QUALIFYING RECOGNISED OVERSEAS PENSION SCHEME (QROPS)

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WEALTH SOLUTIONS

QROPS AND HOW IT CAN HELP YOU TO RETIRE COMFORTABLY OVERSEAS

A QROPS (Qualifying Recognised Overseas Pension Scheme) is a pension scheme established outside the UK that meets certain conditions in UK pension tax regulations, and has declared to HM Revenue & Customs (HMRC) that it meets these conditions. A QROPS can receive transfers from UK registered pension schemes.

We know that people's attitudes to retirement have changed. It's no longer about what we stop doing, it's about what we're going to start doing. Running businesses, working part-time, exploring, discovering, developing - there is nothing retiring about how we're living our lives anymore.

Choosing the most appropriate savings plan for you can help you enjoy the retirement you have always dreamed of. Transferring your pension to a QROPS may well be the most appropriate option for you but this is an important decision and we recommend that you speak to your financial adviser about whether it is suitable for you. This guide highlights the main benefits and some of the other factors to consider before deciding on a course of action.

Most QROPS are set up under a trust deed with independent trustees responsible for the implementation of the deed and its accompanying rules. You, as the member, are the beneficiary of the trust.

It may be worth considering moving your existing UK pension arrangement to a QROPS if:

› you are living and working abroad already and want to consolidate your pension arrangements and continue saving for your retirement, or

› you have retired abroad, and you do not intend to return to the UK.

UTMOST INTERNATIONAL LIFE ASSURANCE PRODUCTS

While Utmost International does not provide a QROPS, it offers a range of award-winning life assurance products which can be used to hold all required investments within the QROPS, due to their wide investment choice, currency flexibility and administrative convenience.

This can also help to simplify the work of QROPS trustee companies and may reduce their charges.

We can accept applications from a wide range of corporate trustee companies based in various jurisdictions.

Our portfolio bonds offer a variety of charging structures tailored to fit with a QROPS to help meet your needs.

WHAT ARE THE BENEFITS OF A QROPS?

The benefits of a QROPS will depend on the pension and tax regime of the country in which the QROPS is established, the country in which the member is resident and the residency of beneficiaries after the death of the member.

Possible benefits include:

- a wider choice of investment opportunities than is available from many UK registered pension schemes
- flexible currency options, as QROPS assets can be held and distributed in any major currency as well as in GBP
- the ability to pass on your remaining pension funds to your family, free of UK taxes, including inheritance tax (IHT)
- no lifetime limit on the amount of savings that can be accrued once your pension has been transferred to a QROPS
- consolidation of pension schemes into one vehicle, providing administrative simplicity and easier investment management
- in some cases, the option to contribute to the QROPS once it is set up. Some but not all QROPS trustees allow contributions to be made.

Please note: A transfer charge will apply when you transfer from a UK registered pension scheme to a QROPS unless:

- you are resident in the country in which the QROPS is established; or
- The QROPS is established in any EEA state (and you are either UK resident, or live in an EEA state)
- the QROPS is an occupational or public sector pension scheme in relation to your employment

See the Transfer Charges section on page 12 for more information.

WHAT YOU SHOULD CONSIDER BEFORE CHOOSING A QROPS

We know that the years in retirement can bring about lots of changes. It's great to have a plan but we all want to be flexible if our plans have to change.

INVESTMENT RISK

A QROPS can give you access to a wide variety of investments, the value of which may fall as well as rise. This means that the value of your pension or the amount of income you may receive in retirement cannot be guaranteed.

TAXATION

It is important to understand the taxation of retirement and death benefits in the QROPS jurisdiction and the country in which you reside. Please note that there may be a tax charge when transferring your pension from the UK to the QROPS. See the Transfer Charge section on page 12 for more details.

CURRENCY EXCHANGE RATE RISK

If you live, or plan to retire, in a country whose currency is different to that in which your investment is held, you may be affected by exchange rate fluctuations or currency conversion charges. However, many QROPS allow investment in assets to be made in most currencies.

INVESTOR PROTECTION

UK pension members can benefit from investor protection in certain circumstances. This protection can be sourced through bodies like the Pension Protection Fund and the Financial Services Compensation Scheme (FSCS). It is important to be aware of the investor protection available in the jurisdiction of your chosen QROPS and whether or not there are any rules that govern dispute mediation.

A QROPS offers a wide range of benefits if you have permanently left the UK to work or retire.

However, a QROPS is not for everyone and we recommend that you speak to your financial adviser about whether it is suitable for you.

The following pages explain why you may, or may not, want to consider a QROPS.

CONSIDERING A QROPS

YOU MAY WANT TO CONSIDER A QROPS IF

› you have substantial UK pension savings and have left the UK

or

› an analysis of your current pension arrangements from your financial adviser indicates a transfer may be beneficial.

GENERAL CONSIDERATIONS

Lifetime allowance

UK pensions are subject to a lifetime allowance. Any savings in the pension above the lifetime allowance will be taxable at a rate of up to 55%.

If you decide to transfer your pension into a QROPS, at the point of transfer its value will be tested against the lifetime allowance.

Any future growth of the pension, once placed into a QROPS and taken outside of the UK pension rules, will no longer be subject to lifetime allowance limits.

Questions for you to consider:

› Is your pension value either above, equal to, or close to the lifetime allowance? (£1,073,100 for the 2021/22 tax year unless you have lifetime allowance protection)

› Is it likely your pension value could grow to in excess of the lifetime allowance?

› Do you intend to make further UK pension contributions in the future, which might take the cumulative value over the lifetime allowance?

Place of residence in retirement

› Would the tax position between your place of residency and a QROPS jurisdiction be favourable to that of a UK scheme? Speak to your adviser about relevant double taxation agreements (DTAs) when considering this point.

› You also need to take into account whether a transfer tax charge of 25% would apply. Please see page 12 for more details.

Residency of beneficiaries

› If you are intending to leave your pension's value to beneficiaries, consider their likely residency at the point of inheritance.

MONEY PURCHASE PENSIONS

› It is important to understand the estimated level of benefits that your pension could provide, the choice of investments available through your existing plan and the charges which apply. Taking financial advice is essential before a pension transfer is considered.

› There are many other factors to consider. It is important to speak to a financial adviser about whether a QROPS is suitable for you.

FINAL SALARY PENSIONS

› You need to receive advice from a UK Financial Conduct Authority (FCA) regulated adviser before you can proceed with a final salary pension transfer.

› Are you comfortable losing the employer backed guarantees that come with final salary pensions?

› It is important to ascertain the health of the scheme to reveal the level of any scheme deficit and the contingency plans that the employer has put in place to manage it.

› It is also important to consider the structure of benefits provided, for example does the scheme provide a spouse's pension and is this required?

› What are the benefits if you die prior to retirement? They are not always representative of the benefits to which a member would have been entitled in retirement.

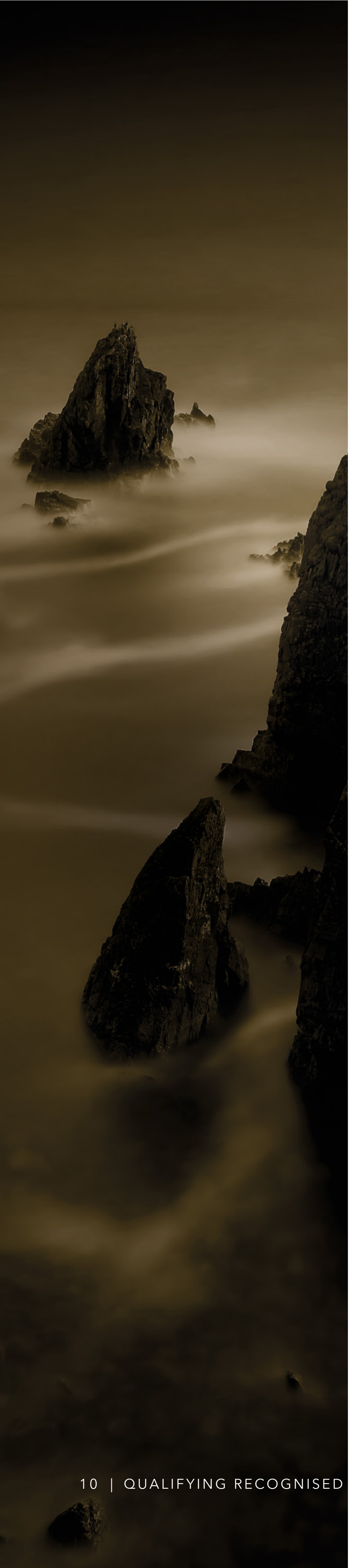
› Might you wish to retire earlier or later than the scheme's normal retirement date and what are the consequences?

› What level of growth is needed to match the benefits you are leaving behind?

› Cash Equivalent Transfer Values (CETV) may be attractive but they also need careful consideration. Whilst not the only factor, the yields required to match current pension scheme benefits are important.

YOU MAY CONSIDER KEEPING YOUR EXISTING UK PENSION PLAN(S) IF:

- YOU WISH TO TAKE ADVANTAGE OF THE INCREASED FLEXIBILITY OFFERED TO UK PENSION SCHEMES SINCE 6 APRIL 2015. A QROPS MAY OR MAY NOT OFFER SIMILAR FLEXIBILITY
- YOUR PENSION INCLUDES GUARANTEES, A SPOUSE'S PENSION, LIFE COVER, A PROTECTED EARLY RETIREMENT AGE, OR HIGHER TAX-FREE LUMP SUMS
- YOUR EMPLOYER BEARS THE COST OF THE SCHEME
- YOU HAVE A FINAL SALARY PENSION WHICH MAKES UP THE MAJORITY OF YOUR WEALTH IN RETIREMENT AND YOU ARE HAPPY WITH THIS LEVEL OF INCOME IN RETIREMENT (SUBJECT TO FACTORS NOTED ABOVE)
- YOUR PENSION PLAN IS RELATIVELY SMALL



USING A QROPS TO PROVIDE FOR YOUR FAMILY

The death benefits paid from a UK pension scheme are generally either:

› exempt from UK tax if death of the member occurs before age 75; or

› subject to the beneficiary's UK rate of income tax if death of the member occurs when aged 75 or over. This applies to death benefits paid as a lump sum, or as a pension over time.

UK income tax treatment of death benefit payments from a QROPS (that received a transfer from a UK registered pension scheme) will normally be the same as the treatment given to death benefit payments from a UK registered pension scheme where either of the following applies:

The member is considered UK resident at the time of the payment (or was UK resident in any one of the previous 10 tax years.†)

The death benefit is paid within a five year period following the date of the transfer from the UK registered pension scheme.

Tax may also be due in the member's or beneficiary's territory of residence.

WILL MY QROPS BE SUBJECT TO INHERITANCE TAX?

QROPS are not usually subject to UK inheritance tax, (although some jurisdictions may apply a form of tax) and you may be able to pass the entire pension fund on to your beneficiaries free from UK inheritance tax.

Moving your pension plans abroad can also support a claim that you are no longer considered subject to UK inheritance tax, which may mean your beneficiaries do not pay UK inheritance tax on any of their inheritance from you.

† previous five tax years if the transfer from a UK registered pension scheme was made before 6 April 2017.

WHAT OPTIONS WILL BE AVAILABLE TO A BENEFICIARY?

The options will depend on what the QROPS allows. Generally, on a member's death, the remaining fund can be paid to a beneficiary as a lump sum. Some QROPS may allow a beneficiary to become a member themselves and draw a pension income from the remaining fund, as and when they wish.

THE FOLLOWING OUTLINES THE UK TAX WHICH WOULD BE EXPECTED TO APPLY.

Member dies before reaching age 75

If the member dies before age 75, a lump sum paid from a QROPS will be tax free as long as it is paid within two years of the scheme being notified of the member's death. If it is paid after two years, the beneficiary will be subject to income tax at their marginal rate. Pension income paid to a beneficiary will be tax-free.

Member dies after reaching age 75

Pension income paid to a UK resident beneficiary will be subject to income tax where the member died over the age of 75.

A non UK resident beneficiary would not be subject to income tax on the pension income.

	LUMP SUM FROM AMOUNT TRANSFERRED FROM THE UK REGISTERED PENSION SCHEME		LUMP SUM FROM FUND GROWTH IN THE QROPS	
Payment to	**Member resident in 10* previous tax years or had transferred to QROPS in previous five years**	**Member not resident in 10* previous tax years and has not transferred to QROPS in previous five years**	**Member UK resident**	**Member non UK resident**
UK resident beneficiary	UK income tax at marginal rate	UK income tax at marginal rate	UK income tax at marginal rate	UK income tax at marginal rate
Non UK resident beneficiary	UK income tax at marginal rate	0%	UK income tax at marginal rate	0%
Non UK Trust	45%	0%	45%	0%

* Five years if the transfer from a UK registered pension scheme was made before 6 April 2017.

UK-BASED PENSION SCHEMES VERSUS QROPS

	UK-BASED PENSION SCHEMES	QROPS WHICH HAVE RECEIVED TRANSFERS FROM UK REGISTERED PENSION SCHEMES
Residency	Designed for UK residents.	Designed for people permanently leaving the UK and taking their pension savings with them.
Currency	Ordinarily, investments are held in sterling, so if you choose to take benefits in a different currency, payments can be affected by exchange rate fluctuations and currency conversion charges.	You can invest in assets in most currencies and choose to receive payments in your local currency.
Age limits	The minimum retirement age is 55, except in the case of ill-health.	The minimum retirement age is 55, except in the case of ill-health.
Lump sum withdrawals	Ordinarily up to 25% of the fund can be paid as a tax free lump sum on retirement. Many pension schemes offer the flexibility to take lump sums from your pension as and when needed.	Until the period during which UK rules apply has ended, the principle is that the QROPS cannot pay more than 25% of the fund as a tax-free lump sum, and any further lump sum withdrawals are subject to income tax. Any income tax you must pay will depend on where you live. A QROPS may also offer the flexibility to take lump sums from your pension as and when needed.
When must I take benefits?	There is no requirement to have taken pension benefits by a specific age. However, the value of death benefits payable from your fund will be subject to tax charges if you are aged over 75 when you die.	Some jurisdictions may require pension benefits to have been taken by a certain age.
Drawdown	From 6 April 2015, full flexibility has been applied to UK pension schemes, which means that you can take cash from your pension as you require.	A QROPS may offer similar flexibility.
Income tax and other charges	Your pension income is subject to UK income tax operated under Pay As You Earn (PAYE). It is possible for your pension to be paid without deduction of UK tax, and instead be subject to tax in your country of residence, subject to a Double Taxation Agreement (DTA), where applicable.	Your adviser should investigate the withholding tax in the QROPS jurisdiction and any DTA that may exist with your country of residence. A 25% transfer charge may apply to some QROPS transfers - see page 12 for more detail.
Investment options	UK schemes can offer a wide range of investment options. Some types of investment, for example residential property, are subject to significant tax charges.	Can offer a wide choice of investments, including shares, mutual funds and packaged investment products. Funds that have benefited from UK tax relief are subject to the UK rules on investments.
Lump sum on death	If a lump sum death benefit is paid from your UK pension savings: › prior to your 75th birthday, it would normally be free of any UK taxation › after your 75th birthday, it would be subject to a UK tax charge. If the lump sum was paid to an individual, the rate of tax charge would be the recipient's marginal rate of UK income tax. Otherwise, the rate of tax charge would be 45%.	Lump sum death benefits paid to UK resident beneficiaries generally receive the same tax treatment as lump sums under a UK based scheme. For non UK resident beneficiaries, please see table on page 9.
Income paid on death	If the death benefit is paid as an income from your pension savings prior to your 75th birthday, it will normally be paid without an income tax charge. If you die when you are 75 or older, any death benefit paid as an income will be subject to income tax at the beneficiary's marginal rate of income tax.	Generally, income paid to a UK resident beneficiary will receive the same tax treatment as income paid under a UK based scheme.

WHAT ARE THE IMPLICATIONS IF YOU DECIDE TO RETURN TO THE UK?

Returning to the UK with a QROPS

› There is no requirement to transfer your QROPS back to a UK registered pension scheme. Pension income from a QROPS will be subject to UK income tax and it is important to check the DTA between the QROPS jurisdiction and the UK.

› A tax charge may apply to your QROPS when you return to the UK (see Transfer Charge section on page 12).

› There is no lifetime allowance test when benefits are taken from your QROPS. Any growth in the value of the QROPS above the lifetime allowance will not be subject to a 25% or 55% lifetime allowance excess tax charge. However, the transfer into the QROPS may have been subject to a 25% lifetime allowance excess tax charge if the transfer value exceeded the lifetime allowance applicable at the time of the transfer.

› The UK tax treatment of payments from a QROPS will be equivalent to the tax treatment that applies under a UK registered pension scheme.

Returning to the UK and transferring your QROPS back to a registered pension scheme

› It may be possible to transfer the QROPS fund back into a UK registered pension scheme, where your pension benefits would again be subject to UK pension rules.

› This means that pension income will be subject to income tax under Pay As You Earn (PAYE). The maximum lump sum on retirement will be the lower of 25% of your pension fund or 25% of your available lifetime allowance.

› If a lump sum death benefit is paid from your UK pension savings, prior to your 75th birthday, it would normally be free of UK income tax.

› After your 75th birthday, it would be subject to a UK tax charge. If the lump sum was paid to an individual, the rate of tax charge would be the recipient's marginal rate of UK income tax. Otherwise, the rate of tax charge would be 45%.

› Unused pension funds will be subject to a lifetime allowance test when they are used to provide pension benefits. The lifetime allowance is the overall limit for tax relieved savings that an individual can accrue. Pension benefits in excess of the lifetime allowance are subject to an effective tax rate of 55%.

› However, if your pension fund is close to or exceeds the lifetime allowance, it is possible to apply for an enhancement from HMRC. The enhancement factor will ensure that the investment growth attained in the QROPS, and any amount previously tested against the lifetime allowance on transfer to the QROPS, will not be subject to a lifetime allowance tax charge in the future.

› If you have already been paid some retirement benefits from the QROPS fund, the QROPS may have a pension in place for you (for example, a drawdown fund). A transfer from such a QROPS to a UK registered pension scheme would have to be on a like-for-like basis, meaning the UK scheme would have to provide you with an equivalent pension (for example, an equivalent drawdown fund). Certain pension schemes may be unwilling or unable to do this, which might limit your transfer options.

CHOOSING THE RIGHT QROPS

Do I need to choose a QROPS from the country where I'll be living?

No – you are free to choose any scheme that's appropriate for your circumstances rather than restricting yourself to local schemes. However, if you choose a QROPS in a different country than you are living in, there may be a 25% overseas transfer tax charge. Please speak to your financial adviser about which jurisdiction may be appropriate for your needs.

What happens if I transfer to an overseas pension scheme that isn't a QROPS?

HMRC would consider it an unauthorised payment, and you would have to pay a charge of up to 55% of the value of your pension fund.

However, UK pension schemes will not normally permit a pension transfer to a scheme which is not on HMRC's list of QROPS.

I have several UK pension schemes – can I consolidate them into a single QROPS?

Yes – and an extra benefit could be that it will make record keeping easier and save you paying multiple administration costs.

How can I find out which schemes are QROPS?

To be a QROPS, a pension scheme must meet the conditions in the UK pension tax regulations to be a Recognised Overseas Pension Scheme (ROPS), and then declare to HMRC that it meets those conditions.

HMRC publishes a list of ROPS who have made a ROPS declaration to them, and who have also given permission for their details to be published.
You can find the list online at:
www.gov.uk/government/publications/list-of-qualifying-recognised-overseas-pension-schemes-qrops/list-of-recognised-overseas-pension-schemes-notifications

HMRC cannot guarantee that the schemes listed are QROPS or that any transfers to them will be free of UK tax. It's your responsibility to find out if you have to pay tax on any transfer of pension savings – so it's important to consult your financial adviser before choosing a scheme.

What if the pension rules in the jurisdiction in which the QROPS is based are different to UK rules?

Your QROPS will combine the local rules with the UK's QROPS requirements.

TRANSFER CHARGES

There may be tax charges when you transfer from a UK registered pension scheme to a QROPS.

Whether or not a transfer from a UK registered pension scheme to a QROPS can be made free from tax charges in the UK will depend on your personal circumstances.

Your financial adviser can help you determine whether or not you could be affected by these charges.

Overseas transfer tax charge

The overseas transfer tax charge is 25% of the transfer value.

A transfer from a UK registered pension scheme to a QROPS will not incur the overseas transfer charge if the QROPS which receives the transfer meets one of the following conditions:

› It is established in the same country in which you live.

› It is established in any EEA state (and you are either UK resident, or live in an EEA state)

› It is an occupational pension scheme, established by your employer.

› It is a public sector scheme in which your employer participates.

However, if the transfer does not incur the overseas transfer charge, but your circumstances change in the tax year in which the transfer was made, or in any of the following five tax years, then the charge may become due at the point your circumstances change. For example, the overseas transfer tax charge will apply if you move back to the UK in the five year period and your QROPS is not established in an EEA state and is not a relevant employment-related pension scheme.

Lifetime allowance excess charge

A transfer from a UK registered pension scheme to a QROPS causes the transfer value to be tested against your available lifetime allowance. If the transfer value exceeds your available lifetime allowance, the excess amount is subject to the lifetime allowance excess tax charge at a rate of 25%.

Where both charges apply

If both the lifetime allowance and overseas transfer charges are due, the lifetime allowance charge will be deducted before the overseas transfer charge is applied.

HELPING YOU MAKE THE BEST CHOICES

What kind of investments can I include in my QROPS?

QROPS can offer you access to an extremely wide choice of investments, including - in some cases - shares and mutual funds. Alternatively, a specialised packaged product such as an offshore investment bond may be suitable.

However, there may be UK tax charges if you transfer from a UK registered pension scheme to a QROPS and invest under the QROPS in taxable property. Taxable property includes things like residential property, antiques, painting etc. The QROPS provider and your financial adviser will be able to provide further details.

Choosing an Utmost International solution for your QROPS

Utmost International offers a range of award-winning life assurance products which can be used to hold some or all of the investments within a QROPS.

Our products provide the flexibility and diversity to enable you and your financial adviser to build a portfolio that meets your specific financial needs, without restricting your asset allocation or currency options. This means your assets can be managed according to your own criteria and attitude to risk, and you can switch between markets and asset groups as and when you want – all within a tax-efficient environment.

Please speak to your financial adviser to find out which of Utmost International's solutions is most appropriate for your QROPS.

WHAT SHOULD I CONSIDER BEFORE SELECTING A QROPS PROVIDER?

Talk to your financial adviser to make sure you choose the most appropriate jurisdiction and QROPS provider for your needs.

1. Look for a reputable firm with a proven track record in providing QROPS and corporate trustee services.
2. The provider should deliver a professional, efficient service and have sufficient staff and adequate resources.
3. A good relationship with both HMRC and their local pension regulator. This can help to ensure that transactions take place smoothly and efficiently.
4. Check the provider's ongoing, set-up and winding-up fees to see which services are included and which could incur extra costs. Some providers charge additional fees for:
   - co-ordinating the transfer of your UK pension funds
   - technical expertise and advice on pensions
   - reporting to HMRC
   - holding your pension fund as trustees
   - servicing and administering your QROPS
   - investment management
   - arranging your pension payments.

TRANSFERRING TO A QROPS

Before you transfer your pension, you should consider any tax penalties or costs charged by your existing pension provider(s), particularly if any of your money is invested in with-profits funds.

Your financial adviser can then help you decide whether the benefits of a QROPS will outweigh these charges.

When can I transfer?

You may be able to transfer at any time, but some registered pension schemes might have restrictions on when you may transfer. The process will typically take from one to three months, depending on your UK pension provider. Transfers from defined benefit schemes can take much longer and will require the advice of an FCA authorised adviser. Not all defined benefit schemes are able to permit a transfer to a QROPS.

If you have a traditional pension arrangement with an insurance company, the assets will be sold and the cash transferred to your QROPS.

If you have a small self administered scheme (SSAS) or a self invested pension plan (SIPP), it may be possible to transfer your existing assets without selling them, providing the trustees and administrators of your new scheme are willing to accept them.

When will I be able to receive my pension payments?

Generally, the earliest you will be able to receive pension benefits is from age 55 except in the case of ill-health. However, some schemes set a minimum term after transferring, and local legislation may also affect the earliest age at which you can receive benefits.

Ask your financial adviser or QROPS provider about local rules, and whether they affect your tax status or when you can receive pension benefits.

IMPORTANT QUESTIONS

Any questions about your UK pension, a QROPS, or the taxation of each?

What is right for me?

To make an informed decision, you will need to understand the pension benefits and their taxation as they relate to your circumstances; you will need to compare the position if you do not transfer to a QROPS with the position if you do. You may need financial advice and tax advice in both the UK and where you live (if different). In some cases you may need legal advice.

Will I be taxed on the transfer?

When the transfer takes place, your pension scheme administrator will compare the transfer value with the unused amount of your standard lifetime allowance, which is £1,073,100 for the 2021/22 tax year.

If you have registered your UK pension savings for lifetime allowance protection, then you may have a personal lifetime allowance that is greater than the standard lifetime allowance. If the transfer value exceeds your unused lifetime allowance, you will be liable to a tax charge at a rate of 25% on the amount of the excess. Your financial adviser can explain the implications to you depending on the form of protection that has been registered.

The overseas transfer tax charge may apply. See the Transfer Charges section on page 12 for more information.

Important information: Before you start the transfer process, it's vital to consult a financial adviser and tax adviser about your current pension arrangements and make sure you're aware of any advantages and disadvantages of transferring to a QROPS.

Please speak to your financial adviser if you have any questions on the information in this brochure.

This document was last updated in June 2021.

Please confirm with your financial adviser that this is the most up-to-date document for your product or servicing needs.

This document is based on Utmost International's interpretation of current UK law governing UK pensions and QROPS.

While we believe this interpretation is correct, we cannot guarantee it. Whilst every effort has been made to ensure the accuracy of this document, we do not give pension or legal advice and can accept no responsibility for any act or failure to act based upon its content.

Your investment may fall or rise in value and you may not get back what you put in.

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UWSQ PR 07916 | 10/22