	Name of scheme:			
<b>2</b>	Scheme type (if 'other', please provide details):			
<b>3</b>	Commencement date of scheme:			
<b>4</b>	Total number of scheme members resident in the Isle of Man at date of application:			
<b>5</b>	Total number of scheme members at date of application:			
<b>6</b>	Date of scheme year end (or specified accounting date):			
<b>7</b>	Designated country in which the scheme is managed (see Additional Notes on page 6):			
<b>8</b>	Name and address of scheme manager:			
For companies, contact name:			Telephone:	
Email:		Website:		
<b>9</b>	Name and address of the person in the Isle of Man authorised to accept on behalf of scheme trustees any process or notice or document required or authorised to be served on them under the Retirement Benefits Schemes Act 2000:			
Telephone:		Email:		Website:
Is this person a registered schemes administrator?			Registration number:	

## Individual Trustees

**10** Name and address of first individual trustee (if none, proceed to question 11):

Telephone:

Email:

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

Name and address of second individual trustee (if none, proceed to question 11):

Telephone:

Email:

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

Name and address of third individual trustee (if none, proceed to question 11):

Telephone:

Email:

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

Name and address of fourth individual trustee (if none, proceed to question 11):

Telephone:

Email:

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

***A completed Questionnaire in respect of each person named above must be submitted with this application form; please see 'Additional Information' on page 6. Should there be more than four individual trustees, details of each additional person must also be provided.***

## Corporate Trustees

**11** Name and business address of first corporate trustee (if none, proceed to question 12):

Trading name, if different:

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

Date, number and place of incorporation:

Contact name:

Telephone:

Email:

Website:

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

Name and business address of second corporate trustee (if none, proceed to question 12):

Trading name, if different:

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

Date, number and place of incorporation:

Contact name:

Telephone:

Email:

Website:

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

Name and business address of third corporate trustee (if none, proceed to question 12):

Trading name, if different:

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

Date, number and place of incorporation:

Contact name:

Telephone:

Email:

Website:

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

*Should more than three corporate trustees be appointed to the scheme, the above information must also be provided for each additional trustee. The Continuation section on page 5 may be used for this purpose.*

## Participating Scheme Employers

<b>12</b>	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:	
<i>Where more than two associated employers are participating in the scheme, details of each additional employer and their relationship with the principal employer must also be provided. The Continuation section on page 5 may be used for this purpose.</i>			

## Additional Documentation

<b>Copies of the following documents must be submitted with this form (please tick to indicate they are attached to this form):</b>	
Copy of the original executed scheme trust deed and rules:	
Copy of the general scheme guide booklet:	
A copy of the letter or certificate issued by the relevant tax or supervisory authority of the scheme's designated country confirming that the scheme falls within a class specified in the relevant designation Order:	
If an application for tax approval under the provisions of the Income Tax (Retirement Benefit Schemes) Act 1978 is also being made, please sign the following declaration and complete the application form on page 7. If, however, such an application has already been made, please enter the date on which the application was made or the scheme's tax approval reference number:	

## 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.*

### 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 7 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 hereby apply for the scheme for which this application relates; which I/we confirm is managed in the designated country, to be registered as a recognised scheme.

I/we confirm that the person in the Isle of Man that I/we have named in question 9 has been authorised to accept on our behalf any process or any notices or other documents required or authorised to be served on them under the Retirement Benefits Schemes Act 2000.

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 7 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 Notes

### ***Extracts from the Retirement Benefits Schemes Act 2000***

- Section 21(4) A scheme shall not be a recognised scheme under this section unless the trustee of the scheme gives written notice to the Supervisor that he wishes it to be registered as a recognised scheme.
- Section 21(5) The notice given by the trustee under subsection (4) –
- (a) Shall contain the name and address of a person in the Island who is authorised to accept on behalf of the trustee any process or any notices or other documents required or authorised to be served on him under this Act; and
  - (b) Shall contain or be accompanied by such information and documents as may be prescribed; and
  - (c) Shall be accompanied by such fees as may be prescribed.

### ***Extracts from the Retirement Benefits Schemes (Recognised Schemes) Regulations 2004***

- Regulation 5(1) For the purpose of section 21(5)(b) (Information and documents to accompany notice of registration as a recognised scheme), the prescribed information and documents shall include –
- (a) Written confirmation (being a letter or certificate issued by the relevant tax or supervisory authority in the designated country) that the scheme is authorised in a country designed in an Order made under section 21(2) of the Act; and
  - (b) Written confirmation (being a letter or certificate issued by the relevant tax or supervisory authority in the designated country) that the scheme falls within a class specified by the same Order and made under section 21(1)(a) of the Act.
- Regulation 5(2) In the event of a scheme which has been registered as a recognised scheme –
- (a) Ceasing to be authorised in accordance with the requirements of paragraph 1(a);
  - (b) Ceasing to fall within the class specified in paragraph (1)(b); or
  - (c) Ceasing to be managed in the designated country for which confirmation has been provided under paragraph (1)(a) of the scheme being authorised;
- the trustee of the scheme shall thereupon notify the Supervisor of the scheme's change in circumstances.

### ***Extracts from the Retirement Benefits Schemes (Recognised Schemes)(Republic of Ireland) Order 2004***

- Article 2(1) For the purpose of section 21(2) of the Act (designated countries or territories), the designated country or territory shall include the Republic of Ireland.
- Article 2(2) For the purposes of section 21(1)(a) of the Act (schemes managed in and authorised under the law of designated countries), the specified class of scheme shall include any retirement benefits scheme which is –
- (a) Established under an irrevocable trust;
  - (b) Recognised for the purposes of the Pensions Act as an occupational pension scheme, within the meaning of section 2 of that Act, save that, for the purpose of this classification, occupational pension scheme shall include any arrangement managed as a whole under a single set of rules but treated by the Revenue Commissioners as separately approved and unapproved schemes by virtue of section 14(3) of the Finance Act 1972 (an Act of the Oireachtas), provided that membership of the unapproved scheme constitutes no more than 10% of the membership of the approved scheme; and
  - (c) Registered with the Pensions Board.

### ***Extracts from the Retirement Benefits Schemes (Recognised Schemes)(United Kingdom) Order 2004***

- Article 2(1) For the purpose of section 21(2) of the Act (designated countries or territories), the designated country or territory shall include the United Kingdom.
- Article 2(2) For the purposes of section 21(1)(a) of the Act (schemes managed in and authorised under the law of designated countries), the specified class of scheme shall include any retirement benefits scheme established by a United Kingdom resident employer that is –
- (a) a registered pension scheme;
  - (b) established under irrevocable trust; and
  - (c) recognised as a trust scheme, within the meaning of the Pensions Act 1995 (an Act of Parliament).
- Article 1(2) In this Order –
- “registered pension scheme” means an occupational pension scheme that is registered under Chapter 2 of Part 4 of the Finance Act 2004 (of Parliament) as a registered pension scheme.

### ***Questionnaires***

Each scheme member who acts as a trustee (or as an officer of a corporate trustee) of their own scheme is required to complete and submit to the Authority a Member Trustee Questionnaire. Individuals who act as a trustee or an officer of a corporate trustee for any retirement benefits scheme of which they are not members are required to complete and return a Personal Questionnaire. Copies of these questionnaires are available from the Authority at its web site: <http://www.iomfsa.im/>. Individuals who have previously submitted a questionnaire within the last two years need not submit a further questionnaire with this application form unless there are additional disclosures as referenced in Part 2 of that questionnaire.

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

<b>1</b>	Name of scheme:
<b>2</b>	Name(s) of any existing or former retirement benefits scheme(s) in which any employer participating in the scheme has, or continues to, participate:
<b>3</b>	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 (Retirement Benefit Schemes) Act 1978. 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.

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

Signed:

Full name:

Date:

*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](mailto:pensions@iomfsa.im)**