

# GUIDE TO ASSIGNMENTS

## THE DIFFERENCE BETWEEN A SECURITY ASSIGNMENT AND AN ABSOLUTE ASSIGNMENT

This document explains the difference between the two options and outlines the requirements we would need to process them.

### SECURITY ASSIGNMENT

This is where the plan owner wishes to use their RL360 plan as security (usually against a loan from a bank).

The plan owner passes ownership to the assignee for the duration of the assignment. No benefits can be taken from the plan without RL360 receiving written authorisation from the entity with whom the plan owner has entered into an agreement with. The same entity would have immediate rights to any death benefit to be paid in the event of the death of the plan owner.

Security Assignments can also be known as a Notice of Interest.

Upon receipt of notification from the plan owner(s), RL360 will update our records to note a third party interest in the plan. As a result, RL360 will not accept any transaction instructions from the plan owner(s) (for example, dealing/switching instruction, regular withdrawal instructions) without appropriate authorisation from the entity who holds an interest in the plan.

RL360 does not provide any draft documentation to evidence a Security Assignment as these agreements are specific to each client and the entity they are contracting with.

### RL360 REQUIREMENTS FOR A SECURITY ASSIGNMENT

- A copy of the security agreement detailing the entity with the interest. Documents which are not in English should be fully translated before being sent to RL360.
- A certified copy or original ink Authorised Signatory List for the entity to whom the plan is being pledged as security.
- Written notification from the plan owner(s) that the plan is subject to a Security Assignment/Notice of Interest.
- The original plan documents DO NOT need to be returned
- The Deed of Assignment Form should NOT be completed

### ABSOLUTE ASSIGNMENTS

This is where the current plan owner would give (assign) the full rights of their plan to another person or entity.

To transfer the ownership, the existing plan owner and the new owner would complete a Deed of Assignment.

The original plan owner has no ongoing or future interest in the plan.

Once the assignment is complete, all of the benefits, rights and liabilities of the RL360 plan fall to the new owner and the previous owner no longer has a claim on the plan.

### RL360 REQUIREMENTS FOR AN ABSOLUTE ASSIGNMENT

- Fully completed Deed of Assignment Form in original ink
- Return of the original plan schedule.
- Certified verification of identity for the new plan owner(s). Please see guidelines below.
- Certified verification of residential address for the new plan owner(s). Please see guidelines below

### DOCUMENTS THAT CAN BE ACCEPTED AS SATISFACTORY EVIDENCE OF IDENTITY

- A valid 'full' passport
- A national ID card (carrying a photograph)

Where these documents are not available, please phone us on +44 (0)1624 681682 or email [alterations@rl360.com](mailto:alterations@rl360.com).

### DOCUMENTS THAT CAN BE ACCEPTED AS SATISFACTORY EVIDENCE OF CURRENT RESIDENTIAL ADDRESS

- A current UK driving licence
- A utility, rates or council tax bill. The utility bill should be no more than 3 months old. Mobile telephone bills are not acceptable
- An entry in a local telephone directory
- An extract from the official register of electors

- A state pension, benefit book or other government produced document showing benefit entitlement
- A tax assessment document
- An account statement from a bank or bank credit card. Statements featuring a "care of" or accommodation address are not acceptable. Non-bank cards, such as store cards are not acceptable
- Proof of ownership or rental of the residential address
- Proof of payment for a PO Box service (which must also show your current residential address), where the PO Box is shown is also your correspondence address
- A mortgage statement

#### **EVIDENCE REQUIRED WHERE THE ASSIGNEE IS AN INDIVIDUAL**

- Suitably certified identity and current residential address documentation for the Assignee

#### **EVIDENCE REQUIRED WHERE THE ASSIGNEE IS AN INDIVIDUAL TRUSTEE**

- Suitably certified identity and current residential address documentation for each trustee
- Suitably certified copy of the trust deed and any subsequent deed(s) of appointment or retirement

#### **EVIDENCE REQUIRED WHERE THE ASSIGNEE IS A COMPANY**

- A full list of directors
- Suitably certified certificate of incorporation
- A copy of the latest annual report and accounts (only required where available)
- Suitably certified documentation verifying registered address

- Suitably certified identity and current residential address documentation for your named executive director and director or two partners in a partnership
- A full list of authorised signatories (including board resolution for public limited companies) showing officers from whom we can take instructions and including specimen signatures. For charities (only) we will require suitably certified identity and current residential address documentation for at least two signatories, and where possible, these should be different to the two named directors
- Suitably certified identity documentation for all shareholders or those with a beneficial interest of 25% or more

#### **EVIDENCE REQUIRED WHERE THE ASSIGNEE IS A CORPORATE TRUSTEE**

- The same as where the Assignee is a company but in addition we need a suitably certified copy of the trust deed together with any copies of any subsequent deed(s) of appointment or retirement

#### **SUITABLY CERTIFIED COPY DOCUMENTATION**

We can accept certification of copy documents by financial advisers, assuming they hold established Terms of Business with us and, where appropriate, have been granted Suitable Certifier status. Please contact us to enquire if you have Suitable Certifier status.

Where Suitable Certifier status is not held, we will only accept certification by one of the following 'Suitable Certifiers'

- A British Embassy official
- A Notary Public (or equivalent)
- A lawyer

- A formally appointed member of the judiciary
- An employee of RL360
- A Commissioner for Oaths

In all cases, the certifier must

- Add the statement 'Certified as a true copy taken from the original'
- Sign and date the copy document on all pages
- Print their name clearly in BLOCK CAPITALS underneath their signature
- Record the capacity or position in which they are certifying the document
- Add their company name or official stamp or seal

The documents which we receive must contain the original certification and stamp.

#### **IMPORTANT NOTES**

For financial advisers only. Not to be distributed to, nor relied on by, retail clients.

There are other tax planning opportunities available using offshore bonds.

The RL360 draft Deed of Assignment is designed only for use with RL360 plans which are written under Isle of Man law. If the policy has been written under the laws of a different jurisdiction, plan owners should seek independent legal advice before submitting documentation to RL360.

RL360 accepts no responsibility for any loss suffered by a plan owner or other parties arising out of the use of our deed.