

# Momentum Malta Retirement Trust

## Scheme Particulars

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Specialist

  
**Momentum**

## IMPORTANT INFORMATION

This document comprises the Scheme Particulars in relation to the Momentum Malta Retirement Trust which was established as a perpetual trust by trust deed under the terms of the Trusts and Trustees Act (Cap. 331) on the 23rd March 2011 with its registered address at Ground Floor, Crown Marina, Ta' Xbiex Seafront, Ta' Xbiex, Malta.

This Scheme Particulars document has been produced in accordance with the Retirement Pensions Act 2011 (CAP 514 Laws of Malta) as issued by the Malta Financial Services Authority (MFSA).

Momentum Pensions Malta Limited does not give legal, tax or investment advice. This document is designed for general information use only. It should not be relied upon as a substitute for professional advice.

Whilst all reasonable care has been taken to ensure that the information is accurate, Momentum does not warrant this and all liability is expressly excluded. No liability is accepted, whether in contract, tort or otherwise for any loss, damage or expense which may occur as a result of any reliance or non-reliance on the information contained within this document.

Statements in this document are based on information currently available, and the law and practice currently in force in Malta, and are subject to changes in such information, laws and practice; the receipt of this document after the date hereof, should not be relied upon as implying that such statements remain correct.

The Scheme should not be considered as the primary or only source for retirement provision and it should be considered alongside other retirement provision including mandatory/voluntary occupational schemes that may be introduced in the foreseeable future.

## PRINCIPAL PARTIES & REGISTERED OFFICES

### Trustee and Administrator

**Momentum Pensions Malta Limited** ("The Scheme Administrator")  
Ground Floor, Crown Marina, Ta' Xbiex Seafront, Ta' Xbiex, XBX 1027, Malta

### Board of Directors

**Mark John Gaywood**  
**David Borg**  
**Stewart John Davies**  
**Susan Brooks**  
**Craig Cheyne**  
**Josef Micallef**

### Auditors

**Deloitte Audit Limited**  
Deloitte Place, Mriehel Bypass, Mriehel, BKR 3000, Malta

### Legal Advisors

**GANADO Advocates**  
171, Old Bakery Street, Valletta, VLT 1455, Malta

### EMD Advocates

EMD Vaults 13-16, Valletta Waterfront, FRN 1914, Malta

## DEFINITIONS

**“Act”** means the Retirement Pensions Act 2011 (CAP. 514 Laws of Malta);

**“Administrator”** means the administrator of the Momentum Malta Retirement Trust;

**“Authorised Scheme”** means a Scheme approved by the Malta Financial Services Authority (MFSA);

**“Drawdown”**: This is a generic term describing when income is withdrawn from pension savings;

**“Flexi-Access Drawdown”** means the drawdown of your pension savings on a regular and / or ad-hoc lump sum basis, as required. You can choose to take no income or to take all or part of your savings;

**“Financial Adviser”** means an entity appointed by the Member to provide financial advice to the Member including advice regarding their pension benefits and investment advice in relation to their assets held within the Retirement Scheme held in Trust for the Member. This term can be used interchangeably with the term “Investment Adviser”;

**“Investment Adviser”** means an entity appointed by the Member to provide investment advice to the Member in relation to their assets held with the Retirement Scheme held under Trust for the Member and who meets the relevant criteria stipulated in pension rules relevant to personal retirement schemes;

**“Investment Manager”** means an entity authorised by the Scheme at the request of the Member to carry out the services of managing the investments held in Trust on behalf of the Member and who meets the relevant criteria stipulated in pension rules relevant to personal retirement schemes;

**“HMRC”** means Her Majesty’s Revenue and Customs;

**“Member”** means a person accepted by the Trustees as a Member of the Scheme;

**“Net Scheme Assets”** means the Scheme Assets less any Scheme Liabilities;

**“Overseas Transfer Charge” (OTC)**: A UK tax charge imposed on an overseas pension transfer requested on or after 9th March 2017, where the transfer is not in respect of an EEA resident Member to an EEA Scheme or otherwise excluded. For further details see the OTC section in Annex II;

**“Pension Commencement Lump Sum” (PCLS)**: In context of this Scheme means the the lump sum which can be paid when commencing benefits which is exempt from Maltese Income Tax. For further details see ‘Receiving Your Pension Benefits’ section;

**“QROPS”** means Qualifying Recognised Overseas Pension Scheme that is recognised by HMRC and able to receive transfers from a qualifying UK pension schemes;

**“Rules”** means the rules of the Scheme;

**“Scheme”** means the Momentum Malta Retirement Trust;

**“Scheme Assets”** means the Initial Fund and all further Property paid or transferred to the Trustee as additions to the Scheme Assets managed under the provisions of the Scheme, all Property accruing thereto by way of capital accretion, all Property acquired by the Trustees, all accumulations of income accruing to any such Property;

**“Scheme Year”** means the period of 12 months commencing from the date of the establishment of the Scheme and each successive period of 12 months thereafter;

**“Trustee”** means the Trustee of the Momentum Malta Retirement Trust;

**“Trust Deed”** means the Trust Deed relating to the Scheme;

## REGULATORY STATUS

The Scheme is domiciled in Malta and registered as an approved Personal Retirement Scheme under the Retirement Pensions Act 2011 (CAP 514 Laws of Malta). The Scheme, based on a Trust Deed, is provided by Momentum Pensions Malta Limited, a Retirement Benefits Scheme Trustee and Administrator, licensed by the MFSA. Momentum Pensions Malta Limited has notified HMRC that the Momentum Malta Retirement Trust meets the conditions to be a QROPS and the Scheme is publicly listed on the HMRC QROPS list.

## TRUST DEED

The Scheme is established by a Declaration of Trust. The Trust is established as a Personal Defined Contribution Scheme.

A copy of the Trust Deed is available on request from the Scheme Administrators.

## STRUCTURE AND PURPOSE

The purpose of the Scheme is to provide retirement benefits in the form of pension income or other benefits that are payable to persons who are resident both within and outside Malta. These benefits are payable after or upon retirement, permanent invalidity or death.

## ROLE OF TRUSTEE

The Trustees of the Scheme are Momentum Pensions Malta Limited, who have clear and specific obligations under the Act. In addition to the powers which the Trustees have by law, they also have powers and discretions as the legal owner of the Trust Fund, including the power to adopt and amend rules regulating the operation of the Scheme and the rights of Members to receive benefits in order to provide for proper management and administration of the Scheme and the Scheme Assets, subject to the Laws of Malta.

A separate Member Account of the Trust is established for each Member and the Trustees will appoint any Scheme Assets received from the Member and/or any transferring scheme, or held for a Member, to the Member Account.

The Trustees will keep and maintain accounts, and prepare and arrange audited annual accounts for each Scheme Year. The Trustees will also retain records for a period of 10 years after the cessation of the provision of services to the Member.

## ROLE OF ADMINISTRATOR

Momentum Pensions Malta Limited has been appointed as Administrator of the Scheme under the Retirement Pensions Act 2011 (CAP. 514 Laws of Malta), and the Administrator shall have such duties and powers in relation to the Scheme as provided for by the Laws of Malta and the Scheme Rules.

The Administrator will ensure that the Scheme Assets are invested in the best interests of the Member and are properly diversified, in line with the prevailing rules.

## FUNCTIONARIES

### **Mark John Gaywood – Director / Chairman**

Founder of Momentum Pensions and has significant commercial experience. He was previously a main Board Director of two International Banks on the Isle of Man, with wide responsibilities covering Investment, Banking and Fund Administration.

### **Stewart John Davies – Director / CEO**

A qualified Banker who led a Wealth Management operation in a Banking Institution, and its acquisition of a large Trust Company in 2002. He also led the merger of two Isle of Man based Trust Companies in 2009/2010. During his time with the merged entity he led the Network's UK Tax Group for two years, and in 2013 chaired its International Wealth and Fiduciary Services Group.

### **David Borg – Director**

Worked in a senior management capacity with some of the largest international corporations based in Malta, and has gained extensive experience through the years, particularly in the oil and gas, international tourism and real estate sectors. David is one of the founding partners of the Capstone Group, Malta. He is a Chartered Accountant and Member of the Association of Chartered Certified Accountants (UK), the Malta Institute of Taxation and the Malta Institute of Accountants.

### **Josef Micallef – Director and Group Head of Finance**

Josef worked as a Senior Accountant with one of the leading Corporate Services Providers in the Isle of Man, and on his return to Malta took over the role of an Assistant Finance Manager with an EU licensed and regulated Financial Institution. Josef's experience has helped him garner instrumental knowledge in the Financial Services Industry, which he brought with him upon joining Momentum. He is a Fellow of the Association of Chartered Certified Accountants (FCCA), a Certified Public Accountant (CPA) and holds a Bachelor of Accountancy (Hons) degree and Bachelor of Commerce degree from the University of Malta.

### **Susan Brooks – Director / Head of Administration and Investment**

Worked in a senior capacity in one of the leading financial institutions, where she held management positions in their Staff Pensions Unit and Private Banking Division. She was most recently employed as a lecturer in pensions and taxation and worked closely with Irish Institute of Pensions Management, overseeing the development of their Diploma in Pensions Management and Policy. Susan is a graduate of National University of Ireland, Galway with a first class honours Bachelor of Science Degree in Mathematics. She also holds a Masters in Financial and Industrial Mathematics from Dublin City University. She is a Member of the Irish Institute of Pensions Management and also holds a Professional Diploma in Financial Advice.

### **Craig Cheyne – Sales Director**

Worked in financial services for over 25 years, initially in the banking sector in various client-facing roles before qualifying as an experienced and fully qualified financial adviser. He worked as an Independent Financial Adviser for 6 years, providing a full range of advice covering Investments, Pensions, Protection and Mortgages, before moving into the relationship management field. International experience built in Singapore and South East Asia, working with expatriate distribution channels for a large global Life Company.

## SCHEME AVAILABILITY AND PERMITTED MEMBERS

The Scheme is available to all nationalities including Maltese residents. The scheme is also able to accept transfers from UK pension schemes due to its status as a QROPS. Whilst open for residents of Malta, the Scheme will not be actively marketed in Malta and should not be seen as the primary or only source for retirement provision for Maltese nationals.

Participation in the Scheme by residents of Malta should also be considered with other retirement provisions currently in force including mandatory or voluntary occupational schemes that the Government of Malta have or may introduce in the future. Potential Scheme members should seek the appropriate level of financial advice regarding the suitability of the Scheme and any tax implications that may arise.

## TRANSFERABLE SCHEMES

UK and other permitted pension funds are eligible for transfer into the Scheme.

The Scheme is also approved as a Private Pension Provider for former European Commission (EC) employees.

Transfers can be requested either before the Member commences drawing benefits or once they have come into payment. It is not possible to transfer basic state pensions, annuities or Final Salary Schemes in payment.

## PERSONAL PENSION CONTRIBUTIONS

Contributions may be made to the Scheme at any time after inception of the Membership by completing the Application Form for additional contributions.

Payment of contributions to the Scheme may be made by transfer from the Member's bank account; regular payments from the Member's disposable income or the transfer of existing pension benefits.

An employer is able to make contributions into the fund by way of a lump sum or regular payments. All employer contributions are payable gross.

## OVERSEAS TRANSFER CHARGE

The OTC was introduced in the UK Finance Act 2017 on certain transfers from a UK Registered Pension Scheme to an Overseas Scheme requested after the 8th March. Transfers of UK pension benefits requested after 8th March and originally excluded from the OTC will remain in scope for the OTC for five full consecutive tax years after the date of transfer. The OTC will apply where during this period a Member becomes Non EEA tax resident or transfers to another QROPS which is not excluded.

This charge does not apply on UK Transfers requested before the 9th March.

Full details are included in Annex II

## RECEIVING YOUR PENSION BENEFITS

In accordance with current legislation, where the benefits originated from a UK tax relieved scheme, benefits may be taken from age 55. Where this is not the case benefits may generally be taken from age 50 onwards.

The Momentum Malta Retirement Trust can offer the following options at retirement to Members except those restricted and outlined below:

- A Pension Commencement Lump Sum (PCLS) of up to 30% of the accumulated fund and / or
- The residual fund value can be used to provide the Member with an income under Flexi-Access Drawdown, which means income can be drawn in the form of a regular income and/or lump sum(s) payments to suit your own financial circumstances and / or
- The option to purchase a pension annuity from an insurance provider. In accordance with the MFSA Pension Rules, there is no requirement to purchase an annuity at retirement.

The PCLS can be taken in one lump sum or alternatively in smaller tranches over a 12 month period from the date of first taking the benefit. Thereafter, no further PCLS can be taken.

Retirement options may also be influenced by any regulatory restrictions imposed by the jurisdiction where the pension funds are being transferred from.

## RETIREMENT RESTRICTIONS ON TRANSFERS FROM THE EUROPEAN COMMISSION PENSION SCHEME

The Trustee and Administrator confirms that the following conditions will be met to comply with the obligations imposed by the European Commission Pension Scheme as follows:

- A monthly income will be paid from age 60 at the earliest, but no later than age 66.
- There is a requirement to make provision for survivor's benefits.

The Member will not be able to draw a PCLS or take income benefits under Flexi-Access Drawdown (FAD).

The Member's benefits will be in the form of a regular income with the income limits set within defined parameters. Currently the annual maximum income is linked to the UK Government Actuary Department (GAD) tables.

## BENEFIT RESTRICTIONS ON UK TRANSFERS

Where the Member is in scope as outlined below, UK legislation places a restriction on benefits taken and during this time, the Members QROPS benefits must align to those benefit payments authorised from a UK Registered Pension Scheme.

This includes limiting the maximum PCLS in respect of a UK transfer fund to 25% of this fund. Benefits paid in excess of this are otherwise subject to a UK Tax Charge payable by the Member.

### *Transfers of UK tax relieved benefits on or after 6th April 2017*

The restriction applies where the Member at the time of the payment:

- i) Draws benefits within 5 years of the date of transfer or
- ii) Is UK tax resident or was a UK tax resident in any of the ten previous consecutive UK tax years at the time of the payment

### *Transfers of UK tax relieved benefits before the 6th April 2017*

The restriction applies where the Member at the time of payment

- i) Is UK tax resident or
- ii) Was a UK tax resident in any of the five previous consecutive UK tax years.

With regards to the remaining funds, the following two options apply:

- The residual fund can be used to provide you with Flexi-Access Drawdown benefits or income under GAD where already in place.
- The option to purchase a pension annuity from an insurance provider.

## HOW DO I COMMENCE TAKING BENEFITS?

The Member will need to contact their Financial Adviser, who will discuss their options and provide them with the required Retirement Options Form for completion, which should then be returned to the Scheme Administrators.



## INVESTING IN THE PENSION

The Member may choose an appropriate investment strategy in association with their Financial Adviser or Investment Adviser who once authorised will be duly appointed to provide advice on the underlying investments. At the discretion of the Trustee, and on an exceptional basis, a Member may be accepted into the Scheme without an appointed Financial Adviser.

Alternatively, the Member may choose to request the appointment of a duly authorised Investment Manager to manage the investment of the Scheme on a discretionary basis. A current list of authorised Discretionary Fund Managers (DFM) is available on our Website. Please liaise with your Financial Adviser should you require a copy of this list.

The Trustees will consider the Members' investment preferences and ensure that each Member's fund is managed in line with the relevant regulatory requirements of the MFSA or other relevant Authority.

In conjunction with their Financial Adviser, the Members will control their contributions to the Scheme and how the funds should be invested, subject to any investment restrictions imposed on or by the Trustee.

The Trustee will retain ultimate power and discretion with regards to investment decisions.

## INVESTMENT POLICY

The Trustee and Administrator need to ensure that the Member's funds are invested in a prudent manner and in the best interests of the beneficiaries. The key principle is to ensure that there is a suitable level of diversification relevant to the investment portfolio.

The Trustee and Administrator will undertake the following:

- Apply the Investment Guidelines to the Scheme's Assets, which may vary from time to time (Current Guidelines are below).
- Seek the Member's confirmation before any investments are made unless an Investment Manager has been authorised on a discretionary basis.

The Administrator receives real time reports from the Life Insurance Companies and Investment Platforms reflecting the underlying valuations of assets under its administration. These valuations undergo an audit examination by Deloitte Audit. The valuations reflect the current open-market valuations of the Assets.

In addition, the Administrator uses a number of techniques in the analysis and monitoring of Scheme assets under its administration including an analysis of Fact Sheets and Investment / Product databases.

Currently, Momentum Pensions Malta Limited has the following Investment Guidelines:

- The portfolio must be in line with the underlying Member's attitude to risk.
- Predominantly invested in regulated markets. Not more than 10% of the Scheme assets can be invested in securities that are not traded in or dealt on a regulated market.

- Esoteric, Non-Standard investments are restricted to no more than 10% of the portfolio's value. Acceptance of these assets is at the discretion of the Trustee.
- Maximum of 40% of the fund in assets with expected liquidity of greater than 3 months but not greater than 6 months.
- Where liquidity is provided by a secondary market, this must be provided by the issuer of the asset and have a maximum pricing period of monthly.
- Where products with underlying Capital guarantees are chosen, i.e. Structured Notes, these will be permitted up to a maximum of 66% of the portfolio's values, with no more than one quarter of the portfolio to be subject to the same issuer default risk.
- Where no such Capital guarantee exists, investment will be permitted up to a maximum of 50% of the portfolio's value.
- Structured Notes will only be accepted at the discretion of the Trustees.
- In addition, further consideration needs to be given to the following factors:
  - Overall size of fund;
  - Credit risk of underlying investment;
  - Liquidity of fund.
- No private funds or private company shares, including shares in a company where the Member, or a related person is a controlling shareholder.
- No immovable property assets. Property funds are acceptable within parameters set out within this guidance.
- No gearing or leverage through the use of derivative products, aside from the use of structured products, which provide some underlying guarantees. If individual investments or equities are considered, then not more than 20% in any singular asset, aside from collective investments.
- Collective investments or funds that provide a sector and geographical spread are acceptable, even if the investments are confined to one fund with a recognized provider.
- In addition to the above, the portfolio must be constructed in such a way as to avoid exposure:
  - To any single sector;
  - To any single region;
  - To any single credit risk.

The Trustees will consider exceptions to this policy from time to time, however any request for variance must be supported by appropriate information and background, with the Trustee retaining ultimate discretion.

The above Guidelines may change from time to time and the updated Investment Guidelines are available on the Momentum Website via the Adviser section. Please liaise with your Financial Adviser to obtain the most recent version.

The Scheme does not generally use its borrowing powers in the management of its portfolio but if necessary, will only engage, directly or indirectly, in borrowing in connection with property purchases, on behalf of any of its Members or connected persons thereto, provided this is done solely on fully commercial terms. The Scheme may borrow up to 50% of the value of the property purchased which must be valued by an Independent Qualified Valuer.

<sup>1</sup> In relation to Immovable Property (land or buildings), means a person who holds a warrant to practise as a building professional (architect) granted under the Periti Act (Cap.390) and, where the qualified valuer is a person whose country of domicile is a country outside Malta, a person who is duly qualified and authorised in the country of his domicile to practise as a building professional (equivalent to an architect) under the laws of the country of his domicile governing architecture and civil engineering professionals acceptable to the MFSA.

## MAIN UNDERLYING INVESTMENT

The Trustee will invest the Member's assets, in line with a written instruction from the Member based on advice received from the appointed Financial Adviser. Where an Investment Manager has been authorised, investments may be executed by the duly authorized Investment Manager appointed to manage the investments of the Scheme held on behalf of that Member.

Members and their Financial Adviser should ensure that the selected underlying investments meet the Member's investment requirements and attitude to risk and are within the Investments Guidelines outlined above as varied from time to time.

Investments can be undertaken in the following ways:

- Via a Life Assurance Bond, provided by an Insurance Company with which the Trustee has a suitable agreement. The Life Assurance Bond would in turn hold the underlying Investment portfolio, selected by the Member in conjunction with their Adviser.
- Via an investment company other than a life assurance company, with which the Trustee have a suitable agreement.
- By utilising the services of an authorised Discretionary Fund Manager with whom the Trustee has a suitable written agreement.

## BANK ACCOUNT

Any funds received will be held with the Royal Bank of Scotland International and/or Capital Treasury Services Limited on behalf of the Member in the Scheme's client account until such time that the money is invested or paid to the Member in the case of benefits. Officers of the Trustee and Administrator will be the sole signatories.

## TAXATION

No Maltese Tax is payable within the fund on income and capital gains (with the exception of 'immovable property' in Malta) and there is no Maltese Income Tax on the provision of a lump sum on commencement of pension benefits or death. Subject to an effective Double Taxation Agreement being in place with the country of Tax Residence of the Member at the time of payment, no Maltese Income Tax will be deducted on the income payments, otherwise Income Tax at Maltese non-resident rates will generally apply.

## FEES AND CHARGES

The fees and charges applicable to the Scheme are shown in the Annex I to this document.

At least 14 days written notice will be given to the Member of any changes in the Scheme's Fees. Where VAT is or becomes payable on any of the Services, it will be added at the applicable rate. At present the Scheme carries a VAT exemption.

## MEMBER TAX RESIDENCE DISCLOSURE REQUIREMENT

Where a Member requested the transfer of UK benefits to the Scheme after 8th March 2017 and hence were within scope for the OTC, Members must undertake to advise the Administrator immediately and no later than 60 days, of any change in circumstances which affects the country of tax residency during the relevant period. This is a legal requirement in accordance with UK legislation.

## ANNUAL REPORTING

In compliance with Maltese regulations, the Trustees will keep, maintain and prepare annual audited accounts for each Scheme Year. In addition, the Trustees will submit an annual report and accounts for the Scheme to the MFSA. The accounting date shall be the 31st December.

The Trustees will complete a Tax return on behalf of its Members to the Maltese Inland Revenue Department.

Scheme Members will receive annual statements showing their fund value.

## QROPS REPORTING

In accordance with QROPS regulations, the Scheme Trustee and Administrator will undertake specific reporting requirements to HMRC. The Administrator has an obligation to report to HMRC each time a QROPS makes a payment to a Member.

The Scheme Administrator must report to HMRC where:

- Pension payments to the Member commence;
- A lump sum payment is paid;
- Death benefits are distributed;
- Funds are transferred to another pension scheme.
- Member avails of Flexi-Access retirement benefits

It is the responsibility of the Scheme to follow the HMRC QROPS reporting rules for 10 years from the date of transfer from a UK Registered Scheme.

Where a Member in Flexi-Access Drawdown elects to transfer benefits to another pension scheme, the Administrator has an obligation to inform the receiving pension scheme that the Member has Flexi-Accessed benefits.

Finally, when benefits are transferred to another QROPS, the Administrator is also obligated to report if the transfer is subject to the OTC and the applicable amount, including the reason why no OTC applies, where relevant.

The Trustee cannot be held responsible for any penalties, fees or charges levied by HMRC should the Member elect to take their benefits in a way that is incompatible with the QROPS rules.

## EC REPORTING

In respect of a transfer of retirement pension rights acquired with the European Commission Pension Scheme, and in accordance with Article 12(1) (b) of Annex VIII of the Staff Regulations of Officials of the European Union and Conditions of Employment of Other Servants of the European Union, the Scheme Trustee and Administrator has an obligation to report to the European Commission any full or partial transfer to another pension scheme. Such transfers will only be authorised if the conditions laid down by the European Commission are fulfilled.

## CONFLICTS OF INTEREST

There may be circumstances where conflicts of interest may arise.

Examples of potential conflicts of interest would be:

1. Where one of the Members could be a Director of Momentum Pensions Malta Limited.
2. Where associated Companies of Momentum Pensions Malta Limited could supply services to Momentum Pensions Malta Limited and to the Momentum Malta Retirement Trust e.g. Custodian Services, Investment Advice.

For the avoidance of any doubt there are no current known conflicts of interests.

## WINDING UP AND DISCONTINUANCE OF THE SCHEME

Upon discontinuation of the Scheme and subject to MFSA approval, the Trustee will give notice to wind up the Scheme. Each Member will be notified of their rights and options including the right to transfer the administration and trusteeship to a scheme which is willing to accept the transfer, and which is an Authorised Scheme or such other scheme as may be permitted by the MFSA.

The transfer will include the Net Assets held by the Trustees at the time, in relation to that Member. Notice to the Member will include a request to notify the Trustee within 30 days of receipt of the request, of the new administrator or trustee.

In the event that the Member fails to notify the Trustee of his intentions, the Trustees will transfer the Net Scheme Assets to an Authorised Scheme of the Trustees' choice, with or without the Member's consent.

## ANTI-MONEY LAUNDERING PROCEDURES

Malta complies with international standards to prevent money laundering. As part of this, we have a requirement to verify the identity of all of our clients, and each Member of the Scheme will be required to provide the Administrators with proof of identity in a manner as prescribed by Maltese regulations. We will require either sight of original, or verified copies, proof of identity (passport, full driving license, government-issued identity card) and proof of address (recent utility bill or bank statement) less than 3 months old.

## COMPENSATION

There is no statutory provision for compensation for Members of the Scheme in the case where the Retirement Scheme is unable to satisfy the liabilities attributable to it; furthermore, the registration of the Scheme is not an endorsement by the MFSA of the financial performance of the Scheme and the MFSA shall not be liable for the performance or default of the Scheme.

Momentum Pensions Malta Limited is the Retirement Scheme Administrator of the Momentum Malta Retirement Trust, which is registered as an approved Retirement Benefits Scheme under the Retirement Pensions Act 2011 in Malta. Momentum Pensions Malta Limited is licensed as a Retirement Scheme Administrator by the Malta Financial Services Authority (MFSA). Company Registration Number C 52627.

## CONTACT

Further information about the Scheme may be obtained by contacting the Scheme Administrators or Trustees at:

### **Momentum Pensions Malta Limited**

Ground Floor, Crown Marina, Ta' Xbiex Seafront, Ta' Xbiex, XBX1027 Malta

**Tel:** +356 2787 7677

**Fax:** +356 2787 7671

**Email:** [malta@momentumpensions.com](mailto:malta@momentumpensions.com)

# Annex I

## Fee Schedule: QROPS

|                                  | Lite Scheme                               | Plus Scheme                               | Plus Scheme                               | Pro Scheme  |
|----------------------------------|---|---|---|---|
| Type of investment               | Approved life companies                   | Approved life companies                   | Nominated platform                        | Open architecture structure                                   |
| Minimum transfer value           | £40k                                      | £100k                                     | £100K                                     | £150k   |
| Maximum transfer value           | £100k                                     | No limit                                  | No limit                                  | No limit  |
| Number of free pension transfers | 4   | 4   | 4   | 4   |
| Set-up fee                       | £300                                      | £645                                      | £895                                      | 0.49% of the contribution<br>Minimum: £1495<br>Maximum: £2495 |
| Annual trust fee                 | £525                                      | £895                                      | £945                                      | 0.49% of the pension fund value<br>Minimum: £1000             |
| Additional pension transfer fee  | £250                                      | £250                                      | £250                                      | £250  |
| Termination fee                  | Years 1-5: £1500<br>Year 6 onwards: £1000 | Years 1-5: £1500<br>Year 6 onwards: £1000 | Years 1-5: £1500<br>Year 6 onwards: £1000 | Years 1-5: £1500<br>Year 6 onwards: £1000                     |

### Other services

Other services are available and associated fees will be provided upon request for specific events, technical support or investment activity beyond that deemed fair and reasonable in the administration of the pension scheme.

The fee schedule covers Momentum Pensions fees only. There will normally be additional charges in relation to the underlying investments. Charges may also be incurred for any other expenses, including legal expenses, disbursements, taxes and any other costs in connection with your pension scheme.

The Termination Fee will apply where all retirement benefits are taken under flexi-access drawdown or where benefits are transferred to an external pension scheme.

### Changes to fee schedule

Momentum Pensions reserves the right to alter this fee schedule by giving 14 days notice prior to any changes that are made.

Should the Lite scheme value rise above the maximum transfer value, the Trustees have the right to upgrade the fee structure to the Plus scheme, after providing the appropriate advice.

# Annex II

## Overseas Transfer Charge (OTC)

The OTC was introduced in the Finance Act 2017 on certain transfers from a UK Registered Pension Scheme<sup>1</sup> to an Overseas Scheme. Transfers requested before the 9th March 2017, are not assessable to the OTC.

### EEA TAX RESIDENT

Where a Member is EEA tax resident, the OTC will not apply on any transfer to this Scheme.

The transfer will be ring fenced within the Scheme.

Should the Member become non EEA tax resident at any time within five full consecutive UK tax years of the UK transfer (“relevant period”), the OTC will become payable and the Scheme Administrator must deduct 25% of the remaining QROPS ring fenced funds and remit the tax to HMRC. At the end of the relevant period there is no further liability to OTC.

### NON EEA TAX RESIDENT

Any transfer to this Scheme will be liable to a 25% OTC on the transfer value.

However, where the OTC was payable on the transfer and the Member subsequently become EEA tax resident (or transfers to another QROPS which satisfies the conditions as below), within the relevant period, the OTC can be reclaimed by notifying the UK Scheme administrator, before the cut-off date which is one year after the end of the relevant period for the transfer concerned.

### ONWARD TRANSFER TO ANOTHER QROPS:

Where a Member subsequently transfers any ring fenced funds to another QROPS during the relevant period, the transfer will be liable to a 25% OTC on the transfer value, unless one of the following five conditions are met:

1. The Member is resident in the same country / territory in which the receiving QROPS is established.
2. The Member is tax resident in the EEA and the receiving QROPS is established in the EEA<sup>2</sup>.
3. The QROPS is set up by an international organisation of which the Member is an employee.
4. The QROPS is an overseas public service pension scheme and the Member is an employee of a public service employer.
5. The QROPS is an occupational pension scheme and the Member is an employee of a sponsoring employer under the Scheme.

The transferred fund remain assessable within the receiving QROPS until the relevant period has elapsed.

<sup>1</sup> Or a transfer of UK tax relieved funds in a Non UK Scheme.

<sup>2</sup> EEA includes Gibraltar, Liechtenstein, Norway and Iceland in this context.