



# THE OPEN PENSION

**KEY FEATURES**



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**THE FINANCIAL CONDUCT AUTHORITY (FCA) IS A FINANCIAL SERVICES REGULATOR. IT REQUIRES US, LONDON & COLONIAL SERVICES LIMITED (LONDON & COLONIAL), TO GIVE YOU THIS IMPORTANT INFORMATION TO HELP YOU TO DECIDE WHETHER THE OPEN PENSION IS RIGHT FOR YOU. YOU SHOULD READ THIS DOCUMENT CAREFULLY SO THAT YOU UNDERSTAND WHAT YOU ARE BUYING.**

### **WHAT IS THE PURPOSE OF THIS DOCUMENT?**

The purpose of this document is to provide you with a summary of the information that you may require concerning The Open Pension and its Key Features.

By providing you with answers to those all important questions, we hope to assist you in determining whether or not The Open Pension will meet your requirements.

### **WHAT IS THE OPEN PENSION?**

The Open Pension is a brand name of the Sunlight Account: A Personal Pension Plan which is a UK Registered Pension Scheme also known as a Self-Invested Personal Pension (SIPP).

It is administered in accordance with Her Majesty's Revenue and Customs (HMRC) rules and regulations for such schemes and offers tax reliefs on investments and appropriate benefits.

As a long-term tax efficient savings plan, The Open Pension is designed to help you to invest more effectively up to and into your retirement. The Open Pension offers you the opportunity to select from a wide range of investment products, and asset classes.

The Open Pension provides access to London & Colonial's panel of Investment Providers - including Investment Managers, Execution Only Stockbrokers, Offshore Bonds, and Investment Platforms - plus additional investment opportunities such as commercial property. Please note, however, that all investments will be subject to our Permitted Investment criteria.

### **Aims**

- To provide you with the opportunity to build up a pension fund in a tax efficient way, in order to provide you with a range of options for retirement.
- To give you control over investment choices and decisions you may make (under guidance from your Financial/Investment Adviser if required).
- To enable you to build up a fund that you can use to provide lump sum and/or income benefits, when you retire.
- To provide you with the flexibility to take your pension fund in one go or in stages. The timing and amount of these withdrawals will be a matter for you to decide as suits your circumstances.
- To allow you to buy a pension annuity and/or draw your pension income directly from your pension fund.
- To provide your beneficiaries with lump sum and/or pension income benefits from your residual fund in the event of your death.

### **Your Commitment**

- To pay in single/regular contribution(s) and/or transfer-in benefits from alternative pension arrangement(s) you may already have.
- To wait until at least age 55 prior to taking any benefits (unless you are in ill health, in which case exceptions to this age limit could apply).
- To regularly review, together with your Financial Adviser, the performance of the investments held within The Open Pension, so as to ensure the retirement income you are anticipating remains achievable.

### **The risks**

As the value of your investments, as well as any income derived from them, can go down as well as up, the value of your pension fund cannot be guaranteed and you could get back less than the amount originally invested. Please be aware that past performance should not be taken as any indication of an investment's future returns.

All fees associated with The Open Pension are subject to change. The fees may therefore be more than those assumed in the illustration. For full details of the fees and charges that currently apply, please refer to our Schedule of Fees document (available via our website, or upon request).

- Should you decide to take your pension benefits earlier than originally intended, please be aware that your expected level of income may reduce.
- The value of investments not held in pounds sterling may be adversely affected by fluctuations in currency exchange rates.
- The spending power of your investments and retirement benefits may reduce over time due to the eroding effects of inflation.
- The tax treatment of your investments, retirement income, and/ or other benefits for taxation purposes may be subject to change, therefore cannot be guaranteed for the future.
- Should you decide to cash in this plan at retirement you could face a substantially higher tax charge than by taking regular benefits.

### **FREQUENTLY ASKED QUESTIONS**

#### **Who can have The Open Pension?**

The Open Pension is available to anyone over the age of 18, wishing to benefit from a flexible retirement solution.

#### **Who is it suitable for?**

The Open Pension is suitable for individuals wishing to build up a retirement fund through a variety of different investment options, and is an ideal choice for those wishing to remain invested while taking benefits from their pension scheme.

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### Is there a minimum investment required?

The Open Pension requires a minimum investment of £25,000, funded through either a single contribution, or a transfer from a UK Registered Pension Scheme or Recognised Overseas Pension Scheme.

## TRANSFERS AND CONTRIBUTIONS

### What type of transfers can The Open Pension accept?

Transfers from any UK Registered Pension Scheme, or Recognised Overseas Pension Scheme, are acceptable.

Transfers can be made in cash or, for those assets included in our Permitted Investments List, on an 'In-Specie' basis.

Transfers from existing schemes that may already be in capped, phased, or flexi-access drawdown are also accepted.

### How much can I contribute?

So long as you are eligible to contribute and have yet to access some of your pension benefits, no restrictions to the frequency or level of payments chosen apply. The maximum amount of tax relief you can receive on pension contributions is limited to your earned income or your Annual Allowance for the tax year, whichever is the lower.

The standard Annual Allowance for 2018/19 is £40,000, however your Annual Allowance may be restricted by a Tapered Annual Allowance or the Money Purchase Annual Allowance (please see below). For Annual Allowance purposes, contributions include Personal, Employer and Third Party payments. Any contributions in excess of your Annual Allowance, will be subject to an Annual Allowance tax charge.

We recommend that you speak to your Financial Adviser or seek alternative specialist tax advice, prior to deciding upon your level of pension contributions. While it may also be possible to carry forward into the current tax year, any unused Annual Allowance from the preceding three tax years, existing pension legislation will restrict the total gross contributions that will qualify for tax relief.

To benefit from any unused Annual Allowance that may be carried forward, you will need to have in the current tax year earned income equal to, or greater than, the total amount of contributions (including carry forward) you are planning to pay.

### What is the Tapered Annual Allowance?

Your Annual Allowance will be reduced if your total earned income exceeds both the 'Threshold Income' of £110,000 and the 'Adjusted Income' of £150,000.

If this applies to you then your Annual Allowance will be reduced by £1 for every £2 of income that your 'Adjusted Income' exceeds £150,000.

For example, an Adjusted Income of £160,000 would reduce the standard Annual Allowance of £40,000 to £35,000 (i.e.  $£40,000 - (£10,000/2) = £35,000$ ).

If your 'Adjusted Income' is £210,000 or more then your

Annual Allowance will be reduced to the minimum of £10,000.

The definitions of Threshold Income and Adjusted Income are complex and if this is likely to apply to you, you should take specialist tax advice.

### What is the Money Purchase Annual Allowance (MPAA)?

Where you have already flexibly accessed your pension benefits and you continue to make contributions into your pension fund, the tax relief available on these contributions may be restricted to the limit imposed by the MPAA which is £4,000 for the 2018/19 tax year.

This reduced limit will apply once you have received any of the following benefits from any pension arrangement:

A: Income payments under flexi-access drawdown

B: Benefits as an Uncrystallised Funds Pension Lump Sum (UFPLS)

C: Income payments under a new flexible annuity after 6th April 2015

Please also be aware that you cannot carry forward any unused MPAA to increase your Annual Allowance.

Your Financial Adviser or specialist tax adviser will be able to explain this to you in more detail.

### Can my employer contribute?

Yes, your employer can make contributions into The Open Pension on your behalf. These contributions will also count towards your Annual Allowance.

### Can I stop paying contributions if I wish?

Yes, you can stop and start paying contributions into The Open Pension at any time, and without penalty.

### What about tax?

Tax relief is available on your personal contributions at your marginal rate of income tax.

Personal contributions are paid net of basic rate of income tax regardless of whether you are a basic, higher, additional rate or even a non-taxpayer.

We will reclaim the basic rate tax from HMRC on your behalf and add this to your Open Pension. If you are a higher or additional rate taxpayer, any further relief must be claimed through your self-assessment tax return.

If the combined total of your and your employer's contributions exceed your Annual Allowance then you will be liable to a tax charge on the excess at your marginal rate of income tax.

There is no UK tax on any income or capital growth from investments.

There is a Lifetime Allowance imposed by regulations and if the total value of all your pension schemes exceed this limit (currently £1,030,000, increasing annually in line with CPI inflation) then you will pay tax on the excess.

For further details please consult your Financial Adviser or specialist tax adviser.

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## INVESTMENTS

### What investments can I access within The Open Pension?

The Open Pension can offer you the opportunity to invest in products which offer far greater levels of flexibility and choice.

**It is important to note that all investments carry a degree of risk, some more than others, and you may get back less than you originally invested. In some cases you may even lose all of your investment.**

All available investment classes are outlined in our Permitted Investments List. London & Colonial **does not** offer investment advice.

Any wise investment decision requires an appreciation of the future marketability and/or liquidity of the chosen investment, and the maintenance of an appropriately balanced investment portfolio is important.

Although we cannot provide advice regarding the suitability of any investment, we do reserve the right to refuse to hold within The Open Pension any proposed investment not included on our Permitted Investments List.

### What are the permitted investments?

For a list of the range of investment types that are acceptable for inclusion within The Open Pension, please refer to our Permitted Investments List. A copy of this is accessible via our website at [www.londoncolonial.com/downloads](http://www.londoncolonial.com/downloads) or available from us upon request.

For commercial property purchase(s) please refer to our Property Investment Notes. A copy of this is accessible via our website at [www.londoncolonial.com/downloads](http://www.londoncolonial.com/downloads) or available from us upon request.

Please note: London & Colonial reserve the right to amend the Permitted Investments List at any time.

### Can I manage my own investments?

Provided you keep within the Permitted Investments List, your Financial Adviser or chosen Investment Manager will be able to trade on your behalf your selected underlying investments. Unless you possess the necessary expertise to deal with such investments yourself, we would recommend that you seek independent professional advice.

### What are my options for self-managed trading?

If you wish to buy and sell investments yourself without advice from your adviser you will be restricted to using Stocktrade.

Also, you can access Peer-to-Peer Lending through RateSetter.

Further information can be found in the Member Trading Guidance Notes available on our website.

### What happens if my investment requirements change?

You can change your investments at any time (except where there are restrictions preventing this).

We would recommend that you seek expert financial advice from an appropriately authorised Investment Manager, or Investment Adviser, before making any firm investment decisions.

## TAKING INCOME FROM THE OPEN PENSION

### When can I take a pension income from The Open Pension?

Normally you would only be able to take your pension benefits from Age 55 onwards. However, under certain exceptional circumstances (for example ill health), it may be possible to take your benefits earlier.

### What retirement benefit options are available to me?

The options available to you upon your retirement are:

- **Phased retirement** - As an alternative to drawing your benefits all in one go, phased retirement allows you to take your benefits in stages, enabling you to match your income requirements to your personal circumstances. Any part of your fund from which you have not taken benefits (uncrystallised) is still able to receive contributions (provided you are under age 75 at the time) and transfer-in payments from other UK Registered Pension Schemes or Recognised Overseas Pension Schemes.
- **Tax-free lump sum (known as a Pension Commencement Lump Sum)** - Up to 25% of your fund or your available Lifetime Allowance, whichever is lower, can be taken free of any tax deductions. You can choose to take this as a single lump sum or as a series of payments. Taking tax-free cash means that you must allocate an amount equal to three times the cash sum to be taken to one of the income options available.
- **Uncrystallised Funds Pension Lump Sum (UFPLS)** - This option will enable you to take your pension fund as a single lump sum, or a series of lump sums, with up to 25% of each payment (or 25% of the Lifetime Allowance - whichever is the lower) payable free of any tax. The remainder of the payment will be classed as taxable income and, as such, subject to income tax deductions at your marginal rate.

***Please be aware that by taking your fund as either a single lump sum payment or a series of payments, you could reduce your pension savings to nil.***

- **Annuity Purchase** - An annuity is an insurance policy that will convert the fund you have accumulated within The Open Pension into a retirement income for the remainder of your life. Under the Open Market Option (OMO) you may choose any annuity provider available in the market. As there are a number of possible annuity options for you to consider, some of which are irreversible, and we would strongly recommend that you seek professional advice prior to making any final decision. There is no requirement for The Open Pension fund to be used to purchase an annuity, as you can continue to draw an income directly from your fund for as long as you wish to do so.
- **Flexi-Access Drawdown** - Flexi-access drawdown allows you to draw down different amounts of taxable income each year from the part of your fund

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designated for income payments (your 'crystallised fund'). The annual minimum is 0% and the maximum is 100% of the value of your crystallised pension fund. Any income taken under this option will be taxed at your marginal rate of income tax. With flexi-access drawdown, you are able to take your tax-free lump sum without drawing an income.

- **Capped Drawdown** - This option is only available for transfers from other pension arrangements that are already designated as a Capped Drawdown fund. This is an income paid directly from your Open Pension. You can continue to invest your fund as you choose. The minimum and maximum income levels are calculated when you first opt for Capped Drawdown and reviewed every 3 years thereafter (annually after you reach age 75). You can choose a level of income between these two levels. The minimum level is zero and the maximum level is 150% of an amount calculated by reference to the size of your fund, your age and the appropriate factor as shown in the Government Actuary's Department (GAD) annuity tables.

***Please remember that the withdrawal of high levels of income through drawdown is unlikely to be sustainable for long periods of time. In addition to potentially reducing any future amount(s) you could receive from The Open Pension, it may also reduce any regular income you might have expected to have received in retirement.***

When it comes to deciding your required level of income; any alternative potential income sources; and your overall financial situation; we recommend that you seek financial advice.

Your Financial Adviser, or your Tax Adviser should be able to advise you, as to how best to take your benefits prior to making any firm decision.

The Open Pension allows you to vary the amount of regular income you choose to receive, or withdraw one-off payments.

Where there are insufficient monies within The Open Pension designated bank account ten working days prior to any payment date, please be aware that payments will be delayed until the necessary monies become available.

#### **Is my income taxable?**

Any income you receive will be classed as earned income under current UK PAYE arrangements, and taxed accordingly. Tax will be deducted using the tax code we receive from HMRC, and where this remains outstanding the emergency tax code will be used.

This will apply to all income payments, including any lump-sum payment (but not the tax-free amount) received from the UFPLS.

If you are not a UK Resident when drawing benefits, you should take specialist tax advice in your country of residence.

#### **How frequently can my income payments be made?**

You will have the option to vary your regular income as required. Income can be paid to you on a monthly, quarterly, half-yearly, or annual basis.

Additional one-off payments, as and when required, are also permitted.

#### **If I have taken benefits can I continue to make contributions?**

You can, although certain conditions will apply. If you are under age 75 and part of your fund is still uncrystallised you may make contributions to that part of your fund.

However, these contributions may be subject to the current Money Purchase Annual Allowance (£4,000 in 2018/19 tax year).

#### **Can I transfer to another pension arrangement?**

Yes. With The Open Pension you are free to transfer either all or part of your fund into a UK Registered Pension Scheme, or a Qualifying Recognised Overseas Pension Scheme (QROPS), of your choice and at any time. Transfers to pension schemes that do not meet HMRC's requirements for Registered Pension Schemes or QROPS, are not permitted.

A tax charge of 25% of the transfer value may apply to transfers out to QROPS.

**Please note:** Partial 'transfers out' into an alternative scheme are subject to Trustee approval. This will depend on the type of investments held which may mean your new scheme must be prepared to accept all of your investments at the time of transfer.

#### **DEATH BENEFITS**

##### **What happens when I die?**

On death, whether you are taking benefits or not, the remaining value of your pension fund will be used to provide a lump sum and/or pension income benefits. The Scheme Trustee will use its discretion to decide who should receive the cash payment bearing in mind any nomination that you may have made previously.

If the value of your pension fund exceeds your available Lifetime Allowance, a tax charge will apply to the excess. This is in addition to any tax charge mentioned below.

If you die before the age of 75, lump sum and pension income benefits are paid free of UK tax. Where you die aged 75, or older, then the lump sum and/or pensions income benefits will be subject to the recipient's marginal rate of UK income tax.

#### **WHAT ARE THE FEES ASSOCIATED WITH THE OPEN PENSION?**

For full details of all fees associated with The Open Pension please refer to our Schedule of Fees document, a copy of which is available upon request or via our website at [www.londoncolonial.com](http://www.londoncolonial.com)



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## **YOUR RIGHT TO CHANGE YOUR MIND:**

You have a right to cancel The Open Pension within 30 days from the day that you receive our letter accepting your application. Once you receive this, should you wish to cancel just complete the cancellation notice enclosed with that letter, and return it to us at the following address:

The Compliance Team  
London & Colonial  
Rockwood House  
9-17 Perrymount Road  
Haywards Heath  
West Sussex  
RH16 3TW

You will also have 30 days in which to change your mind with regards to:

- starting to make regular contributions;
- any increase in the amount of your regular contributions;
- payment of an additional single contribution;
- any additional transfer from another registered pension scheme;
- electing to take flexi-access drawdown.

### **Will I lose anything if I cancel within 30 days?**

If you change your mind within the cancellation period we will return the contributions that have been paid. We will also return any transfer payments to the Pension Scheme in question.

#### **Please note:**

- Where you decide to cancel The Open Pension within the cancellation period, none of our usual charges will apply. Refunds associated with assets already purchased during the cancellation period may be subject to fluctuations in their value and/ or investment costs/charges. As a result you may not get back the same amount as was originally invested.
- Third party costs associated with the purchase or sale of any assets during the cancellation period (for example, solicitor's fees for property purchases or stockbroker fees for shares purchases) cannot be refunded.
- Fees facilitated by us and paid to your Financial Adviser form part of a contract between you and your Financial Adviser and may not be refunded as part of your cancellation with us. Any refund of these fees would need to be agreed directly with your Financial Adviser. Furthermore, any outstanding fees owed to your Financial Adviser may still be payable.
- It may not always be possible to return transferred funds to their original pension scheme. Where this is the case it will be your responsibility to make arrangements for the funds to be transferred into an alternative UK Registered Pension Scheme or Recognised Overseas Pension Scheme.

## **WHAT INFORMATION WILL YOU SEND ME?**

A statement will be emailed, or posted out, to you on the anniversary of the original start date of The Open Pension. This annual statement will include full details of all transactions, administration fees, and adviser fees associated with your plan for the previous 12 months. A valuation of the assets currently held within The Open Pension may also be included.

Around the same time we will also email to you a statutory money purchase illustration of possible benefits at your nominated retirement date, in respect of your uncrystallised fund only (i.e. the part of your fund not yet taken).

Where you continue to make contributions into your Open Pension but have yet to commence taking benefits, an estimate of the potential benefits you could receive at your selected retirement date will also be included.

Where you are receiving income directly from The Open Pension we will send you:

- a payslip detailing both the amount of income we have paid to you and the amount of tax that has been deducted;
- a P60 after the end of the tax year showing the total amount of income that we have paid to you in the previous tax year;
- a statement each year setting out the percentage of the standard Lifetime Allowance used.

## **WHAT SHOULD I DO NOW?**

Please speak to your Financial Adviser who will be able to answer any questions and tell you how to proceed.

## **WHAT PARTIES ARE INVOLVED?**

London & Colonial Assurance Plc is the Scheme Provider.

London & Colonial Assurance Plc is licensed by the Gibraltar Financial Services Commission.

London & Colonial Services Limited is the Scheme Trustee for The Open Pension.

London & Colonial Services Limited is the Scheme Administrator for The Open Pension.

London & Colonial Services Limited is authorised and regulated by the FCA.

## **HOW TO CONTACT US:**

To contact the Scheme Administrator, please use the details below:

The Customer Relations Team  
London & Colonial  
Rockwood House  
9-17 Perrymount Road  
Haywards Heath  
West Sussex  
RH16 3TW

Tel: +44 (0)203 479 5505

Fax: +44 (0)203 479 5506

Email: [CustomerRelations@londoncolonial.com](mailto:CustomerRelations@londoncolonial.com)

Web: [www.londoncolonial.com](http://www.londoncolonial.com)

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## HOW TO COMPLAIN:

London & Colonial is committed to providing the highest levels of quality and service and observes industry best practice when dealing with all customer related issues.

We hope that you will never have the need to complain\*, but if you do and your complaint concerns the administration of The Open Pension account, in the first instance please contact us at the address below.

Compliance Team  
London & Colonial  
Rockwood House  
9-17 Perrymount Road  
Haywards Heath  
West Sussex  
RH16 3TW

Tel: +44 (0)203 479 5505

Fax: +44 (0)203 479 5506

Email: [fcapron@londoncolonial.com](mailto:fcapron@londoncolonial.com) or [compliance@londoncolonial.com](mailto:compliance@londoncolonial.com)

In the unlikely event that we are unable to resolve any issues raised to your satisfaction you may be referred to the Financial Ombudsman Service.

Their address is as follows:

The Financial Ombudsman Service  
Exchange Tower  
London  
E14 9SR

Tel: 0800 023 4 567

[www.financial-ombudsman.org.uk/](http://www.financial-ombudsman.org.uk/)

In some circumstances, e.g. pension administration, we may refer you to the Pensions Ombudsman. Their address is as follows:

The Pensions Ombudsman  
10 South Colonnade  
Canary Wharf  
E14 4PU

Tel: 0800 917 4487

[www.pensions-ombudsman.org.uk/](http://www.pensions-ombudsman.org.uk/)

**\* Copies of our complaints handling procedure are available upon request.**

## UK COMPENSATION:

If London & Colonial is unable to meet its financial obligations you may be entitled to compensation from the Financial Services Compensation Scheme (FSCS). This depends upon the type of business, and the circumstances of the claim. The FSCS is the UK's compensation fund for customers of UK authorised financial services firms.

For self-invested assets\*, different compensation limits may apply and some may not be covered by the FSCS. Further information is available from the FSCS (their details below) and our Investor Protection Leaflet which is available on our website. FSCS contact details are: Correspondence address PO Box 300, Mitcheldean, GL17 1DY. Their contact telephone number is 0800 678 1100 or 020 7741 4100 and their website is [www.fscs.org.uk](http://www.fscs.org.uk)

**\* Important Note:** For investments established outside of the UK, jurisdictional compensation arrangements in respect of investments held within The Open Pension can and do vary. It is recommended that you check with your professional adviser as to what compensation arrangements apply, as these may be determined in part by where you are habitually resident and within which jurisdiction the product is situated.

## TERMS & CONDITIONS OF THE OPEN PENSION:

This document is meant as a summary only. Full details of all of the terms & conditions associated with The Open Pension are contained within the Sunlight Account: A Personal Pension Plan governing Trust Deed and Scheme Rules. Further information is available from your Financial Adviser or from the Scheme Administrator whose contact details are shown on the previous page.

## DATA PROTECTION:

The security and safety of your data is very important to us. A copy of our Privacy Notice can be found on our website:

[www.londoncolonial.com/privacy-notice](http://www.londoncolonial.com/privacy-notice)

## CALL RECORDING:

Telephone calls to us or from us are recorded for training purposes and to ensure that we have an accurate record of what you tell us.

## CLIENT CATEGORISATION:

Legislation set down by the FCA requires us to categorise our clients, based upon their levels of familiarity with the financial services industry as a whole.

For the purposes of complying with this legislation we will treat you as a 'retail client' in respect of the services that we provide for you.

By categorising you as a retail client you will be afforded the highest levels of consumer protection, available under current financial services legislation.

## LAW

The information contained within this document is based upon our interpretation and understanding of the current law within England & Wales and HMRC practice, which may be subject to change at any time.

All documents relating to The Open Pension are supplied in English as will be all other communication associated with your scheme.



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For more information please contact:  
t: +44 (0)203 479 5505  
w: [www.londoncolonial.com](http://www.londoncolonial.com)  
e: [CustomerRelations@londoncolonial.com](mailto:CustomerRelations@londoncolonial.com)



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