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Pension Schemes Services

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Notification of registration for tax relief and exemptions

We have registered Elljess Investments Ltd Executive Pension Scheme on 24 June 2015. Tax relief and exemptions are due from this date.

☐ This notification tells you that HM Revenue and Customs (HMRC) acknowledge your declaration of liability and registration of the above pension scheme for tax purposes only. It has no legal significance beyond advising you of that.

Your Pension Scheme Tax Reference (PSTR) is 00822333RA. You should use this when you want to view the scheme details online and in all future communications with us.

Your pension scheme

On your application for registration you have indicated that the scheme is an occupational and investment-regulated pension scheme. If the scheme ceases to be investment-regulated and/or changes its pension scheme structure, then you must tell us about the change on an event report. If there are any other changes, to any factor regarding a declaration or confirmation you gave when applying to register the scheme, please tell us as soon as possible.

An occupational pension scheme is defined in Section 150(5) of the Finance Act 2004 as "a pension scheme established by an employer or employers and having or capable of having effect so as to provide benefits to or in respect of any or all of the employees of:

- that employer or those employers
- any other employer

whether or not it also has or is capable of having effect so as to provide benefits to or in respect of other persons".

☐ As you have indicated that this is an occupational pension scheme, we expect a genuine employer to have established the scheme. If this is not the case, we may deregister the scheme.

Your responsibilities as the scheme administrator

As part of the registration process you declared that as the scheme administrator you are a fit and proper person to carry out the role and you will comply with Section 270(3) of the Finance Act 2004. This means that you:

- understand that you will be responsible for carrying out the functions conferred or imposed on the scheme administrator by and under this section
- intend to carry out those functions at all times, whether resident in the UK or another state which is a European Union member state or a non-member European Economic Area state

If you do not comply with Section 270(3), or it appears to HMRC that you are not a fit and proper person, we may deregister the pension scheme.

Authorised transfers

When you applied for registration you confirmed that:

- the pension scheme rules do not directly or indirectly entitle any person to unauthorised payments
- the pension scheme will not be administered in a way that knowingly entitles any person to unauthorised payments

You must make sure that any transfer of sums and assets out of the pension scheme is a recognised transfer in accordance with Section 169 of the Finance Act 2004. Any transfer that is not a recognised transfer would be deemed to be an unauthorised member payment.

An unauthorised member payment would be a scheme chargeable payment. As scheme administrator of the pension scheme you would be liable to a charge to Income Tax of up to 40% of the unauthorised payment, known as the scheme sanction charge.

You can get detailed guidance on pension liberation, which you may find useful in deciding if you should action a transfer request, from The Pensions Regulator. Go to **www.thepensionsregulator.gov.uk**

Deregistration

We may carry out checks to make sure that the pension scheme continues to meet the criteria to be a registered pension scheme for tax relief and exemptions.

If we identify that any of the criteria in Section 158 of the Finance Act 2004 apply then we may deregister the pension scheme. If that should happen, you will be liable to a deregistration tax charge of 40% of the total of:

- the amount of any sums held for the purposes of the pension scheme immediately before it ceased to be a registered pension scheme
- the market value at that time of any assets held for the purposes of the pension scheme

You can get more information about recognised transfers, unauthorised payments and deregistration in the Registered Pension Schemes Manual (RPSM). Go to **www.gov.uk** and search for 'Registered Pension Schemes Manual'.