



Details of Appointments, Resignations, Removals and Proposed Alterations

Notes for Applicants

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

This form must be submitted to the Isle of Man Financial Services Authority ("the Authority") by administrators and/or trustees to notify the Authority of any changes that are required to be notified under section 18 of the Retirement Benefits Schemes Act 2000 ("the Act") at least 28 days before the event is proposed to occur. The changes required to be notified are listed in the Additional Information section on page 6 of this form and include that:

- ***A person shall not become a controller or appointed director, chief executive or manager without prior notification; and***
- ***A scheme may not be altered, or a trustee, administrator, investment manager, actuary or auditor be appointed or removed, without prior notification; and***
- ***All notifications must include a statement of reasons; and***
- ***All resignations must also be notified.***

Where an appointment of an individual is proposed, Form F&P 1 and/or Form F&P 2 is required as a precursor to 'fit and proper' checks being carried out (please see our website for a copy of these forms and their associated guidance).

Where required, general guidance and assistance on the completion of this form may be obtained from the Authority.

All Applicants

1 Name of scheme/administrator and registration reference number:

New Officers – Corporate Trustee/Administrator

2 Name and address of person who is to be appointed as a director, chief executive, manager or controller of an existing scheme trustee, or of a registered schemes administrator:

Please state name of corporate trustee (or administrator, where different to 1):

Please specify and provide details where the person is already appointed either to a registered schemes administrator or a trustee:

Reason(s) for proposed appointment:

If the person is not already appointed as controller, director, manager or trustee of a registered schemes administrator or registered retirement benefits scheme, please complete and submit Form F&P 1 or Form F&P 2 (see 'Additional Information' below).

Proposal to Alter Scheme or Appoint/Remove Scheme Administrator or Professional Adviser

3 Details of the resignation of a professional adviser or the scheme administrator or any proposal to alter the scheme, or to appoint or remove the scheme administrator or professional adviser:

Any alteration that requires a change to the documents that constitute the retirement benefits scheme, or requires a resolution either by the employer or the trustees, must be proposed along with a draft of the changes.

4 Reason(s) for proposed alteration:

Where the proposal is to alter the retirement benefits scheme, the trustees must provide a statement of the impact of the changes on the members and declare that the proposal will not result in the scheme contravening the requirements for authorisation under section 3 of the Act as well as that the interests of the members will not be compromised by the effecting of the proposed alteration.

5 Impact of the proposed change(s):

Do the proposed changes adversely impact past accrual?

Do the proposed changes adversely impact future accrual?

Proposed Trustee Removal or Resignation

6 Name of the person or entity who has resigned or who is to be removed as trustee:

Statement of the reason(s) for the proposal and the proposed effective date:

New Corporate Trustee

7	Trading name and address of new corporate trustee:		
Contact name:		Telephone:	
Email:	Website:		
Status of trustee (independent/employer etc.):			
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 Form F&P 1 or Form F&P 2 completed and submitted with this application form in respect of each person named below (see 'Additional Information' on page 6). If the answer is yes, please provide details on the Continuation Page below and include the question reference number.</i>			
Date & number of incorporation:		Place of incorporation:	
Authorised share capital:	Issued share capital:		
Paid up share capital:	Amount and nature of loan capital:		
8	Is the company associated with any other company or a subsidiary of a parent organisation? If yes, please attach an organisation chart to this application, including details of any parent organisation and its paid-up share capital:		
9	Full name and role of each director, manager and controller (see page 6 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:	
Name:		Role:	
Name:		Role:	
Name:		Role:	
Name:		Role:	
Name:		Role:	
Name:		Role:	
Name:		Role:	
Name:		Role:	
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; should there be more such persons, details of each additional person must be provided (see 'Additional Information' on page 6).</i>			

Disclosures (Corporate Trustees)

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:	

New Individual Trustee

10	Name and address of new individual trustee:
Status of trustee (independent/member etc.):	
Does this trustee already act as a trustee or registered schemes administrator of any other scheme that is registered as an authorised scheme?	
<i>If the answer to the above is no, Form F&P 1 or, where appropriate, Form F&P 2 must be completed by this trustee and submitted to the Authority together with a copy of any associated draft deed of appointment. If the answer is yes, please provide details on the Continuation Page below and include the question reference number.</i>	

Additional Documentation

Please list the documents attached to this form (the purpose of this section is to record those documents that form part of the proposal):

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.

Declaration

I/We certify that the information given on this form is complete and correct to the best of my/our knowledge and belief, and that the proposal set out on this form will not result in the scheme contravening the requirements necessary for authorisation as detailed in section 3 of the Retirement Benefits Schemes Act 2000:

Signed:		Date:	
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Full name:		Position or Capacity:	
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By virtue of section 46 of the Act, a person commits an offence if, in connection with any application or in purported compliance with any requirement, 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.

Continuation

Please include relevant question number:

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

Additional Information

Extracts from the Retirement Benefits Schemes Act 2000

- Section 18(A1)** No trustee or administrator of an authorised scheme shall appoint a person as director, chief executive or manager; nor shall a person become controller of such a trustee or administrator unless a written notice containing such particulars as may be prescribed is served on the Supervisor by –
- (a) In the case of a director, chief executive or manager, the trustee or administrator as the case may be; or
 - (b) In the case of a controller, the proposed controller,
- not less than 28 days before the event.
- Section 18(1)** The trustee of an authorised scheme shall, as soon as practicable, give written notice to the Supervisor of –
- (a) Any proposal to –
 - (i) Alter the scheme;
 - (ii) Appoint a new scheme administrator;
 - (iii) Remove the scheme administrator;
 - (iv) Appoint a professional adviser;
 - (v) Remove a professional adviser; and
 - (b) The resignation of –
 - (i) A professional adviser;
 - (ii) The administrator of the scheme,
- And the notice shall be accompanied by a statement of the reasons for such proposal or resignation.
- Section 18(2)** The administrator of an authorised scheme shall, as soon as practicable, give notice to the Supervisor of any proposal –
- (a) For the trustee of the scheme to cease to hold office; or
 - (b) To replace the trustee,
- And notice shall be accompanied by a statement of the reasons for the proposal.
- ‘director’** includes-
- (a) any individual occupying the position of director by whatever name called; or
 - (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 (Management and Miscellaneous Provisions) Regulations 2001

- Regulation 6(2)** The administrator of an authorised scheme shall, as soon as practicable, give notice to the Supervisor of any proposal for the appointment of an additional trustee to that scheme and the notice shall be accompanied by a statement of the reasons for the proposal.
- Regulation 6(3)** Effect shall not be given to any proposal under paragraph (2) unless –
- (a) The Supervisor has given his approval to the proposal; or
 - (b) One month has elapsed since the date on which the notice was given under paragraph (2) without the Supervisor having given notice to the administrator that the proposal is not approved together with a statement of reasons for the decision.
- Regulation 6(4)** An administrator who fails to comply with paragraph (2) shall be guilty of an offence.

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.

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