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# DJP Bury Ltd SSAS

**Annual Scheme** **Report**

**Prepared by**

**Stacy Lunnon Scheme Consultant**

**12th March 2018**

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11. **Introduction**

Dear Darren, Darren and Eamonn, I am pleased to enclose our new look annual trustee report for your scheme.

This report has changed it’s focus from previous years by being more specific to the day to day requirements of the scheme. We have cut the content of investment and inflation outlook data to look at broad interest and inflationary data.

We have prepared a benefit statement for each of you and can of course tailor this according to your needs and planning requirements.

I also attach with our compliments our most recent newsletter, which contains our latest thinking and articles around both pension and protection planning, plus information on the new GDPR regulations.

At the end of this report, I have set out my proposals for 2018 to help ensure both tax compliance and tax efficiency as an action plan for you to consider.

Finally, thank you for choosing us to act as the Practitioner for your pension scheme.

# Fund Composition

Shares purchased in Centennial Energy (US Ltd Company) are now transferred to a shareholding in Biotech Energy INC as they took over Centennial. Shares in CHP Ventures Ltd are transferred to Biotech Energy Systems.

The unconnected loans are broken down into a loan agreement with INB (Dutch Biomass Company) and two loan agreements with Biotech Energy INC (US Company).

Cash at bank is held in an AIB Bank pension scheme account.

# Scheme Tax Return

Below is a copy of our tax report submission for the period ending 5 April 2017 and our supporting comments.

The scheme reporting is one of the most important aspects of scheme management as the data submitted may be reviewed by an Inspector in connection with scheme fund movements. It is particularly important that where transactions are undertaken which may involve the scheme connected to persons or businesses associated with either the scheme members or the employer that we report that information in the correct format.

It is important that clients notify us in advance of any transactions involving either a scheme member, a close connected company or someone connected to a scheme member, such as a relative or business partner.

The following data has been submitted:

|  |  |  |
| --- | --- | --- |
| Pension Scheme Tax Reference |  | 00812752RQ |
| Pension Scheme Name |  | DJP Bury Ltd SSAS |
| Is the scheme an Occupational scheme? |  | Yes |
| Tax Year ended |  | 05 Apr 2017 |
| Date submitted |  | 24 May 2017 |
| Submitted by |  | Registered Scheme Administrator Limited |
| Scheme Administrator |  | Registered Scheme Administrator Limited |

|  |  |  |
| --- | --- | --- |
| Amended Return |  | No |

|  |  |  |
| --- | --- | --- |
| Accounting Period |  | 06 Apr 2016 - 05 Apr 2017 |

|  |  |  |
| --- | --- | --- |
| During this period, was the aggregate of payments to and from the scheme greater than £100,000? |  | Yes |

|  |  |  |
| --- | --- | --- |
| At the end of this period, did the scheme have assets with a total value before pension liabilities greater than £400,000? |  | No |
| Total value of assets before pension liabilities at the end of the period |  | £287933 |

**Receipts and Payments**

|  |  |  |
| --- | --- | --- |
| Total amount of the pension contributions received |  | £3000 |
| Total amount of transfer-in payments |  | £103978 |
| Total amount of transfer-out payments |  | £0 |
| Total amount paid out in lump sums and lump sum death benefits |  | £0 |
| Total amount paid out to purchase lifetime annuities and scheme pensions from an insurance company |  | £0 |
| Total amount borrowed |  | £0 |

|  |  |  |
| --- | --- | --- |
| Other |  | annual fees |
| Other amount |  | £2555 |

**Connected Parties**

|  |  |  |
| --- | --- | --- |
| At any time during the period from 06/04/2016 to 05/04/2017 did the scheme either directly or indirectly own assets that it had acquired from either:a. a sponsoring employer or any person connected with that employer?*or*b. a person who was a director of or a person connected to a director of a close company that was also a sponsoring employer?*or*c. a person who was either a sole owner or partner or a person connected with the sole owner or partner of a business which was a sponsoring employer?*or*d. a member or person connected with a member? |  | No |

**Cash and Bank Information**

|  |  |  |
| --- | --- | --- |
| Total amount of all cash and bank balances at the beginning of the period |  | £9064 |
| Total amount of all cash and bank balances at the end of the period |  | £3493 |
| Total amount of interest credited to these accounts |  | £10 |

**Arms Length Transactions**

|  |  |  |
| --- | --- | --- |
| Total cost or market value of any assets owned at the end of the periodSpecify whether this amount is |  | £284440Cost |

|  |  |  |
| --- | --- | --- |
| Nature of asset(s) acquired |  | Unquoted sharesLoans |
| Total cost of any assets acquired |  | £110000 |

|  |  |  |
| --- | --- | --- |
| Total amount of income from assets received |  | £0 |

**Declaration**

|  |  |  |
| --- | --- | --- |
| I, Registered Scheme Administrator Limited declare that |  |  |
| To the best of my knowledge and belief, the information given in this return is correct and complete |  | Yes |
| I understand that, if I make a false statement on this return I may be liable to a penalty, and that false statements may also lead to prosecution |  | Yes |

|  |  |  |
| --- | --- | --- |
| Scheme Administrator ID |  | A0145081 |

|  |  |  |
| --- | --- | --- |
| Scheme Administrator |  | Registered Scheme Administrator Limited |

## Connected Party

Connected party covers both the Company sponsoring the scheme and the scheme members. If you are unsure of the connected status of the scheme’s holdings please let us know and we will ensure that you are covered.

During the period of the last return there were no connected party assets.

## Arms Length Transactions

Arms length transactions is any person, body or firm that falls outside of the connected part definition given above. It is possible to change from connected party to arms length and vice versa. If you are unsure of the arms length status of the scheme’s holdings please let us know.

The following arms length holding was recorded:

Unquoted Shares in Centennial Energy (US Ltd Company) now transferred to a shareholding in Biotech Energy INC as they took over Centennial.

Loan agreement with INB (Dutch Biomass Company).

Shares in CHP Ventures Ltd transferred to Biotech Energy Systems.

Loan agreement with Biotech Energy INC (US Company).

Shares in CHP Ventures Ltd transferred to Biotech Energy Systems.

# Scheme Review

05/06/2015 £61,500

Shares purchased in Centennial Energy (US Ltd Company) now transferred to a shareholding in Biotech Energy INC as they took over Centennial - investment allocated to Darren Powell's portion fund split.

Valuation as at 05/04/2017 - £66,400.

16/03/2016 £40,000

Loan agreement with INB (Dutch Biomass Company) - investment allocated to Darren McKeever's portion of fund split.

Valuation as at 05/04/2017 - £54,400.

16/03/2016 £50,000

Shares in CHP Ventures Ltd transferred to Biotech Energy Systems - investment allocated to Darren McKeever's portion of fund split.

Valuation as at 05/04/2017 - £50,000.

28/04/2016 £7,000

Loan agreement with Biotech Energy INC (US Company) - investment allocated to Darren McKeever's portion of fund split.

Valuation as at 05/04/2017 - £7,840.

24/08/2016 £35,000

Loan agreement with Biotech Energy INC (US Company) - investment allocated to Eamonn Corrigan's portion of fund split.

Valuation as at 05/04/2017 - £37,800.

09/03/2017 £68,000

Shares in CHP Ventures Ltd transferred to Biotech Energy Systems - investment allocated to Eamonn Corrigan's portion of fund split.

Valuation as at 05/04/2017 - £68,000.

The above information was provided to us by Darren McKeever. No supporting documentation for the investments have been provided to Pension Practitioner.

# Benefit Statements

**Benefit Statement for Darren John Powell**

Estimated Retirement Fund at age 65: £80,800

|  |  |
| --- | --- |
| Tax Free Cash Sum: | £20,200 |
| Pension Income:Estimated Retirement Date: 65 | £2,670 |

We have made the following assumptions:

1. Investment growth is a net rate of 5%
2. Inflation is 2.5% p.a.
3. Pension will not increase in retirement
4. All figures take account of inflation at an assumed rate of 2.5% p.a.
5. The estimated annual retirement income is based on current annuity rates.
6. No provision has been made for additional contributions.

The figures are a guide and not guaranteed. Your final pension fund and the income available will depend on factors including the growth your fund achieves, contributions you make in future, charges, inflation, your retirement age, annuity rates at the time and the annuity or drawdown options you choose.

**Benefit Statement for Darren McKeever**

Estimated Retirement Fund at age 65: £204,000

|  |  |
| --- | --- |
| Tax Free Cash Sum: | £51,000 |
| Pension Income: | £6,770 |
| Estimated Retirement Date: 65 |  |

We have made the following assumptions:

1. Investment growth is a net rate of 5%
2. Inflation is 2.5% p.a.
3. Pension will not increase in retirement
4. All figures take account of inflation at an assumed rate of 2.5% p.a.
5. The estimated annual retirement income is based on current annuity rates.
6. Provisions have been made for additional contributions at the current rate of £250 per month until retirement age of 65.

The figures are a guide and not guaranteed. Your final pension fund and the income available will depend on factors including the growth your fund achieves, contributions you make in future, charges, inflation, your retirement age, annuity rates at the time and the annuity or drawdown options you choose.

**Benefit Statement for Eamonn Patrick Corrigan**

Estimated Retirement Fund at age 65: £114,000

|  |  |
| --- | --- |
| Tax Free Cash Sum: | £28,400 |
| Pension Income:Estimated Retirement Date: 65 | £3,920 |

We have made the following assumptions:

1. Investment growth is a net rate of 5%
2. Inflation is 2.5% p.a.
3. Pension will not increase in retirement
4. All figures take account of inflation at an assumed rate of 2.5% p.a.
5. The estimated annual retirement income is based on current annuity rates.
6. No provision has been made for additional contributions.

The figures are a guide and not guaranteed. Your final pension fund and the income available will depend on factors including the growth your fund achieves, contributions you make in future, charges, inflation, your retirement age, annuity rates at the time and the annuity or drawdown options you choose.

# Inflation and Interest Rate Outlook

The MPC of the Bank of England is short for the Monetary Policy Committee and set a target for the annual inflation rate of the Consumer Prices Index of 2%. This has been in place for some time. Subject to that, the MPC is also required to support the Government’s economic policy, including its objectives for growth and employment

The MPC’s central projection in the November Report was for four-quarter GDP growth to pick up from early 2018 and settle around 1¾%.

Consumption growth was projected to remain subdued, while strong global growth, together with the lower level of sterling, was expected to support net trade and business investment. Inflation was projected to rise a little further above the 2% target in the near term before falling back over 2018.

Conditional on the path for Bank Rate implied by market interest rates prevailing at the time, inflation was projected to end the forecast period slightly above the 2% target. That central projection was also conditioned on the Term Funding Scheme, and on the stocks of purchased gilts and corporate bonds remaining at £435 billion and £10 billion respectively.

At its meeting ending on 13 December 2017, the MPC noted that the recent news in the macroeconomic data had been mixed and relatively limited. Global growth had remained strong, while some indicators of domestic activity in Q4 had softened a little.

The impact of November’s rise in Bank Rate on the interest rates faced by households and firms had been consistent with previous experience, but it was too early to form a comprehensive view of its effect on the economy.

CPI inflation had risen to 3.1% in November, slightly higher than the MPC had anticipated at the time of the November Report. The MPC continued to judge that inflation was likely to be close to its peak, and would decline towards the 2% target in the medium term.

The MPC was of the view that, were the economy to follow the path expected in the November Report, further modest increases in Bank Rate would be warranted over the next few years, in order to return inflation sustainably to the target.

Any future increases in Bank Rate were expected to be at a gradual pace and to a limited extent. We expect a further increase of 0.25% of interest rates in 2018.

# General Data Protection Regulation

The **General Data Protection Regulation** (**GDPR**) is a regulation intended to strengthen and unify data protection for all individuals within the European Union.

It will be effective on 25 May 2018 and replaces the data protection act. It is the biggest shake up in generations to data use, privacy and business impact. It covers anyone who is engaged in data use and storage.

Small self administered schemes have a unique relationship in that the employer sponsoring the scheme, the members and trustees are generally connected. Your scheme will be affected by GDPR. To assist, you will shortly receive a resolution from us to be appointed to handle much of the new requirements of GDPR in respect of your scheme.

**If the sponsoring employer is a trading company and holds personal data it will be affected by the regulations** and as such, our GDRP service on the Scheme may, by extension, help your business comply.

*‘Personal Data’ means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. It is all encompassing.*

Our newsletter, which is enclosed fully explains how GDPR affects your business. The new GDPR rules come into effect from May this year and like auto-enrolment, non-compliance is not an option and the fines are even higher than those imposed by the Pensions Regulator.

We have recently added new qualified GDPR Practitioners and this is being headed by Merle Oper. You can email Merle at merle@pensionpractitioner.com for more information or assistance.

# New Independent Trustee Service

Historically, small self administered schemes had a legal requirement for an independent trustee that acted as an oversight on behalf of HM Revenue and Customs to ensure that there was no improper termination of the trust.

Since 2006, this was no longer a legal requirement but recent changes to the rules surrounding pensions maybe useful for your scheme.

We can offer an independent trustee service via our trustee company and have structured this to give clients full flexibility on the remit needed. It is designed around protection to ensure that in the event of the demise or serious ill-health the distribution of benefits are in accordance with your wishes, impartially and with understanding of the rules that underpin pension schemes.

## Controlling Investments

Our independent trustee company signs a delegation letter, whereby the power of investing and decision making remains in the hands of the clients as trustees of their own funds.

This way, we are not party to investment decisions made by clients. However, if you require our independent trustee to be party to investment decision making, this can be facilitated on a case by case basis.

## Dealing with disputes

Members of small self administered schemes are usually related through bloodline or business association. Disputes do arise where one person wants to go their separate way or there is a disagreement over investment choice.

The independent trustee can through our appointment have the final say as arbitrator. This is because our trustee company is independent of all the members, has no beneficial interest in the scheme and are required under appointment to act independently, fairly and judiciously.

## Ill-health benefits

This is perhaps where most of the need arises. Small self administered schemes have benefited significantly from the increased flexibility of distribution of funds either on death or serious ill-health.

The risk of developing cancer for all invasive cancer sites is one in two for males and one in three for females in the western world. This is a lifechanging condition and depending on the condition and type, your SSAS can be distributed to meet medical and income replacement requirements.

The emotional strain on families and the affected person is significant – having an independent trustee to take on the responsibility of benefit distribution ensures that this is undertaken with integrity and consideration.

## Death benefits

In the absence of a surviving trustee, your beneficiaries are required to go to court for a trustee to be appointed which can be a very expensive and time- consuming process.

Children can be admitted to the pension scheme to benefit funds to be distributed at key anniversary dates. You can also arrange for your family to inherit the fund allowing the scheme to become a family trust.

An independent trustee can ensure that both the need for a court appointed trustee is avoided and your instructions are passed down and enacted by the independent trustee to avoid any family dispute that can often arise with family members as appointed trustees.

For more information on this please contact your dedicated scheme administrator, Emily McAlister who will arrange a consultation via email on esther@pensionpractitoner.com

# Proposed Action Plan

I propose the following action plan in 2018.

1. In respect of the investments in unquoted shares and loans, we would be obliged if you could provide us with a copy of the agreements for our records.
2. Update scheme records in respect of the investments and review whether there are any connected party issues.
3. Update the nomination of beneficiaries for the scheme reflecting the changes to the tax rules concerning death benefits and ensure conformity of the wills for all members.
4. The Trustees need to consider whether a third party independent trustee should be appointed to the scheme.
5. Implement a GDPR process for the scheme for conformity with the new data act regulations effective from 23 May.