

## **Transfers and Novations Signature Form v1.4**

### **August 2018**

#### **Transfer and Novation Guidelines (Please read carefully before proceeding)**

Before you proceed, please check that all of the following are in place:

- The Receiving Firm must have Terms of Business with the Product Providers that this request will be submitted to. The Origo Agency Registration Service can be used to request Terms of Business where required.
- The specific agencies that will receive the transferred business must be set up and be in existence. The Additional Agencies request in the Origo Agency Administration Services can be used for this purpose.
- Any Transfers of Business required at Adviser level (registered individual) must have their own designated agency in place to transfer from.

#### **Important Information:**

**Please ensure that you have read and understood the following:**

- If the Ceding or Receiving Firm is de-authorising then note that some Product Providers allow a maximum of 28 days from de-authorisation by the appropriate regulatory authority to allow for the transfer of their clients business.
- The Receiving Firm should be advised to confirm and understand the amount of unearned liability they are taking on as a result of this Transfer of Business.
- The Receiving Firm should be advised to confirm and understand the amount of existing debt they are taking on as a result of this Transfer of Business. It is recommended that any existing debt is cleared insofar as possible before business is transferred.
- Note that in some cases Product Providers will require existing debt to stay with the Ceding Firm.
- Both Receiving and Ceding Firms are advised to seek independent legal advice.
- Both Ceding and Receiving firms must have obtained any necessary approval from their Regulatory Body prior to submitting this form, and be prepared to provide evidence of this if required.
- Please note that in some cases, Product Providers may impose additional or different requirements to those listed in the Transfer Declaration before they authorise a transfer request to process. The Product Providers will notify you separately of any additional or different requirements after your transfer request form has been received.
- Both the Ceding and Receiving Firms acknowledge that each of the Product Providers act independently of each other when considering whether to authorise your transfer request to proceed.
- This form should not be used if your transfer scenario does not fit with any of those stated in Section D. Please contact one of the relevant Providers to discuss how to proceed in these circumstances.
- Written permission must have been obtained and validated from any client where there is an on-going adviser charge being facilitated confirming their agreement for the transfer of payment of this charge to the Receiving firm prior to the form being submitted, and the Receiving firm should be prepared to provide evidence of this upon request.

|   |   |
|---|---|
| <p><b>A) <u>Receiving Firm Details</u></b><br/> <u>(to be completed by or on behalf of Receiving Firm Principal)</u></p> <p>Name of Firm:.....<br/> .....</p> <p>Address:.....<br/> .....<br/> .....<br/> .....<br/> .....</p> <p>Post Code:.....</p> <p>Email Address:.....</p> <p>Tele No:.....</p> <p>Contact Name:.....</p> <p>Regulatory Reference Number:.....</p> <p>Name(s) of Firm Principals:.....<br/> .....<br/> .....<br/> .....</p> | <p><b>B) <u>Ceding Firm Details</u></b><br/> <u>(to be completed by or on behalf of Ceding Firm Principal)</u></p> <p>Name of Firm:.....<br/> .....</p> <p>Address:.....<br/> .....<br/> .....<br/> .....<br/> ..... Post</p> <p>Code:.....</p> <p>Email Address:..... Tele</p> <p>No:.....</p> <p>Contact Name:.....</p> <p>Regulatory Reference Number:.....</p> <p>Name(s) of Firm Principals:.....<br/> .....<br/> .....<br/> .....</p> |
|---|---|

**C) Please indicate below whether the transfer of all agencies is required or whether only a subset of policies / agencies should be transferred**

Transfer **all** agencies associated with ceding firm / registered individual

**Agency** specific transfer request

**Policy** specific transfer request

If you only wish to transfer a subset of agencies / policies, please provide a separate list of the relevant agency / policy details in Section E to avoid whole agencies being novated in error.

**Please Note:** Some providers may have restrictions when completing policy level transfers – this will be confirmed on completion of the instruction. If you are not sure whether or not a provider accepts policy level transfers, please contact the relevant provider for clarification

## D) Transfer Details

Please select the transfer scenario below which best describes the reason for this transfer

### Transfer Scenario A: (please complete declaration on page 4)

Agency Transfer at Adviser (RI) level from Adviser A to Adviser B within the same Firm Principal. (No change to regulatory reference number)

### Transfer Scenario B: (please complete declaration on page 4)

Agency Transfer at AR Firm Level from AR Firm A to AR Firm B within the same Network Principal.

### Transfer Scenario C: (please complete declaration on page 5)

Adviser moves Firm externally (to a different regulatory reference number) and takes the Business with them and assumption that charges remain the same.

### Transfer Scenario D: (please complete declaration on page 5)

Agency Transfer of AR Firm from one Directly Authorised Firm Principal to another Directly Authorised Firm Principal.

### Transfer Scenario E: (please complete declaration on page 5)

AR Firm is appointed and transfers to a Directly Authorised Firm.

### Transfer Scenario F: (please complete declaration on page 5)

Directly Authorised Firm (ceding) changes to an AR Firm of a Network (receiving) and the Directly Authorised Firm is de-authorised.

### Transfer Scenario G: (please complete declaration on page 5)

Directly Authorised Firm (ceding) gets taken over by Directly Authorised Firm (receiving) in a buyout arrangement / merger and ceding Firm retires from the industry.

**(Please provide additional information for this transfer scenario in Section E below.)**

### Transfer Scenario H

Partial Transfer i.e. split of a book of business due to partners of a Firm dividing the business between them.

**(Please note that the Provider's approach for Scenario H depends on what is actually happening and may fall into one of the other transfer scenarios described above. Please select the most appropriate transfer scenario that most closely matches the situation and provide additional information for this transfer scenario in Section E below)**

## E) Please use this section to add any supporting information relating to this transfer:

# Transfer Declaration for Transfer Scenarios A or B

## Principal Firm's Declaration:

- 1) We confirm that all clients affected by the transfer have been informed and have consented to the transfer including the transfer of commission and charges.
- 2) We confirm that an ongoing service is being provided to the clients affected by the Transfer.
- 3) We confirm that initial and renewal/trail commission, initial adviser charges and ongoing adviser charges (as applicable) are continuing on the same basis as before and that the level of Servicing is the same as before.
- 4) We agree to undertake the repayment of any reclaims of unearned remuneration which may occur from the Effective Date of the transfer in accordance with the Product Provider's Terms of Business.
- 5) We confirm the transfer has been approved.
- 6) We acknowledge that responsibility for all advice given to our clients prior to the date of this transfer remains with us.

**Agreed on behalf of Principal Firm as detailed in A on Page 2**

**(Please note that where there are two or more Authorised Signatories in place, at least two Authorised Signatories should sign the declaration.)**

| Signature            | Please Print Name    | Position in Company  | Date                 |
|----------------------|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |

| Signature            | Please Print Name    | Position in Company  | Date                 |
|----------------------|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |

# Transfer Declaration for Transfer Scenarios C to G

## Receiving Firm's Declaration:

- 1) We confirm acceptance of the remuneration liability;
- 2) We confirm transfer of clients and remuneration;
- 3) We confirm that all clients affected by the transfer have been informed and have consented to the transfer including the transfer of commission and charges;
- 4) We confirm that initial and renewal/trail commission, initial adviser charges and ongoing adviser charges (as applicable) are continuing on the same basis as before and that the level of Servicing is the same as before;
- 5) We agree to undertake the repayment of any reclaims of unearned remuneration which may occur from the Effective Date of the transfer in accordance with the Product Provider's Terms of Business.
- 6) We agree to undertake the repayment of any actual debt balance at the date of transfer in accordance with the Product Provider's Terms of Business

**Agreed on behalf of Receiving Firm (as detailed in Section A on Page 2)**

**(Please note that where there are two or more Authorised Signatories in place, at least two Authorised Signatories should sign the declaration.)**

| Signature            | Please Print Name    | Position in Company  | Date                 |
|----------------------|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |

| Signature            | Please Print Name    | Position in Company  | Date                 |
|----------------------|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |

## Ceding Firm's Declaration:

- 1) We confirm the transfer to the Receiving Firm has been approved.
- 2) We acknowledge that responsibility for all advice given to our clients prior to the date of this transfer remains with us.

**Transfer approved on behalf of Ceding Firm Name (as detailed in Section B on Page 2)**  
**(Please note that where there are two or more Authorised Signatories in place, at least two Authorised Signatories should sign the declaration.)**

| Signature            | Please Print Name    | Position in Company  | Date                 |
|----------------------|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |

| Signature            | Please Print Name    | Position in Company  | Date                 |
|----------------------|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |