

Your policy number: **XXXXXXXXXX**

April 2020

Dear **XXXXXXXXXX**

## Proposed transfer of your annuity policy with Rothesay Life Plc

We are proposing to transfer a small portion of our annuity business to Monument Life Insurance DAC ("Monument Life") to ensure that payments due under the policies can continue to be paid lawfully. The affected policies were all written by Rothesay Assurance Limited (formerly MetLife Assurance Limited) on a freedom of services basis in the Republic of Ireland and subsequently transferred to Rothesay Life Plc. We are writing to you because your policy is included in the proposed transfer to Monument Life.

Before the UK's exit from the European Union (the "EU"), Rothesay Life had rights to conduct business in the EU, including the Republic of Ireland, under EU rules which allow EU insurance companies to 'passport' into other EU countries. As a result of the UK leaving the EU, UK insurers including Rothesay Life are expected to lose their 'passporting' rights at the end of the implementation period (currently expected to be 31 December 2020). Following discussions with the Prudential Regulation Authority ("PRA"), the Financial Conduct Authority ("FCA") and the Central Bank of Ireland ("CBI"), we decided to transfer the affected policies to an Irish insurance company in order ensure that payments under the affected policies can continue to be lawfully paid following Brexit.

### What is happening?

We have agreed to transfer the affected policies to Monument Life Insurance DAC ("Monument Life"), an Irish insurance company authorised and regulated by the CBI. The proposed transfer requires the approval of the High Court of Justice of England and Wales (the "Court"). There is a legal process to go through in the UK before the proposed transfer takes effect. If approved, it is expected to become effective on 7 September 2020.

### KEY POINTS

- Rothesay Life proposes to transfer your policy to Monument Life
- There is a legal process to go through in the UK before the proposed transfer can proceed
- **The terms and conditions of your policy will not change as a result of the proposed transfer**
- The Independent Expert's opinion is that the proposed transfer will not materially adversely affect our policyholders, including those whose policies are included in the proposed transfer
- You should read this letter and the enclosed booklet for details of the proposed transfer
- More information is available at: [www.rothesaylife.com/transfer-monument](http://www.rothesaylife.com/transfer-monument)
- **You have the right to object if you feel you may be adversely affected by the proposed transfer**
- You need take no further action in response to this letter unless you want to object to the proposed transfer

**What action do I need to take now?**

Please make sure that you understand what the proposal means for you by carefully reading this letter and the enclosed booklet, which contains:

- Important information about the proposed transfer
- Questions and answers, providing more detail on the process for the proposed transfer and your related rights
- A summary of the Scheme
- A summary of the Independent Expert's report
- A copy of the legal notice of the transfer

You may also wish to read the additional information available on our website at:

**[www.rothesaylife.com/transfer-monument](http://www.rothesaylife.com/transfer-monument)**

If you cannot access our website, you can request free of charge copies of the documents accessible from this page of our website using the contact details at the end of this letter.

**You have the right to object to the proposed transfer if you have any concerns or feel the proposals will have an adverse effect on you.**

If having read all the information provided regarding this proposed transfer you have any concerns or feel you may be adversely affected by the proposed transfer, you have the right to object – for more information please see page 4 of this letter and the enclosed booklet.

If you are aware of anyone else who has an interest in and/or is entitled to benefits under your policy (for example, if there are contingent beneficiaries (e.g. a spouse or dependant) for an annuity or if your policy has been assigned or is subject to a Court order), please share this letter and the enclosed booklet with them and make them aware of their right to raise an objection.

**The legal process**

The proposed transfer to Monument Life is to be carried out by way of a legal process in the UK known as a "Part VII transfer" under the UK's Financial Services and Markets Act 2000 which allows the transfer of insurance business from one insurer to another. Details of the proposed transfer are contained in a legal document called the "Scheme". The legal process requires an independent expert (the "Independent Expert") to report on the terms of the Scheme to the Court and to give his opinion on the likely impact of the proposed transfer on policyholders. The proposed transfer will not proceed unless an order sanctioning the Scheme is given by the Court.

During this process we will work in close consultation with our regulators, who will assess the proposed transfer having regard to its objectives, including consumer protection. The PRA and the FCA will also provide reports on the proposed transfer to the Court. The CBI will be notified of the proposed transfer and is entitled to refuse its consent to it.

A summary of the Scheme and the Independent Expert's report are included in the booklet enclosed with this letter. The full Scheme document and the Independent Expert's full report are available on our website at: **[www.rothesaylife.com/transfer-monument](http://www.rothesaylife.com/transfer-monument)**

**What happens if the proposed transfer is approved?**

If the proposed transfer is approved, we will publish confirmation on our website at:

**[www.rothesaylife.com/transfer-monument](http://www.rothesaylife.com/transfer-monument)**

In addition, Monument Life will write to you with confirmation of the effective date of the transfer and the contact details you should use for all correspondence and/or queries regarding your policy from that date.

With effect from the effective date of the transfer:

- Monument Life will be responsible for administering your policy and will make all payments due under the policy
- The amount of your pension (including any annual increases) will remain unchanged
- The payment timings and frequency of payments of your pension will remain unchanged
- Any benefits payable on your death will remain unchanged
- You will be a Monument Life policyholder and not a Rothesay Life policyholder

### **How does this proposed transfer affect my policy?**

The proposed transfer will **not** affect the terms and conditions of your policy. If the proposed transfer is approved, the insurer under your policy will change from Rothesay Life to Monument Life. Whether or not the proposed transfer is approved, there will be **no change** to your prospective benefits under your policy including any benefits payable on your death.

If your policy transfers to Monument Life, and in the unlikely event that Monument Life is unable to meet its commitments to you, it is possible that you may not be able to make a claim to the Financial Services Compensation Scheme (the "FSCS") in the UK in the future. See more detail below.

If your policy transfers to Monument Life, you will also no longer have access to the Financial Ombudsman Service (the "FOS") in the UK. You will, however, continue to have access to the Financial Services and Pensions Ombudsman (the "FSPO") in the Republic of Ireland. The level of policyholder protection provided by the FSPO is similar to that provided by the FOS. Additionally, Monument Life has agreed to continue to comply with the relevant UK regulations concerning complaints handling and resolution by firms in relation to their policyholders, to the extent those provisions applied to the Transferring Policies prior to the Transfer Date. For more information, please refer to the answers to questions 25 to 27 in the enclosed booklet and section 4.6 and paragraph 8.3.61 to 8.3.63 of the Independent Expert's report.

The Independent Expert's conclusion is that the proposed transfer will have no material adverse effect on the security of benefits or the reasonable expectations of policyholders of Rothesay Life or Monument Life, including policyholders who transfer to Monument Life.

The Chief Actuary of Rothesay Life and Actuarial Director of Monument Life believe that policyholders of Rothesay Life and Monument Life, respectively, will not be materially adversely affected by the proposed transfer.

### **UK Financial Services Compensation Scheme**

Currently, in the unlikely event that Rothesay Life is unable to meet its commitments to you, you may be able to claim compensation from the FSCS in the UK. There is no equivalent compensation scheme in the Republic of Ireland. However, because Monument Life is currently a "Relevant Person" for the purposes of the FSCS rules, its policyholders who are eligible to claim compensation from the FSCS are expected to remain eligible for so long as Monument Life remains a Relevant Person in the UK. Monument Life will automatically be a "Relevant Person" for a period of time after the UK's exit from the EU, and if Monument Life successfully establishes a third country branch in the UK, then that status will continue indefinitely. You can find out more about Monument Life's status as a Relevant Person in the answer to question 10 in the enclosed booklet and section 8.5 of the Independent Expert's report.

The availability of FSCS over the long term is not certain and is subject to a number of contingencies. If your policy transfers to Monument Life and at some future date, Monument Life is unable to pay your benefits in full and at the time is not a Relevant Person, it is possible that you may not be able to claim from the FSCS in the UK. For further information, please refer to the answer to question 10 in the enclosed booklet, section 2.4 of the summary of the Independent Expert's report and paragraphs 2.4.23 to 2.4.33 and section 8.5 of the full report produced by the Independent Expert.

The possible loss of FSCS protection has been considered by the Independent Expert, who has stated in his report that he considers that the possible loss of FSCS protection has no material adverse impact on the transferring policyholders. For further details, please see section 2.4 of the summary of the Independent's Expert's report which is included at Appendix B of this booklet and section 8.5 of the full report produced by the Independent Expert which is available on our website at: [www.rothesaylife.com/transfer-monument](http://www.rothesaylife.com/transfer-monument)

### **Next steps**

Please read the information provided regarding the proposed transfer and contact us if you have any queries or concerns.

**If you have no objection to the proposed transfer, you do not need to take any further action.**

**You have the right to object to the proposed transfer if you have any concerns or feel the proposals will have an adverse effect on you.**

### **How do I object to the proposed transfer?**

If having considered the information available to you, you wish to object, please let us know as soon as possible. The Court will consider all objections received in deciding whether it is appropriate to approve the proposed transfer.

You can either present your views to Rothesay Life or make representations to the Court (in person, in writing or by legal representation). We recommend that you call or write to us with any concerns or objections you may have about the proposed transfer, or if you intend to make representations to the Court, using the contact details provided at the end of this letter, as soon as possible and preferably at least five business days before the Court hearing on 22 July 2020.

We will acknowledge and reply in writing to all objections we receive. We will also submit details of all objections that we receive to the Court, our regulators and the Independent Expert. This means that any correspondence that forms part of your objection will be part of the Court process which will be accessible to the public. By submitting an objection to the proposed transfer, you consent to your objection and any personal data you provide with your objection being shared with the Court, our regulators and the Independent Expert.

If you wish to make representations to the Court directly, you can do so by writing to the address of the High Court of Justice set out below. If you write to the Court directly, you should clearly refer to the "transfer of annuity policies between Rothesay Life Plc and Monument Life Insurance DAC (formerly Laguna Life DAC)" and the Court's reference number (CR-2019-006061) in your letter.

You can, if you wish, choose to present your views to the Court yourself or send a representative. If you intend to attend the hearing it would be helpful if you could let us know as soon as possible. Please note that if you wish to be represented by a legal representative at the Court hearing then he or she would need to have appropriate rights of audience to appear at Court.

The Court hearing is scheduled to take place on 22 July 2020 at the Rolls Building, Royal Courts of Justice, 7 Rolls Building, Fetter Lane, London EC4A 1NL. If these details change, we will let you know by updating the information on our website: [www.rothesaylife.com/transfer-monument](http://www.rothesaylife.com/transfer-monument)

**Contact details**

If you have any queries or wish to object, please contact us using the following details:

**Telephone:** 1800 303377 if calling from the Republic of Ireland ("ROI")  
*Free to call within ROI on both landlines and mobiles*

+353 (0) 1202 6095 if calling from outside of ROI  
*Normal call rates on both landlines and mobiles*

Lines are open 9am – 5pm, Monday to Friday (except Bank Holidays in ROI)

**Write to:** Rothesay Life  
Customer Service Team  
Friends First House  
Cherrywood Business Park  
Loughlinstown  
Dublin 18

**Email:** rothesaylife@mercero.com

Yours sincerely



Jonathan Sarkar  
Chief Operating Officer

**Need large print, braille or audio?**

If you would like a copy of this letter and the accompanying booklet in one of these alternative formats, please contact us using the details above.