

GLOSSARY OF TERMS

“Accounting reference date”:	This refers to the year end of the Scheme’s year.
“Act”:	Retirement Pensions Act, 2011 (Chapter 514 of the Laws of Malta).
“Affiliate”:	<p>With respect to a person (hereinafter "the relevant person") means:</p> <ul style="list-style-type: none">(a) any person who owns directly or indirectly 25% or more of the total combined voting power or 25% or more of the total value of the stock or ownership interests of the relevant person (hereinafter referred to as "an owner");(b) any person where the relevant person directly or indirectly owns 25% or more of the total combined voting power or 25% or more of the total value of stock or ownership interest of such person (hereinafter referred to as "the sub-person");(c) any two or more persons where an owner directly or indirectly, in the case of each such person owns 25% or more of the total combined voting power or 25% or more of the total value of the stock or ownership interest of such person (each of such two or more persons, hereinafter referred to as "a sister-person");(d) any person where a director, or officer of a relevant person, an owner, a sub-person or a sister-person owns 25% or more of the total combined voting power or 25% or more of the value of the stock or ownership interests of such person;(e) any person that in the opinion of the MFSA –<ul style="list-style-type: none">(i) is under the de facto or effective control of a relevant person; or

(ii) exercises de facto or effective control of the relevant person;

“Back-Office Administrator”:	The entity providing back-office administration services in relation to the Retirement Scheme/Retirement Fund.
“Biometrical risks”:	Risks linked to death, disability and longevity.
“Collective Investment Scheme/s”:	A collective investment scheme is an investment instrument as defined in article 2 of the Investment Services Act, 1994 and excludes a Retirement Scheme and Retirement Fund.
“Condition”:	A requirement imposed by the MFSA on the Retirement Scheme/Retirement Fund as a condition of its Licence under the Act.
“Constitutional Document”:	The document establishing the Retirement Scheme/Retirement Fund.
“Contributor-Related Investments”:	<ul style="list-style-type: none">a) Any instrument issued by the Contributor or an Affiliate of the Contributor to an Investor;b) Immovable property which is occupied or used by, or held under any title whatsoever by the Contributor or an Affiliate of the Contributor to an Investor;c) Loans to the Contributor or to any an Affiliate of the Contributor to an Investor.
“Custodian”:	The entity holding custody of assets, including a Trustee in the case of a Retirement Fund established as a trust or by contract.
“Defined Benefit Scheme”	Has the meaning attributed to a ‘Defined Benefit Retirement Scheme’ in the Act and includes any scheme providing cover against biometrical or investment risks.

“Fund Particulars”:	Has the meaning given in Part B.2 of the Pension Rules for Retirement Funds issued in terms of the Retirement Pensions Act, 2011.
Independent Qualified Valuer”:	In relation to Immovable Property (land or buildings), means a person who holds a warrant to practise as a building professional (architect) granted under the Periti Act (Cap.390) and, where the qualified valuer is a person whose country of domicile is a country outside Malta, a person who is duly qualified and authorised in the country of his domicile to practise as a building professional (equivalent to an architect) under the laws of the country of his domicile governing architecture and civil engineering professionals acceptable to the MFSA.
“Insurance Policy”:	Means an insurance policy or contract of assurance issued by any person who is the holder of an authorisation – <ul style="list-style-type: none"> (a) granted by the MFSA under the Insurance Business Act; or (b) granted by the authority charged with the duty of supervising the activities of an insurance undertaking in a Member State, other than in Malta in accordance with Article 4 of Directive 2002/83/EC of the European Parliament and of the Council of 5 November 2002 concerning life assurance.
“Investor”	For the purposes of the Pension Rules for Retirement Funds, a Retirement Scheme or an Overseas Retirement Scheme holding units in a Retirement Fund.
“Investment Advisor”:	An entity providing investment advice in relation to the assets of the Retirement Scheme/Retirement Fund.
“Investment Manager”:	The entity providing discretionary investment management services to a Retirement Scheme/Retirement Fund.

“Investment Restrictions”: The restrictions governing decisions as to how the Retirement Scheme’s assets are to be invested including:

- a) any limits on the amount of or type of asset which may be held;
- b) the balance (if any) to be maintained between different asset classes;
- c) any other investment restrictions however described which shall be observed by the Scheme in the investment of its assets.

“Immovable Property”: Freehold or leasehold interest in any land or building.

“Long term Business : Means business of insurance of any of the classes specified in the Second Schedule to the Insurance Business Act (Cap.403).

“MFSA”: The Malta Financial Services Authority.

“Overseas Retirement Scheme”: A scheme or arrangement, organized under the laws of a country outside of Malta with the principal purpose of providing retirement benefits.

“Pension Rule”: A Pension Rule prescribed by the MFSA under the Act imposing a requirement in relation to the Retirement Fund. A Rule may apply generally or specifically to a particular Retirement Fund.

“Property Financing Company”: Companies involved in providing bridging or other finance arrangements to borrowers engaged in property development and investment.

“Property Management Company”: Companies whose business involves providing a range of service primarily for property owners, including: advertising property, checking references of prospective buyers and tenants,

arranging for the sale or lease of property, collecting rent etc...

“Property Related Assets”: Securities issued by Property Management Companies and/or Property Financing Companies and/or Property Development Companies and/or other companies including collective investment schemes, whose main objective is to own or invest in immovable property.

“Prudent Person Principle”: Discharging duties with the care, skill, prudence and diligence that a prudent person acting in a like capacity would use in the conduct of an enterprise of like character and aims.

“Retirement Benefit”: Benefits paid by reference to reaching, or the expectation of reaching, retirement or, where they are supplementary to those benefits and provided on an ancillary basis, in the form of payments on death, disability, or cessation of employment or in the form of support payments or services in case of sickness, indigence or death.

“Retirement Fund”: An entity licensed under the Act established for the principal purpose of holding and investing the contributions made to one or more Retirement Schemes and, or to one or more Overseas Retirement Schemes.

“Retirement Scheme”: A scheme for the provision of retirement benefits situated in Malta and licensed under the Act as more fully defined in Article 3 of the Act.

“Scheme Administrator” or “Retirement Scheme Administrator”: An entity appointed to perform duties in connection with the overall operation and the ordinary and day-to-day operations of the Scheme in accordance with the Pension Rules applicable to Retirement Scheme Administrators.

“Scheme Year”: a) The year specified as such in the Scheme Document or if none a period of 12 months commencing on the date on which the Retirement Scheme is established or on such date as the

Retirement Scheme Administrator or Board of Directors (as applicable) may select; or

b) Such other period if any exceeding 6 months but not exceeding 18 months as is selected by the Retirement Scheme Administrator or Board of Directors (as applicable) in connection with the commencement or termination of the Retirement Scheme or a variation of the date on which the year or period referred to in paragraph (a) of this definition is to commence.

“Service Provider”: Any person acting in the capacity of a Retirement Scheme Administrator, Investment Manager, Custodian, or Back-Office administrator, and may also include an Investment Advisor.

“SLC”: Standard Licence Condition.

“Sponsoring undertaking”: Any undertaking or other body, regardless of whether it includes or consists of one or more legal or natural persons, which acts as an employer or in a self-employed capacity or any combination thereof and which pays contributions into a Scheme.

“Sub-fund”: In the case of a Retirement Scheme/Retirement Fund established as a SICAV means, the distinct class or classes of shares constituting that sub-fund in a multi fund company to which are allocated assets and liabilities distinct from other assets and liabilities allocated to other sub-funds in the same company.

In the case of a Retirement Scheme/Retirement Fund established as a trust or in contractual form means, the distinct individual segregated accounts to which are allocated assets and liabilities distinct from other assets and liabilities allocated to other individual segregated accounts in the same trust or contract.

“Technical Funding Requirement”: Has the same meaning as is assigned to it by the Retirement Pensions (Defined Benefit Schemes) Regulations, 2013.

“Umbrella fund”:

In the case of a Retirement Scheme/Retirement Fund established as a body corporate means, a Scheme constituted as a multi fund company, where in terms of its memorandum of association, its share capital is, or is capable of being divided into different classes of shares where one class or a group of classes of shares constitute a distinct Sub-fund of the company.

In the case of a Retirement Scheme/Retirement Fund established as a trust or in contractual form means, a Scheme constituted as a multi fund scheme, where in terms of its Constitutional Documents, it may have different Sub-funds.

“Unit/s”:

In the case of a Retirement Scheme, this term includes, shares or any other allocation to a Member in a Retirement Scheme.

In the case of a Retirement Fund, this term includes Units issued by a Retirement Fund to Investors investing in it.

“Unitholder”:

This term applies to the holder of a Unit in the Retirement Scheme/Retirement Fund.