

## Scheme trustee questionnaire

This form should be completed by each individual trustee (or director of a corporate trustee) of a stakeholder pension scheme. Please either photocopy this form before you use it or go to [www.hmrc.gov.uk/stakepension](http://www.hmrc.gov.uk/stakepension) to download and print as many as you need. Please write in capital letters, using blue or black ink.

### 1 Stakeholder pension scheme details

Name of scheme

  

Scheme address

  
  
  
PostcodePension scheme tax reference number, *if applicable*R

### 2 Your personal details

Your name

Title - enter MR, MRS, MISS, MS, or other title

Surname

First name(s)

Have you used any previous names?

*(For example, before marriage) tick one box*No  Yes 

If Yes, give details below

Previous name *in full*  

Reason for change

  
Date of change *DD MM YYYY*Date of birth *DD MM YYYY*

National Insurance number

Current residential address

  
  
  
Postcode

How long have you lived at this address?

Years  Months Previous address *(if you have been at your current address for less than three years)*  
  
  
Postcode

Length of time at this address

Years  Months



## 4 Independent trustees and directors

Are you an independent trustee or director for the purposes of:

- Regulation 4(3) of the Stakeholder Pension Schemes Regulations 2000 SI 2000/1403 and/or
- Regulation 4(3) of the Stakeholder Pension Schemes Regulations (Northern Ireland) 2000 SR 2000 No.262?

No  Go to section 5

Yes  If Yes, read and sign the declaration below.

**I declare that** I am neither connected to nor associated with anyone providing services to or otherwise managing the scheme, other than as a trustee, within the meaning of:

- sections 249 and 435 of the Insolvency Act 1986, and
- section 74 of the Bankruptcy (Scotland) Act 1985, or
- Articles 7 and 4 of the Insolvency (Northern Ireland) Order 1989 SI 1989/2405 (N.I. 19).

For more information please read the Notes on page 4

Name *in capital letters*

  

Signature

Date *DD MM YYYY*

## 5 Contact details

We may need to ask some questions about the information provided on this form. Please tell us who we should contact.

Name

Phone number *(including national dialling code)*

## 6 Declaration

Please read and sign this declaration.

**I understand that** it is a criminal offence for a person to act as a trustee of a stakeholder pension scheme while:

- disqualified under section 29 of the Pensions Act 1995 and/or
- Article 29 of the Pensions (Northern Ireland) Order 1995 SI 1995/3213 (N.I. 22).

**I declare that** I have answered all questions fully and accurately to the best of my knowledge and belief.

**I confirm that** I will notify The Pensions Regulator of any changes in the information provided.

**I consent to** The Pensions Regulator making any further enquiries it considers necessary in order to register the scheme.

Name *in capital letters*

  

Signature

Date *DD MM YYYY*

## What to do next

If the stakeholder pension scheme is applying for registration with The Pensions Regulator, send this form to the scheme applicant.

They will send it to The Pensions Regulator with form SHP100 *Application to register a stakeholder pension with The Pensions Regulator*

If the stakeholder pension scheme is notifying The Pensions Regulator of changes to trustees, send this form to the following address:

### The Pensions Regulator

Napier House  
Trafalgar Place  
Brighton  
BN1 4DW

[www.thepensionsregulator.gov.uk/stakeholderpensions](http://www.thepensionsregulator.gov.uk/stakeholderpensions)

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## Notes to help you complete part 4

### Independent trustees and directors

Under the Stakeholder Pension Schemes Regulations 2000 SI 2000/1403 and the Stakeholder Pension Schemes Regulations (Northern Ireland) 2000 SI 2000 No. 262 (and any associated regulations):

- for any scheme that is established under trust and has **three or fewer trustees** (for a corporate trustee, directors), there must be at least one independent trustee
- for any scheme that is established under trust and has **more than three trustees**, at least one third must be independent trustees.

### What is meant by independent trustee or director

An independent trustee or director is one that is not connected to or associated with anyone that is:

- providing services to the scheme, or
- managing the scheme

other than as a trustee to the scheme.

For a definition of 'connected to' and 'associated with', we refer to:

- sections 249 and 435 of the Insolvency Act 1986, and
- section 74 of the Bankruptcy (Scotland) Act 1985, and
- Articles 7 and 4 of the Insolvency (Northern Ireland) Order 1989 SI 1989/2405 (N.I. 19).

See below.

### What we mean by 'connected to'

*Section 249 of the Insolvency Act 1986 and Article 7 of the Insolvency (Northern Ireland) Order 1989 SI 1989/2405 (N.I. 19)* states that a person is connected to a company if they are either:

- a director or shadow director of the company, or
- an associate of a director or shadow director of the company, or
- an associate of the company, as defined below.

### What we mean by 'associated with'

*Section 435 of the Insolvency Act 1986 and Section 74 of the Bankruptcy (Scotland) Act 1985 and Article 4 of the Insolvency (Northern Ireland) Order 1989 SI 1989/2405 (N.I. 19)* states that a person is associated with an individual if they are:

- married or related to the individual, or
- related to the individual's husband or wife or civil partner, or
- in partnership with the individual, or
- husband, wife, civil partner or related to the individual who the person is in partnership with, or
- employed by the individual, or their employer.

### For the purposes of this section

- A person's relatives include any brother, sister, uncle, aunt, nephew, niece, ancestor or descendant.
- A half blood relationship is treated as a whole blood relationship.
- A stepchild or adopted child is treated as a natural child.
- An illegitimate child is treated as the legitimate child of their mother and their reputed father.
- A former husband or wife, or someone living as husband or wife, is treated as an actual husband or wife.
- Any director or other officer of a company is treated as employed by that company.

### A person is associated with another person if they are:

- a trustee of a trust which is a pension scheme, or
- an employees' share scheme (within the meaning of the Companies Act 1985 and/or Article 11 of the Companies (Northern Ireland) Order 1986 SI 1986/1032 (N.I. 6))

### and

- the beneficiaries of the trust include that person, or one of their associates, and
- the terms of the trust confer a power that may be exercised for the benefit of that person, or one of their associates unless the trust is arising under any of the second Group of Parts of the Insolvency Act 1986 or the Bankruptcy (Scotland) Act 1985 or Parts VIII to X (other than Chapter 1 of Part VIII) of the Insolvency (Northern Ireland) Order 1989 SI 1989/2405 (N.I. 19).

### A company is associated with another company if:

- the same person has control of both companies, or
- one person is in control of one company, and associates of that person are in control of the other company, either by themselves or with that person, or
- a group of two or more people has control of each company, and the groups consist of the same people, or
- a group of two or more people has control of each company, and the groups could be regarded as consisting of the same persons if one or more person is replaced by one of their associates.

### A company is associated with another person if:

- that person has control of the company, or
- that person and their associate together have control of the company.

In Scotland, a firm is associated with any person who is a member of the firm.

### A person is treated as having control of a company if:

- the directors of the company, or of another company which has control of it, are accustomed to act in accordance with the person's directions or instructions
- the person is entitled to exercise, or to control the exercise of, one third or more of the voting power at any general meeting of the company, or of another company which has control of it
- if two or more people together satisfy either of the two conditions for treating a person as having control of a company, they are treated as having control of the company.

### A company is treated as any corporate body that is incorporated in Great Britain or elsewhere, and:

- references to directors and other officers of a company, and
- references to voting power at any general meeting of a company have effect with any necessary modifications.