

# Key Features of the Momentum Property SIPP

## keyfacts

<sup>®</sup> The Financial Conduct Authority is the independent financial services regulator. It requires us, Momentum Pensions Limited, to give you this important information to help you to decide whether our Momentum Advanced SIPP is right for you. You should read this document carefully so that you understand what you are buying, and then keep it safe for future reference.

## IMPORTANT INFORMATION

The Momentum Property SIPP (the 'Scheme') is a personal pension scheme that gives you the ability to invest your pension fund in a wide range of different types of assets.

The Scheme is established on irrevocable trust by a Trust Deed and Rules and you join by completing an Application Form.

"Financial Adviser" means an entity appointed by you to provide financial advice including advice regarding your pension benefits and investment advice in relation to your assets held within the Momentum Property SIPP.

"Investment Manager" means an entity authorised by Momentum Pensions Limited at your request to carry out the services of managing the investments held in the SIPP on your behalf.

With the Momentum Property SIPP you have the flexibility to pay contributions at whatever level you wish, within the HMRC limits for tax relief. There is no contractual minimum contribution.

You can appoint an investment manager of your choice or you can choose to manage the investments yourself. Your scheme can be invested in commercial property, with the assistance of a mortgage if required, which can then be linked to an unconditional third party or back to your own business at a commercial rate.

The SIPP is designed to take full advantage of the pension flexibility rules introduced in April 2015 which allows individuals to access their pension savings.

Momentum Pensions Limited is the Provider and Scheme Administrator and Momentum Pension Trustees Limited is the Scheme Trustee of the Momentum Property SIPP.

This document summarises the key features of the SIPP. It should be read in conjunction with your illustration, Fee Schedule, Application Form and the Terms of Business. Please contact your adviser for further information.

You can contact us at the following address:

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## THE MOMENTUM PROPERTY SIPP

### Its aims

- To help save for your retirement in a tax-efficient manner.
- To enable you to transfer benefits in other registered pension schemes to your SIPP.
- To enable you to make your own investment decisions in conjunction with your Investment Manager or Financial Adviser, and utilise a wide range of different types of investments.
- To give you choice over how and when you take your benefits
- To allow you to take a regular income from your fund while still remaining invested.
- To provide you with a pension and a tax-free lump sum.
- To provide benefits for your dependents on your death

### Your commitment

- To make payments to your SIPP within the limits set by HMRC.
- To determine the most suitable investment strategy for you.
- To regularly review your SIPP to check it is meeting your needs now and for the future.
- You must normally wait until you reach age 55 before taking any benefits
- To comply with our Terms of Business and to pay the SIPP charges set out in our Fee Schedule.
- To notify us immediately of any changes to your personal circumstances that might affect your SIPP, including your eligibility for tax relief on your contributions or to receive benefits

### Risks

This section is designed to tell you about some of the product risks that you may wish to consider:

#### Transfers in

- By transferring other pension benefits into your SIPP, you may be giving up the right to guarantees in the form of benefits, the amount you will receive and also the level of increases that will be applied to your pension in the future.
- You may be giving up the right to receive a terminal bonus on with-profits pension plans
- A penalty may be applied to your existing plan if it is transferred.
- You should seek professional advice from your adviser if you are considering transferring existing pension benefits into your SIPP.
- You may receive a lower value of benefits compared to the amount transferred in.

#### Investments

- The value of investments can fall as well as rise and is not guaranteed. Past performance must not be seen as an indication of future performance.
- Your SIPP will be able to invest in a range of investments, each of which carries a different level of risk.
- Your adviser will provide you with additional information regarding investment risk.
- Further information can be found in the key features document for an investment.
- If you have a smaller fund or deal excessively, the value of your SIPP may be eroded and the costs may be disproportionate to the value of your SIPP.
- Multiple investments and frequent dealing in small amounts may also result in excessive costs.
- Some investments (such as property) may take longer to sell. You will need to take this into account when you are reviewing your investments or planning to take your benefits

## **Income withdrawal**

- Taking flexible amounts of cash or income withdrawals may erode the capital value of your fund, especially if investment returns are poor and a high level of income is taken. This could result in a lower income than anticipated in the future.
- If you regularly take large cash or income withdrawals these may not be sustainable. The higher the pension you choose to receive, the higher the probability that your pension may have to reduce in the future.
- There is no guarantee that annuity rates will improve in the future. If you choose to purchase an annuity, the level of pension you receive when you purchase the annuity may be lower or higher than the pension previously being paid under income withdrawal and/or the annuity you could have initially purchased.
- Under flexi-access drawdown you will not receive the benefit of the cross subsidy from the funds of annuitants who have died had you been under an annuity.

## **Borrowings**

- A SIPP may make loans to unconnected third parties, but not to members, provided they are on a prudent, secure and commercial basis.
- A SIPP will be able to borrow for any legitimate purpose intended to further the aims of the SIPP, and such borrowing will be limited to 50% of the SIPP's net assets (less any existing borrowing) at that time.

## **General**

- The tax benefits and governing law for SIPPs may change in the future.
- Your benefits are dependent upon a number of factors. Although not a complete list, these factors include future contribution levels, the age at which you commence benefits and external influences such as investment returns, inflation, interest rates, annuity rates and charges.
- The investment returns on your fund may be lower and the charges may be higher than those shown in any illustrations you may receive from us, or from your adviser.
- The value of the benefits you receive may be less than the amounts you pay into the SIPP.

## Questions and Answers

### What is a SIPP?

It is a personal pension that allows you to invest in a wide range of investments.

### Can I have a SIPP?

You can normally have a Momentum Property SIPP regardless of your employment status if you are a resident of the UK. If you are living overseas you can set up a Momentum Property SIPP for the purposes of transferring benefits from a UK-registered pension scheme.

### What are Stakeholder pensions?

The Momentum Property SIPP is not a stakeholder pension, nor an automatic enrollment scheme.

Stakeholder pensions are relatively simple pension plans for which the Government has set minimum standards to be met by providers covering areas such as charges, minimum payment levels and terms and conditions.

Stakeholder pensions or automatic enrollment schemes are generally available and may meet your needs at least as well as a SIPP. If you are in any doubt about the suitability of a SIPP you should contact your adviser.

### What are the SIPP Charges?

The SIPP charges are set out in the Fee Schedule that will be sent to you with our Terms of Business. Your adviser can provide you with an estimate of fees.

## Contributions

### Who can pay contributions into the Momentum Property SIPP?

If you are a UK taxpayer you can pay personal contributions into your SIPP. In addition, contributions can be paid by another person on your behalf (e.g. by your spouse, parent or grandparent).

All contributions paid by you, or on your behalf (except those paid by an employer) are payable net of basic rate income tax (20% for 2017/18). We will reclaim the basic rate income tax from HMRC. As an example, if you pay a net contribution of £800 then we will reclaim £200 from HMRC and credit it to your SIPP current account.

If the contributions or the tax relief amounts are below the threshold for the minimum investment in your chosen investment vehicle then they may be retained in a non-interest bearing bank account and used to pay Administration Fees or held until there is sufficient funds available to meet the threshold for minimum contributions.

If you are employed, your employer can also pay contributions into your SIPP. All employer contributions are payable gross.

Once your SIPP is established you can arrange to pay future single contributions and/or to increase/decrease your regular contributions at any time. There is no penalty for altering contribution levels.

Once you have reached age 75 we will no longer accept any contributions paid by you. If you are still employed we can accept contributions paid by your employer.

## **What is the Annual Allowance for contributions?**

The Annual Allowance is the total amount of pension contributions that can be made to one or more of your registered pension schemes in a tax year that will qualify for tax relief. The Annual Allowance is £40,000 for the current tax year.

From 6 April 2016, if you have income (including pension contributions) in excess of £150,000, a Tapered Annual Allowance will apply and the above Annual Allowance will be reduced by £1 for every £2 income you have in excess of the £150,000, subject to a maximum reduction of £30,000 in the current tax year.

More specifically, a Pension Input Period is determined over a period of no more than 12 months during which the Pension Input Amount is measured. The Pension Input Amount is the total of contributions to registered pension schemes paid by you, or on your behalf (including any paid by an employer); and the increase in the value of your benefits under any defined benefit schemes. A factor of £16 per £1 p.a. of pension is currently used to value the increase in pension benefits under a defined benefits scheme. If for any Pension Input Period ending in a tax year the Pension Input Amount exceeds the Annual Allowance, you will have to pay a tax charge on the excess. The tax charge will be based on the marginal rate of tax relief received on the contribution.

For the purposes of your SIPP, the Pension Input Period will always coincide with the tax year i.e. end on 5 April.

If you access your benefits flexibly then you will trigger a lower Money Purchase Annual Allowance (MPAA). This lower MPAA is set at £4,000 for the current tax year.

Provided you have not triggered the MPAA, you may also 'carry forward' unused Annual Allowance from the previous three tax years, provided you were a member of a UK Registered Scheme in the respective carry forward tax year. Carry forward is subject to a maximum of £40,000 for tax years 2017/2018, 2016/2017 and 2015/2016 and the amount you can carry forward is reduced by your Annual Allowance usage during these tax years. In order to carry forward you must use up the current years' Annual Allowance.

If you think that you may be affected by the Annual Allowance you should consult your financial adviser.

## **What if I am entitled to enhanced protection or fixed protection?**

It is very important to note that if you have registered with HMRC for enhanced protection (for pension rights built up before 6 April 2006), fixed protection before 6 April 2012 or fixed protection 2014 to reduce or eliminate liability to the lifetime allowance charge, the payment of any contribution to your SIPP will lead to the loss of this protection.

## **What if I access my benefits flexibly and pay a contribution?**

If you have applied to access your benefits flexibly, for example through flexi-access drawdown or Uncrystallised Funds Pension Lump Sum (UFPLS); you will trigger a lower Money Purchase Annual Allowance. The MPAA for current tax year is £4,000 for money purchase pension savings.

## **Do I get tax relief on my contributions?**

For each tax year, you will get tax relief on contributions paid by you, or on your behalf, of up to the higher of £3,600 (the basic amount) and 100% of your relevant UK earnings.

If you do not have any relevant UK earnings you can still pay a contribution of up to £3,600 a year and receive basic rate tax relief (your contribution will be payable net of basic rate income tax).

You will receive tax relief at your highest rate of income tax on all member contributions paid into your SIPP either by you or on your behalf subject to your available annual allowance in that period. See [previous page](#) for more details on the Annual Allowance.

We will reclaim the basic rate tax for you from HMRC and credit it to your SIPP. You can claim any higher rate relief via your self-assessment tax return.

If someone is paying contributions to your SIPP on your behalf, then we will still reclaim the basic rate tax from HMRC and credit it to your SIPP. You will not be eligible to claim higher rate tax relief on these contributions.

Tax relief will normally be credited to your SIPP after 6 to 8 weeks depending on when the contribution was made.

We will only accept contributions up to your available Annual Allowance (including where relevant any carry forward entitlement).

Any contributions from your employer do not count against the limit for tax relief related to above. Your employer will normally receive tax relief on the contributions paid on your behalf, and you will not normally be taxed on these contributions.

If you are no longer entitled to tax relief on contributions, you must tell us immediately.

## **Are there any minimum contribution levels?**

No, there is no minimum contractual contribution but there may be a minimum monetary amount that we can invest at any one time, determined by an Investment Provider.

If a transfer payment is to be paid into your SIPP there is no requirement to pay contributions.

## **How can contributions be paid?**

Single contributions can be paid by cheque or electronic transfer. Regular contributions must be made by Standing Order.

If you wish to pay contributions by electronic transfer, please contact your adviser who will notify you of our requirements.

## **What happens if I change jobs or become unemployed?**

You will be able to continue paying contributions, subject only to the limits on the amount of contributions that will receive tax relief as outlined above.

## Transfers

### **Can I transfer my existing pension benefits into the Momentum Property SIPP?**

Yes. You can transfer benefits from any UK registered pension scheme or a Recognised Overseas Pension Scheme (ROPS) into your SIPP.

You can transfer your existing personal pension benefits into a SIPP even if you have commenced drawdown under the transferring scheme, providing that the terms of your transferring scheme allows it.

If drawdown has commenced under the transferring scheme, the value of those benefits will be held separately from the other benefits under your SIPP, and must be paid on the same basis as they were under the transferring scheme.

### **Can I transfer investments held in another SIPP into my Momentum Property SIPP?**

Yes, although any investments transferred 'in-specie' must be an acceptable investment for your SIPP. If you wish to transfer 'in-specie' please send us details of your portfolio of investments under the transferring scheme and we will advise you of our further requirements.

### **How do I transfer my existing pension benefits into my Momentum Property SIPP?**

You must complete the separate Pension Transfer section in the Application Form. If you have more than one transfer, you will need to complete this section for each transfer. If you are already a SIPP member and decide to transfer additional pension benefits or make a pension contribution(s) then you can complete an additional Pension Transfer form, which is available on request.

Please note that if you hold scheme enhanced or scheme specific lump sum protection from the Lifetime Allowance then this may be lost if you make a transfer to a SIPP.

Momentum Pensions Limited will not give advice on whether to transfer your benefits. We recommend that you seek appropriate advice from a qualified independent adviser before proceeding.

### **Can I transfer my SIPP to another pension plan?**

You can transfer part or all of your SIPP to another UK registered pension scheme, or to a Recognised Overseas Pension Scheme (ROPS) at any time.

If you have already started taking benefits from your SIPP, then the full value of these benefits must be transferred at one time. If you have uncrystallised funds under the SIPP (i.e. no benefits have commenced) you can choose to transfer all, or only a part, of those funds to another pension scheme.

The transfer can either be in the form of a cash payment (in which case you will have to sell all of the investments held under your SIPP before the transfer is completed) or by an in-specie transfer of the SIPP assets to the receiving scheme.

If the transfer is to a ROPS, a check against your Lifetime Allowance must be carried out before the transfer payment is made. It is possible that a Lifetime Allowance charge may apply.

The Lifetime Allowance is a maximum permitted tax exempt amount to which each pension scheme member is entitled. See below for more details of the Lifetime Allowance.

The transfer will always be made direct to the trustees or administrator of the receiving scheme.

If the transfer is to a ROPS you may be liable to a 25% Overseas Transfer Charge (OTC) on the transfer value, unless one of the following conditions are met:

- You are resident in the same country / territory in which the receiving ROPS is established.
- You are tax resident in the EEA and the ROPS is established in the EEA. \*
- The ROPS is set up by an international organisation of which you are an employee.
- The ROPS is an overseas public service pension scheme and you are an employee of a public service employer.
- The ROPS is an occupational pension scheme and you are an employee of a sponsoring employer under the Scheme.

Unless otherwise agreed with you, in the event the OTC is payable, the OTC will be deducted from your SIPP prior to the transfer being paid, and any Lifetime Allowance calculations being made. Momentum Pensions Limited will pay the OTC to HM Revenue and Customs.

\* EEA includes Gibraltar, Liechtenstein, Norway and Iceland in this context.

Where the OTC was not payable when you transfer, but within five consecutive complete tax years after that date you become resident in another country and no longer meet the first or second condition above, or subsequently transfer to another ROPS and none of the above conditions above are met, you will be liable for the OTC on any ring fenced transfer funds held in the ROPS at that point.

The transfer will always be made direct to the Trustees or Administrator of the Receiving Scheme.

## Investments

### What can I invest in?

Your SIPP can be invested in any of the following:

- Cash funds
- Exchange traded commodities
- Exchange traded funds where authorised or recognised by FCA
- Government & local authority bonds and other fixed interest stocks
- Investment notes (structured products) provided there is a clear secondary market
- Shares in investment trusts
- Managed pension funds
- Permanent interest bearing shares (PIBs)
- Physical gold bullion (held by a recognised repository)
- Real estate investment trusts (REITs)
- Securities admitted to trading on a Regulated Venue\*:
  - Securities include: shares, corporate bonds, debenture stock and other loan stock, warrants (for equities) and convertible securities or other securities as defined by the FCA.
- Units in regulated collective investment schemes:
  - These are defined as Collective Investment Schemes (CIS) authorised in the UK, or alternatively where constituted outside the UK are recognised by the FCA, as shown on the FCA Collective Investment Scheme Register.

\*Regulated Venues refers to stock exchanges, multilateral trading facilities (MTF) and other trading venues authorised by a financial regulator or a governmental agency either in the EEA or in a third country and are recognised by HMRC.

The SIPP can enter into investment transactions with you or persons connected to you, provided such transactions are carried out on a fully commercial, arms length basis. This means that your SIPP could buy, sell or lease a property from you, a family member, or your business provided the transaction takes place at market value.

The SIPP gives you the freedom to appoint an authorised investment adviser or manager, or alternatively to manage the investments yourself. If your SIPP is to hold quoted investments such as equities then they must be registered in the name of an authorised nominee company. This service is normally available from stockbrokers.

We can accept no responsibility for the performance of any investment or liabilities associated with any investment.

### **Can I buy property in my SIPP?**

One very attractive and popular feature of a SIPP is that it can invest in UK commercial property (direct investment in residential property is not allowed).

All property transactions must take place on an arms length basis. If the property is being purchased, sold or let to you or a connected party, the value of the property or the rental value must be confirmed by a qualified chartered surveyor. Connected for this purpose is defined in section 839 of the Income Tax Act 2007. The definition is quite complicated, although it does include yourself, close members of your family, and any business with which you are associated.

The trustees can borrow funds from a commercial lender to assist with the purchase of a property, or for another purpose. HMRC restricts the amount that the trustees may borrow up to 50% of the net asset value of the SIPP immediately prior to the borrowing taking place. This limit includes existing borrowing and any amount borrowed to finance VAT on the property purchase. The trustees can borrow from any commercial lender, subject to their agreement to the SIPP's terms. If a number of individuals wish to collectively purchase a property then this can be achieved by their individual SIPPs joining together to purchase the property. Your adviser will be able to let you know what our requirements are in order to do this.

### **Are there restrictions on what I can invest in?**

- Certain categories of investment are not permitted for your SIPP and these include:
- Residential property and associated land;
- Ground rents;
- Tangible, moveable property (i.e. things that you can touch and move, including assets such as art, antiques, jewellery, fine wine, classic cars); an
- Personal loans.

We reserve the right to sell any investment held by your fund at our sole discretion if we believe that the continued holding of it jeopardises the registered position of your fund. If you wish us to consider any particular asset which is not referred to above then please forward full details to us for clarification before making the investment.

## **Member Benefits**

### **Is there a limit on the amount of my benefits?**

There is no limit on the benefits that may be provided for you under your SIPP. However if the total value of your pension savings, under all registered pension schemes, exceeds the Lifetime Allowance, then there will be an additional tax charge (called the Lifetime Allowance charge) on the excess. The Government has set the Lifetime Allowance at £1.03m for the current tax year and becomes index-linked (i.e. rise and fall with inflation) on 6 April 2018 each year.

### **How does the Lifetime Allowance work?**

Certain events trigger a test against the Lifetime Allowance and are known as "Benefit Crystallisation Events" (BCEs). The BCEs that are relevant for the SIPP can be summarised as:

- When funds are designated to provide you with a flexi-access drawdown pension or a UFPLS;
- When you elect to receive a Pension Commencement Lump Sum (PCLS);
- When you purchase a lifetime annuity;
- When a member reaches age 75 and there are funds uncrystallised or designated to provide a drawdown pension;
- When lump sum death benefits are paid on the death of a member; and
- When a member's funds are transferred to a Recognised Overseas Pension Scheme.

Each of these events will use a portion of your Lifetime Allowance and each time you will be notified of the amount of Lifetime Allowance used by the BCE and the amount still available.

Once you have used up your Lifetime Allowance, any benefits paid above the allowance will be subject to the Lifetime Allowance charge. If excess funds are used to provide a taxable pension, the Lifetime Allowance charge is 25% of the excess above the Lifetime Allowance. Alternatively if excess funds are paid as a lump sum, called a Lifetime Allowance excess lump sum, the Lifetime Allowance charge is 55%.

We will deduct this tax charge from your fund and pay it to HMRC before paying your benefits.

### **Protection from the Lifetime Allowance**

If you have built up substantial pension savings before 6 April 2006 and have registered for enhanced and/or primary protection ('transitional protection') with HMRC then this may reduce, or eliminate any Lifetime Allowance charge that would otherwise be payable.

If you have locked your Lifetime Allowance at £1.8 million by registering for Fixed Protection 2012, or locked your Lifetime Allowance at £1.5 million by registering for Fixed Protection 2014, any further contributions to or accrual of benefits in registered pension schemes will cause the loss of the protection.

If you have applied for and been approved for individual protection 2014, your lifetime allowance will be fixed based on the value of your savings as at 5 April 2014 with a minimum of £1.25 million and a maximum of £1.5 million.

The Lifetime Allowance will be £1m from 6 April 2016. Similarly to when the Lifetime Allowance was last reduced in 2014, Fixed Protection 2016 and/or Individual Protection 2016 will apply. If you think you will be affected by the Lifetime Allowance, please contact your Financial Adviser for more information, including the application process and timelines.

### **When can I take my benefits?**

You can commence benefits, irrespective of whether or not you continue to work, at any time from age 55. It may be possible to commence benefits earlier if you are in serious ill health.

If, as part of a block transfer, you transfer pension rights to your SIPP from another registered pension scheme, under which you are entitled to commence benefits earlier than age 55 (i.e. because you are in a specialised occupation for which a lower minimum pension age had previously been agreed by HMRC), you may be able to take benefits from that earlier age.

### **How do I commence benefits?**

You will need to contact your adviser who will discuss your options with you and provide you with the required forms to be completed. These will ask for details of your available Lifetime Allowance and any protection you have in place for your benefits.

You may choose to take benefits from all, or only part, of the uncrystallised (unvested) funds under your SIPP. This will allow you to phase your benefits to suit your personal circumstances.

You can first choose how much of your benefits that you wish to crystallise and then how you would like the benefits to be provided – as drawdown pension income or as a lump sum, or a combination of both.

### **What type of pension income can I have?**

Your SIPP can provide you with income in one (or a combination) of three ways:

- A drawdown pension;
- A UFPLS; or
- Purchase of a lifetime annuity.

When you designate funds to provide income you are normally permitted to take part of the funds as a PCLS payable at the time you make the designation.

When you take benefits this will trigger a test against the Lifetime Allowance.

### **Drawdown Pension**

You may designate uncrystallised funds into a flexi-access drawdown fund from which you can draw down any amount over whatever period you choose.

The first time that you designate uncrystallised funds into a flexi-access drawdown fund, then this will immediately trigger the MPAA rules described above.

Where, before 6 April 2015, you had designated funds into one or more drawdown pension funds from which you were taking capped drawdown pension, you may either:

- Request for your fund to be converted into a flexi-access drawdown fund; or
- Continue to take a capped drawdown pension from the arrangement.

When you designate uncrystallised funds as available for flexi-access drawdown, you may choose to receive a PCLS of an amount equal to 25% of the amount crystallised. This is currently paid tax-free. So if you are crystallising a pension pot of £40,000, you could choose to take up to £10,000 as PCLS and the remaining £30,000 is available for drawdown.

Your pension fund remains invested and you draw an income from the fund. There is no minimum or maximum level of income, so you can elect to receive no annual pension if you wish or to draw it all in a single payment. You can choose to take a regular income and/or one-off pension payments to suit your individual circumstances.

When you designate funds as being available for the payment of drawdown pension in a flexi-access drawdown fund then, where you are aged under age 75, the designation is a BCE and the amount designated is tested against your available Lifetime Allowance. If you also take a tax-free PCLS, this is also a BCE.

Flexi-access drawdown pension is a form of pension for tax purposes and so is chargeable to income tax as pension income. When you receive a flexi-access drawdown pension you will be liable for income tax at your marginal rate in a tax year on whatever income you take from your flexi-access drawdown fund during that year. We are required to deduct income tax from the flexi-access drawdown pension under the PAYE regulations.

If you are in drawdown you can decide to receive benefits by using the funds designated to flexi-access drawdown to purchase a short term annuity with a suitable insurance company. These annuities are paid at least annually and for no more than 5 years. We recommend you seek advice from your Financial Adviser before making this decision.

It is important to note that any pension funds transferred in from other registered pension schemes will be kept separate from any other funds held for you under the SIPP and will be subject to their own limits and review periods.

### **Uncrystallised Funds Pension Lump Sum**

You may choose to take all or part of your uncrystallised funds immediately in a lump sum as an uncrystallised funds pension lump sum (UFPLS) provided that you have available Lifetime Allowance.

25% of this lump sum is currently paid tax-free. The remaining lump sum will be taxed as income at your marginal rate of UK income tax.

The first time that you designate uncrystallised funds for a UFPLS is a BCE. It will also trigger the MPAA rules described previously.

### **Lifetime Annuity**

Purchasing a lifetime annuity involves passing the value of your SIPP to an insurance company of your choice who in return will provide you with a regular, taxable income throughout your life.

The annuity available will depend on the value of your fund and the annuity rates at the date of purchasing the annuity.

The annuity income may increase each year; may be guaranteed for up to ten years (i.e. paid irrespective of whether you are alive) and may continue, normally at a reduced level, to your surviving spouse, civil partner or dependant.

If an annuity is purchased you will cease to have any involvement with the investment of your pension fund. This may be a price worth paying if security of income is an important issue.

### **What about the PCLS?**

When you become entitled to pension income from your SIPP then, subject to certain conditions, you may also be provided with tax-free lump sum known as a PCLS. HMRC limits the amount of lump sum that can be treated as a pension commencement lump sum and generally this will be a maximum of 25% of the uncrystallised funds that you designate to provide your benefits.

Your PCLS can only be paid if you have available remaining Lifetime Allowance.

If you have protected lump sum rights then you may be entitled to a PCLS of more than 25%. We will ask you to supply a copy of your HMRC Certificate on the Lifetime Allowance declaration to confirm the amount available.

You may not take a pension commencement lump sum with the intention of recycling some, or all of it, either directly, or indirectly, to fund a significant increase in pension contributions. This is because under these circumstances, the lump sum will be treated as an unauthorised payment. The payment you receive would be taxed as an unauthorised payment at between 40% and 55%. Your pension fund would also be subject to a further tax charge of between 15% to 40% (depending on how much of the tax charge you had paid).

## **Do I pay tax on pension payments?**

All pensions paid to you will be subject to income tax under PAYE, including flexible drawdown. We will deduct the tax due before paying your pension and will account for it to HMRC.

If a lifetime annuity has been purchased, the annuity provider will be responsible for the payment of income tax.

## **Death benefits**

### **What benefits are paid when I die?**

#### **a) Death Benefits payable from your SIPP**

Death benefits may be paid as a lump sum or may be applied to provide pension benefits for your survivors, either under flexi access drawdown or by annuity purchase. You may nominate the individuals you wish to receive benefits. Momentum Pensions Limited, as Scheme Administrator, will decide how the death benefits will be paid and to whom and will take into consideration (but need not follow) the wishes noted in your nomination form including any preference expressed by a survivor that you nominate. You may complete a new Expression of Wishes and Nomination form at any time.

In the event of your death, the way your fund is treated will be based on your age – whether death occurred before age 75 or older, irrespective of whether benefits have been crystallised.

- If before 75, payments to your survivors will be free of tax whether taken as a lump sum or income.
- If 75 or older, payments to your survivors will be taxed at the survivor's marginal rate, whether taken as a lump sum or income.

The survivor may, in turn, nominate who they wish to receive any remaining funds to be paid to in the event of their subsequent death.

No tax deduction is applied where there are no survivors and a lump sum is paid to a registered charity.

#### **b) Lifetime Annuity**

The benefits payable, if any, will be determined by the terms of the annuity contract with the insurance company.

## Miscellaneous

### Your right to change your mind

You have a legal right to cancel your Momentum Property SIPP if you change your mind. You will have 30 days from the date you receive our letter or email confirming acceptance of your Momentum Property SIPP to cancel. If transfer(s) funds are received before this 30 day cancellation period has expired, the funds will not be invested and will be held in a non-interest bearing bank account until the 30 day period has elapsed, unless you elect to waive this right to cancel your SIPP by completing the waiver in the Application Form or waiver form subsequently sent on to you.

Cancellation rights also apply to any transfer payments received. You will have 30 days from the date that you receive our letter/email acknowledging receipt of the transfer discharge forms or transfer request where the Origo Options Transfer Service is utilised. This right cannot be waived.

You may exercise your right to cancel by contacting us at:

Momentum Pensions Limited, Stafford Court, 145 Washway Road, Sale, M33 7PE

Email: [sipp@momentumpensions.com](mailto:sipp@momentumpensions.com)

You must state whether you wish to cancel your Momentum Property SIPP or whether you only wish to cancel a specific transfer. We will acknowledge your notification and confirm what additional information, if any, is required.

Full details of your cancellation rights are set out in a separate schedule, which is available on request.

### What is the Momentum Property SIPP?

If you establish a Momentum Property SIPP you will become a member of the Momentum SIPP, a personal pension scheme registered with Her Majesty's Revenue & Customs (HMRC) under Chapter 2 Part 4 of Finance Act 2004.

The Scheme is governed by a Trust Deed and Rules and your rights and obligations under the Scheme are set out in our Application Form and our Terms of Business. This Key Features document summarises the main provisions of these documents, and of HMRC regulations that apply to your SIPP and that you need to know about. However, in the event of a discrepancy between the Key Features and the Trust Deed and Rules or the Terms of Business, the Trust Deed and Rules or Terms of Business will prevail. Copies of the current Trust Deed and Rules and of the current Terms of Business are available on request; both documents may be amended from time to time. As noted above, HMRC regulations and requirements are also subject to change from time to time.

Please read these Key Features and the Terms of Business carefully before completing the application form.

### Will Momentum Pensions Limited pay any benefits not described in this document?

These Key Features include a summary of the main forms of authorised payments that can be made by the Scheme. We will not knowingly make any payment that is not authorised by the Scheme's Trust Deed and Rules and by the Finance Act 2004.

Please note that if an investment transaction not carried out at market value is carried out between your SIPP and you, or someone connected to you, then this will also create an unauthorised payment.

Please note that if an investment transaction not carried out at market value is carried out between your SIPP and you, or someone connected to you, then this will also create an unauthorised payment.

The amount of the unauthorised payment will be the difference between the actual value and the market value.

We are required to report any unauthorised payments to HMRC. If an unauthorised payment is made, then you, or the person who receives the payment, will be subject to a tax charge.

### **Are there any compensation arrangements covering my Momentum Property SIPP?**

Yes. The Financial Services Compensation Scheme (FSCS) has been set up to deal with compensation, if an authorised financial services firm is unable to meet claims made against it.

The amount of compensation available under the FSCS depends on the type of business and the circumstances of the claim. Further information about the compensation arrangements is available from the Financial Services Compensation Scheme ([www.fscs.org.uk](http://www.fscs.org.uk))

Some types of investment that you may choose to make under your SIPP will not be covered by the FSCS.

### **What if I have any further questions?**

For further information please contact your Financial Adviser or Momentum Pensions Limited at the address shown below.

### **What if I have a complaint?**

Please write to the Complaints Manager in the first instance at:

Momentum Pensions Limited

Stafford Court, 145 Washway Road, Sale, M33 7PE **Tel:** 0161 972 2840

If you are not satisfied with our response, you may refer your complaint to the Pensions Ombudsman if your complaint concerns the administration of your SIPP.

Help is also available from The Pensions Advisory Service (TPAS), who can advise you on how to complain and may actually be able to sort the matter out without the need to engage the Ombudsman. The address for both TPAS and the Pensions Ombudsman is as follows:

The address for both TPAS and the Pensions Ombudsman is as follows:

11 Belgrave Road, London SW1V 1RB Tel: 0300 123 1047

All other complaints may be referred to:

The Financial Ombudsman Service  
Exchange Tower, London, E14 9SR Tel: 0800 023 4567

Making a complaint will not affect your right to take legal proceedings.

## **Limitation of Liability**

Any liability of the Company and/or Trustee and/or Scheme Administrator will be limited to the extent of your instructions and the services provided by us to you. Unless specifically agreed by us in writing, we will not owe a duty of care to any third party.

We shall not be liable, in any event, for any indirect or consequential economic loss or damage (including loss of profits) suffered by you or any third party arising from the provision of our services.

Our total aggregate liability to you shall in no circumstances exceed £15,000 (fifteen thousand pounds sterling) and nothing in these terms shall exclude or restrict liability for death or personal injury caused by our negligence or from fraud or fraudulent misrepresentation.

## **The Data Protection and Privacy Statement**

Personal Data refers to information that relates to you and allows Momentum to identify you, either directly or in combination with other information that we may hold.

Momentum Pensions Limited collects personal information about you at various points during your Membership to our Momentum SIPP including when becoming a Member or using our website.

Momentum collects various categories of information, including but not limited to; personal identifiers, contact, social relationships, financial data and documentary data.

Personal data is predominantly collected through the Momentum application form and any subsequent interactions. We collect your personal data primarily to administer and run your pension Scheme, which may involve seeking, receiving and processing instructions from you and/or your appointed financial advisor and to fulfil both our regulatory obligations and our obligations towards you.

Momentum have in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or destroyed. We will ensure that when your personal data is shared, this is done in a secure manner and in line with the requirements set by the applicable Regulation.

For further information regarding your rights and the way we collect and process your personal data you may view our privacy statement which can be accessed from the Momentum's website

**<https://www.momentumpensions.com/media/1408/data-protection-policy-uk.pdf>**

## **IMPORTANT**

The information contained in this Key Features document is provided based on our understanding of current law, practice and taxation, which may be subject to change.

Full details of the legally binding contract between you and Momentum Pensions Limited will be included in the Terms of Business that will be provided to you when you apply for a SIPP.

The law of England and Wales will apply in all legal disputes.

## **Contact Details**

Momentum Pensions Limited  
Stafford Court  
145 Washway Road  
Sale, M33 7PE  
United Kingdom

Tel +44 161 972 2840

[sipp@momentumpensions.com](mailto:sipp@momentumpensions.com)  
[www.momentumpensions.com](http://www.momentumpensions.com)

**Momentum Pensions Limited** is authorised and regulated by the Financial Conduct Authority. Licence Number 464521.

The Company is registered in England at Stafford Court, Washway Road, Sale, M33 7PE. Company Number 3683070.

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