

Pensions

The Blue Flag® Solution

Blue Flag® Pensions delivers information specific to portfolio management and custody services to pension funds.

Blue Flag® Pensions – the key benefits

- Instant access to pensions-specific legal information from your desktop
- Available 24 hours a day/7 days a week
- Constantly updated, with regular reports provided through a news module
- Legal expertise from the Linklaters global network
- More efficient use of your time and resources.

Blue Flag® Pensions accurately explains

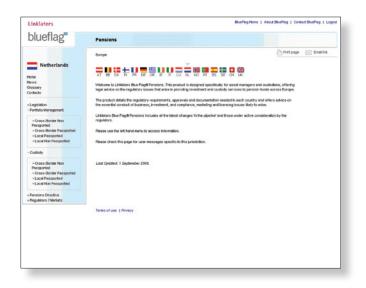
- what issues arise in marketing, soliciting and advertising to pension funds and how the legal restrictions vary according to the type of pension fund
- how a portfolio manager or a custodian managing and providing services for pension funds assets needs to be licensed and what exceptions apply
- who regulates the conduct of business, what general rules are in place and what additional rules are specific to pension fund business
- what regulatory restrictions are in place in relation to investment, investment vehicles and investment restrictions
- what regulatory approvals need to be obtained and the consequences of not obtaining them
- whether there is a requirement that specific documentation must be used, or that it must be governed by the laws of a particular jurisdiction
- what latest changes are anticipated or under active consideration by the regulators.

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Online legal services from Linklaters

Clear menu selections to guide you to relevant legal information

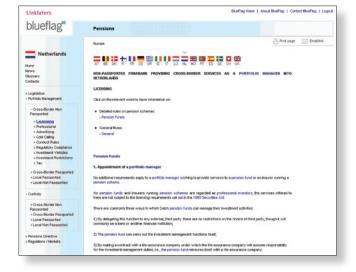
Blue $\mathsf{Flag}^{\texttt{B}}$ emails news direct to your desktop – to keep you constantly up to date



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	Dutch Central Bank gives Dutch pension funds more time to recover - 20 November 2000	1
 Legisletion Portfolio Management 	As a result of the fluctuations in the financial markets the cover retios of Datch pension funds have decreased and as at the end of October 2008 this now standa at an average of 10/3%.	
Cross-Berder Non Passported Cross-Berder Passported Local Passported Local Nan Passported	Pension functi where functing ratio has disaged bation (approximately) 125% have to subsit a 15-year recovery plan (pro- term recovery plan) to the Dotati Careta Bate ("Ce interviewance Bate", "Ce VMP", Feedon had with a power ratio of test than 105%, mult reform the CMI of have they expect to improve their financial polition within three years (chord-term recovery plan), plan).	
- Cuttody	Both recovery plans have to be submitted to the CNB at short notice; the short-term plan within two months and the long-term plan within three months.	
Cross-Border Non Persported Cross-Border Passported Local Persported Local Non Persported	288 ond to waiter of actual states environment on 19 biometers 200 kild provide the net of the display of the states of the states and provide the states of the states and provide the	
 Perulara Directiva Perulara Directiva Perguatora J'Merkett 	Furthermore, the DBB urgest the pennion funds not to make any nexh decisions relating to contribution in The current situation of the financial merkets makes it very difficult for pension funds to assess the app increase the cover ratio.	
	This decision of the DNB has come after various pension funds openly criticised that recovery plans for their equity at a loss.	ree them to sell out
	Valuation pension benefits under Dutch accounting rules - 19 September 2008	
	The Dubb Accounting Standards Down (UL) recently anyoosed new situations to the directive RU27), the Dubb explositer of ADST. One of the major additions is that comparison who average any schemes (or information of the origin to any schemes (or information of the major additional or information of the major additional or information of the major percentations to observations othere and information of the major additional or information of the major addition and the comparison of the major additional or information of the major addition of the major additional or information and the comparison of the direct addition of the major addition of the major addition of the major addition of the year in Act states and where a level or years and years and years and years the persistive hear persistive hears years in Act states and the direct addition of the schemes addition of the major addition of the schemes addi	
	The consultation period is open until 15 Sectember 2008. The RJ is expected to present the final version	of the original later

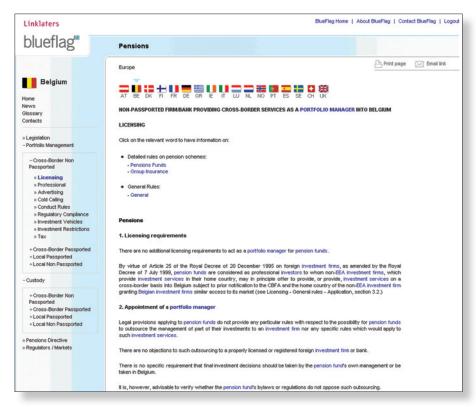
Both the general rules and the additional rules in relation to pension fund management are clearly set out

Information structured according to how you do business in a jurisdiction



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kewa Kossary	PORTPOLID MANAGEMENT MODULE CONTENTS Solicit galas dollar or so lite left Asea overse:		
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+ Cross-Border Non	Non-Pessported Fem/Bank Pessported Fem/Bank Branch		
Passported + Cross-Border Passported + Local Passported + Local Non Passported	Passported FirmBank Non-Passported FirmBank Branch		
-Custody	You should read the rest of this page before you click on one of the options shown in the above table.		
Cross-Border Non Passported	When you click on one of those options you will access a new menu in the left-hand trane which sets out the contents for that kindular. That menu refers to the following:		
+ Cross-Border Passported + Local Passported + Local Non Passported	LUEBSING / SANCTIONO/INASSIGNT Is a looked ("Authoritation") requests corry on this activity or provide that service? "What are the Passport requirements? And what are the is activate to be reach?		
Pensions Directive	PROFESSIONALS		
= Regulators / Markets	A summary of any regulatory "referts" when dealing with professional or institutional investors.		
	 ADVERTSING AND COLD CALLING The relevant solicitation rules applying to this type of firm or bank carrying on this Activ 	ity in this Location.	
	CONDUCT RULES - APPLICATION When the relevant conduct of business rules apply to this type of firm or bank carrying	on this Activity in this Location.	
	REOLLATORY COMPLIANCE Compliance requirements applying when the business done relates to pension scheme	a.	
	 INVESTMENT RESTRICTIONS Cultiming any regulatory or legal redrictions applying to pension fund investment. 		

Case Study One



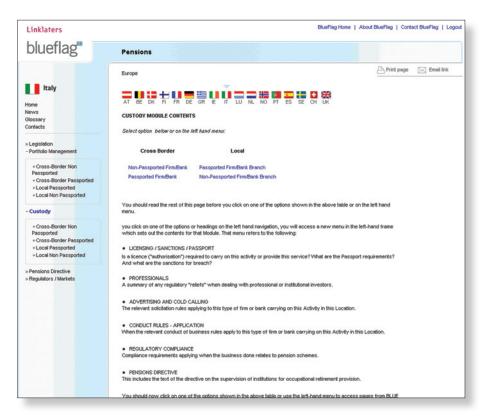
A US (and therefore non-EU passported) pension fund portfolio manager wishes to act as a portfolio manager in Belgium.

Does the portfolio manager need to:

- (i) establish a branch in Belgium, or can it act cross-border into Belgium?
- comply with any particular requirements, or submit any standard documents, before it can act in Belgium?
- (iii) permit the pension fund's managing body to make the final decision with regard to investments made on behalf of the pension fund?

By assessing Blue Flag[®] Pensions the manager has access to advice in relation both to management generally in the jurisdiction and to the specific additional requirements for pension fund management.

Case Study Two



A US (and therefore non-EU passported) custodian with a branch in Italy wishes to know how it can advertise its custody services in Italy.

Does the custodian have:

- (i) special obligations towards investors who are not professional investors?
- (ii) to comply with any specific statutory pensions restrictions when marketing the product?
- (iii) different obligations with regard to the mode of advertising, such as by newspaper, internet or fax?

Custodians will have access to the general regulations on advertising custody services and can find out whether there are additional requirements for advertising the custody of pension fund assets.

The pensions market

With the shift from "pay as you go" pension schemes and the increase in funded pensions across Europe, pension fund investment business is set to increase significantly.

The pension fund market is undoubtedly becoming more global – market reform, unification of industry standards and increasing acceptability of non-domestic players are all key drivers behind the change.

As the laws and regulations relating to pension funds in Europe change, it becomes crucial for asset managers and custodians to have access to up-to-date legal advice they can rely on and source in a way that isn't time consuming or expensive.

Need to know more?

If you would like a demonstration of Blue Flag[®] Pensions or further information on any other Blue Flag[®] product, please speak to your usual Linklaters contact or email blueflag@linklaters.com

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