

To: Congruent Actuarial's appointed Expert

You are instructed to act as a Single Joint Expert in accordance with Part 25 of the current edition of the Family Procedure Rules and its Practice Directions.

You are required to provide an impartial and independent opinion in relation to the Parties' pension arrangements.

Your overriding duty is to the Court.

The instructions are in six parts –

- A. Personal data,
- B. Divide private pension capital,
- C. Divide private pensions per annum,
- D. Parties' current pension arrangements,
- E. Technical instructions,
- F. Procedural instructions
- G. Additional Information

Note: Instructions B and C are alternatives – please consider each of these alternatives in turn.

A. Personal data

<i>1. Proceedings (if any)</i>	
Court	
Case No.	

<i>2. Party 1 - please enter the details of one of the divorcing parties</i>	
Full Name	
Full Residential Address with Postcode	
Email address	
Date of Birth (day, month, year)	
Sex	

3. Party 1's Solicitor – please state if no solicitor has been appointed

Full Name of Firm	
Full Business Address With Postcode	
Contact title/name for addressing	
Contact's Telephone Number	
Contact's Email Address	

4. Party 2 - please enter the details of the other divorcing party

Full Name	
Full Residential Address with Postcode	
Email address	
Date of Birth (day, month, year)	
Sex	

5. Party 2's Solicitor – please state if no solicitor has been appointed

Full Name of Firm	
Full Business Address With Postcode	
Contact title/name for addressing	
Contact's Telephone Number	
Contact's Email Address	

6. Apportionment period –the period that you want the Expert to consider for pension sharing - leave blank for entire pensions to be taken into account

Start Date	
End Date	

B. Divide Private Pension Capital

Calculate the Pension Sharing Orders required to achieve the following	
Percentages before offset	Party 1 50.00%/ Party 2 50.00% (alter percentages as required – sum 100.00%)
Capital Offset (see note below)	Party 1 £000,000.00/ Party 2 £000,000.00 (enter one amount if required)
Marginal income tax rate - only if capital offset applies	0%/ 20%/ 40% (alter as required)
In the report the Expert is to state the targeted amounts of Private Pension Capital for Party 1 and Party 2 respectively, after the Pension Sharing Orders have been effected.	
<p><i>Note: If you wish to allow for the capital value of a non-pension asset in the settlement, please advise the value here and which Party's share of pension capital should be reduced because of it. For example, Party 1 has a savings policy worth £100k (not a pension) and that policy is to be retained solely by them, but you wish to Party 2 to get a higher share of pension as compensation. You should enter £100k under Party 1 above.</i></p>	

C. Divide Private Pension Per Annum

Calculate the Pension Sharing Orders required to achieve the following	
Percentages before Offsets	Party 1 50.00%/ Party 2 50.00% (alter percentages as required – sum 100.00%)
Required Pension Ages	Party 1 67.00 years/ Party 2 67.00 years (alter ages as required; can be the same or different)
State Pension Offsets	Yes/ No (if required, please note that State Pension Forecasts, for each party must be provided)
In the report the Expert is to state the targeted amounts of Private Pensions Per Annum for Party 1 and Party 2 respectively after the Pension Sharing Orders have been effected - amounts of pensions to be in terms of purchasing power at date of the report.	

D. Parties' Current Pension Arrangements (Private Pensions only)

For each Scheme (or Section, if applicable):

1. Name of Scheme (Section, if applicable)
2. Type of benefit (Defined Benefit (DB) or Defined Contribution (DC)). For DB benefits: details of the benefit structure of the scheme - booklets or recent benefit statements will include this information, if so, please attach copies.
3. Cash Equivalent transfer value (CETV) – amount and date when the amount was calculated – please attach a copy of the statement showing this information.

Party 1

<i>Scheme name</i>	<i>DB/DC</i>	<i>Membership/ policy number</i>	<i>DB info attached</i>	<i>CETV info attached</i>
	DB/ DC		Yes/ No	Yes/ No
	DB/ DC		Yes/ No	Yes/ No
	DB/ DC		Yes/ No	Yes/ No
	DB/ DC		Yes/ No	Yes/ No

Party 2

<i>Scheme name</i>	<i>DB/DC</i>	<i>Membership/ policy number</i>	<i>DB info attached</i>	<i>CETV info attached</i>
	DB/ DC		Yes/ No	Yes/ No
	DB/ DC		Yes/ No	Yes/ No
	DB/ DC		Yes/ No	Yes/ No
	DB/ DC		Yes/ No	Yes/ No

	Party 1	Party 2
Signature		
Print name of Signatory		
Date		

E. Technical Instructions to Congruent

1. You are instructed to construct financial models for each of the two Alternative Outcomes and to apply the models to determine the Pension Sharing Orders required in each case. Include a basic explanation of the models in your report.
2. You are to take into account the pensions advised to you, excluding any pensions or portions of pensions which it is stated are not to be taken into account.
3. Do not include the value of spouse's pensions unless spouse's pension entitlement is explicitly allowed for in a pension share.
4. For purposes of constructing the financial models you should consider the economic value (e.g. whether the Cash Equivalent Transfer Value ("CETV") is representative of economic value or otherwise), as at the date of the report, of each of the private pensions taking into account information provided in these instructions (or in documents provided in accordance with the instructions).
5. When calculating the Pension Sharing Orders allow for any difference (other than in respect of costs) that you determine between the value of a pension debit and the value of the corresponding pension credit (in particular where a pension debit is a reduction in pension benefits and a pension credit is a cash equivalent – otherwise known as a cash equivalent transfer value).
6. You should keep Pension Sharing Orders separate where pension structure risk differs materially but determine combined Pension Sharing Orders otherwise.
7. You should use mortality rated for non-impaired lives, allowing for different sexes. (If relevant to the determination).
8. For the purposes of these instructions, it is understood, and accepted, that the determination of the Private Pension Capital (Alternative Outcome 1) is based on information available for the purpose of preparing the report and that changes may have occurred when the Pension Sharing Orders are implemented.
9. For purposes of these instructions it is understood, and accepted, that the determination of Private Pensions Per Annum (Alternative Outcome 2) is a modelling exercise and does not take into account future changes in financial and other circumstances or other decisions regarding pensions that might be taken by either party, including decisions on the age (s) to start drawing pensions.

F. Procedural Instructions to Congruent

1. Before starting work ensure that the cost basis and the latest delivery date have been agreed and that you are able to comply with those requirements.
2. You must ensure that you have made the necessary enquiries and established that you do not have a conflict of interest, except as disclosed in the report.
3. You must ensure that you have the required information to prepare the report, or you will request those instructing you to obtain further information that you require and to provide it to you.
4. However, if you do not receive all the information that you require, you will make the allowance that you think necessary and explain that in the report. Or you will advise those instructing you that you cannot complete the report and state the information, that you require that has not been provided and has caused you to reach that decision.
5. The report must detail your qualifications and experience.
6. The report must outline the substance of all material instructions and summarise your conclusions and experience.
7. The report must be signed with a Statement of Truth in the form required by the Family Procedure Rules.
8. You will deliver the report simultaneously to the Solicitors of each of the two Parties (or directly to any Party without a Solicitor). It will be for the Parties to file the report with the Court.
9. All communications must be shared with both Parties.
10. that changes may have occurred when the Pension Sharing Orders are implemented.
11. For purposes of these instructions it is understood, and accepted, that the determination of Private Pensions Per Annum (Alternative Outcome 2) is a modelling exercise and does not take into account future changes in financial and other circumstances or other decisions regarding pensions that might be taken by either party, including decisions on the age (s) to start drawing pensions.

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