

Transfer of pension rights overseas (GMP/Section 9(2b) rights transferred) form



Railwaypensions.co.uk

csu@railpen.com

0800 012 1117

PO Box 300, Darlington,
DL3 6YJ

Member name:

Member reference:

PART 1: Please ensure this part of the form is **completed and signed by your new pension provider**, using black ink and capital letters.

QROPS information:

HMRC reference number:

Name of QROPS:

Address of QROPS:

Postcode:

Country in which QROPS is established and regulated:

Declaration of Pension Scheme Administrator

I certify that the whole transfer value of £_____, which includes the Guaranteed Minimum Pension/Section 9(2B) rights ('Transfer Value'), has purchased the following credit of _____ in _____ (scheme name).

If the transfer is to an occupational scheme, I confirm that the employment of the Transferee relates to the Receiving Scheme.

I certify that the amount of the Transfer Value relating to the Guaranteed Minimum Pension/Section 9(2B) rights will be paid in pension form only.

Your name:

Your position in the company:

Company address:

Signature:

Date signed:

 / /

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**Thank you. Please return this form to the address at the top of this page.
Declaration of Overseas Employer**

Please complete if you are an occupational scheme - I certify that the information supplied is correct.

Your name:	<input type="text"/>
Your position in the company:	<input type="text"/>
Company address:	<input type="text"/>
Signature:	<input type="text"/>
Date signed:	<input type="text" value="D D"/> / <input type="text" value="M M"/> / <input type="text" value="Y Y Y Y"/>

Thank you. Please return this form to the address at the top of this page.

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Member name:

Member reference:

Calculation date:

Member address:

PART 2: This part of the form is to be **completed and signed by you**, using black ink and capital letters. **Important:** both parts of this form need to be returned to the address at the top of this page within **60 days of the date of the transfer request**.

Member declaration

I understand the information provided in this statement, and having considered the alternative options available, wish the whole of my Transfer Value, including the (GMP)/Section 9(2B) rights, to be applied in payment to _____ (the 'Receiving Scheme'), on the basis described in this statement.

I fully understand the implications of making this transfer and do so on an informed basis. I understand that following the transfer of my Transfer Value (i) the Trustee of the Railways Pension Scheme will be discharged from any obligation to provide benefits in respect of me from the Railways Pension Scheme and (ii) I will have no rights under the Railways Pension Scheme in respect of my Transfer Value.

I confirm that I have received a statement from the Receiving Scheme showing the benefits to be awarded in respect of the Transfer Value and the conditions (if any) on which these could be forfeited or withheld.

I acknowledge that:

- the Receiving Scheme may not be regulated in any way by the law of the United Kingdom and that as a consequence there may be no obligation under that law on the Receiving Scheme or its Trustees or administrators to provide any particular value or benefit in return for the Transfer Value, and
- if the GMP/Section 9(2B) rights are transferred, there is no recourse to the Railways Pension Scheme or the State from me (or my dependants) should the Transfer Value purchase less benefits than would have been the case if the GMP/Section 9(2B) rights had been secured in the UK.

I confirm that I have been made fully aware of any specific forfeiture Rules in the Receiving Scheme. I also understand that under no circumstances will a loan be permitted against any part of the Transferred funds.

I hereby certify that I am aware of the risks involved, and would confirm that I wish to proceed with the Transfer.

I have no intention of returning to the UK to work or retire.

I have read the HMRC guidance APSS 263 Notes and confirm that I am aware that:

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- in some circumstances, a transfer of funds might not be a recognised transfer and may be treated as an unauthorised payment giving rise to a liability to pay tax in the UK, and
- in some circumstances, a future payment made or treated as made by a QROPS may be treated as an unauthorised payment giving rise to a liability to pay tax in the UK.

I confirm that I have considered taking independent financial advice and that I am not seeking to rely on Railways Pension Trustee Company Ltd or Railpen for any information or guidance in relation to this transfer or in relation to the taxation of pension benefits. I accept that Railpen has no liability to me or my beneficiaries in respect of making the transfer I have requested.

If the transfer is to an occupational scheme:

I confirm that I am in employment to which the Receiving Scheme relates.

To the best of my knowledge and belief, the information given in this form is correct and complete.

Please note: This declaration will be submitted to HMRC as part of the notification of the payment of the Transfer Value.

Data Protection

By signing and returning this form you are confirming that where the transfer of your personal data is to countries or organisations outside the European Union you understand that the Railway Pension Trustee Company Ltd or Railpen Limited have not considered what Data Protection measures, adequacy decisions or appropriate safeguards are in place. As a result the level of data protection available to you may be lower than that which exists under UK legislation. You are fully aware of the possible risks of undertaking such a transfer and that you provide your explicit consent to transfer your personal data overseas.

You can withdraw your consent to the transfer of your personal data overseas at any time by contacting Railpen 's Data Protection Officer (details included in the general notification). The withdrawal of consent will not affect the processing of personal data carried out before consent was withdrawn.

You also confirm, by signing and returning this form, that you have read the enclosed "data protection – how we use information about you" notification and understand that we will use your personal information as set out in the notification.

Signature:

Date signed: / /

Thank you. Please return this form to the address at the top of this page.



Data Protection notification - How we use information about you

We, the Railways Pension Trustee Company Limited and Railpen Limited (each with its registered address at 100 Liverpool Street, London, EC2M 2AT) will use your personal details to assess, deal with and pay any benefits you may be entitled to under the rules of the Railways Pension Scheme, The BT Police Superannuation Fund, The British Railways Superannuation Fund, or any other pension fund administered by Railpen. As part of the service we provide we may share your information with other organisations for the purposes of identifying accurate information as to your whereabouts or for the purpose of paying any benefits that you may be entitled to. We will handle your data in compliance with all relevant data protection legislation, including from May 2018 in compliance with the General Data Protection Regulation (GDPR). Each of the Railways Pension Trustee Company Limited and Railpen Limited is a data controller in respect of your personal information for the purposes of applicable data protection legislation. If there is a Pensions Committee for your section, it will also comply with the data protection legislation.

Purpose of using information

We process information or data for the above reasons/purposes. This information may include:

- personal details
- family, lifestyle and social circumstances
- financial details
- employment and education details
- goods or services provided

We may also need to process sensitive classes of information such as physical or mental health details in order to administer ill health retirement payments and applications.

This information may be obtained from your employer, ex-employer, government agencies, service providers or from yourself.

We will only collect and use your personal information where:

- there is a legal obligation for us to do so;
- it is for our legitimate business interests; or
- you have given us your consent to do so

Our legitimate business interests include fulfilling our role in dealing with, assessing eligibility for and paying any benefits you may be entitled to. We will not use your data for our legitimate business interests if they are overridden by your interests, rights or freedoms.

You do not have to provide the information requested from you, but there may be a delay in the payment of your benefits if that information is not provided.

If we are processing your data on the basis of your consent you can withdraw your consent at any time by contacting Railpen's Data Protection Officer (details shown below). The withdrawal of consent will not affect the processing of personal data carried out before consent was withdrawn.

Who the information may be shared with

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From time to time we may need to share your information with other organisations. Where this is necessary we are required to comply with all aspects of relevant data protection legislation. The types of organisations we may need to share some of your information with are:

- claimants, beneficiaries, assignees and payees
- pension schemes with which the person whose personal information we are processing has an association
- trade and business associates and professional advisers
- healthcare, social and welfare organisations
- financial organisations and advisers
- central and local government
- service providers
- ombudsmen and regulatory authorities
- suppliers
- family, associates or representatives of the person whose personal data we are processing
- tracing agencies

If you qualify for free financial counselling we will give your information to carefully selected organisation(s) with which we have arranged to provide this service. We or they may contact you by mail or telephone. If you do not wish to take advantage of this service, please notify the Data Protection Officer in writing who will forward an acknowledgement to you within 7 days.

Retention of Data

One of the key principles of the relevant data protection legislation, including the GDPR, is that the personal data we store and process shall be adequate, relevant and limited to what is necessary for the purpose it was originally collected. Our standard policy is for information or data to be kept for only as long as necessary. It is then disposed of in a managed and secure way. However, as pensions are a long term saving vehicle it may be necessary to retain your personal data for the remainder of your life and any dependants' lives in order to pay you the benefits you are entitled to along with any dependant's benefits payable.

Transferring data overseas

Our core systems, data, and administration services are all carried out and stored within the UK. However, TCS an International multinational information technology service, based in India provide maintenance support. Therefore, on rare occasions it may be necessary to transfer your data overseas to TCS.

Transferring personal data outside the European Economic Area to a third country that does not have adequate data protection is prohibited unless the country has been approved by the European Commission as providing an adequate level of data protection or adequate safeguards have been put in place to ensure the security of the data. As India is currently not on the European Commission's list of countries providing adequate data protection, the Railways Pension Trustee Company Limited and Railpen Limited have taken steps to put in place appropriate and suitable safeguards. Railpen and TCS have entered into a data protection contract using standard clauses adopted by the EU Commission (so-called model clauses). These contain enforceable data subject rights and effective legal remedies for data subjects against TCS. A copy of these are available upon request at the address below.

If at any time we propose to use your personal data for any other reason than outlined above we will provide you with further details as to why and for what reason we intend to do so.

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Completing forms on behalf of a child

If you are completing forms, on behalf of a child we may also hold and use your personal information, which will be dealt with on the same basis as set out above.

Your Rights

You will have a number of rights under data protection legislation. These include the right to:

- see the information we hold about you;
- request personal data to be amended if it is inaccurate or incomplete;
- request the deletion or removal of personal data where there is no compelling reason for its continued use;
- block or restrict the processing of your personal data in certain circumstances; and
- object to the processing of your personal data in certain circumstances

There is also a right under the GDPR to receive your personal data (in a structured, commonly used and machine-readable format) and to transfer your data to another service provider or data controller. This right applies where your data is being processed on the basis of your consent or in line with a contract to which you are party. Please note that for the majority of members this is not applicable as we rely on our legitimate business interest to collect and process your data rather than individual consent or contracts.

Further information

If you wish to exercise any of your above rights or have concerns about the processing of your personal data or, on behalf of the child in whose name this claim is made, or wish to raise any issues in relation to data protection, including in relation to the use of it by Railways Pension Trustee Company Limited, Railpen Limited or the Pensions Committee for your section, please contact the Data Protection Officer at Railpen:

Data Protection Officer - Mark Beck
Railpen Stooperdale Offices
Brinkburn Road
Darlington
County Durham
DL3 6EH
Tel: 0800 012 1117
Email: CSU@railpen.com

If you are unhappy with how your personal information is being handled you also have the right to make a complaint to the Information Commissioner's Office, an independent body set up to uphold information rights, who will investigate your complaint.