

WE REMEMBER

The stories behind the headstones



By Sam Daynes.

Media Manager UK Operations at the Commonwealth War Graves Commission.

The Commonwealth War Graves Commission (CWGC), which turns 100 years old next year, looks after 1.7million casualties of both world wars across 154 Commonwealth countries.

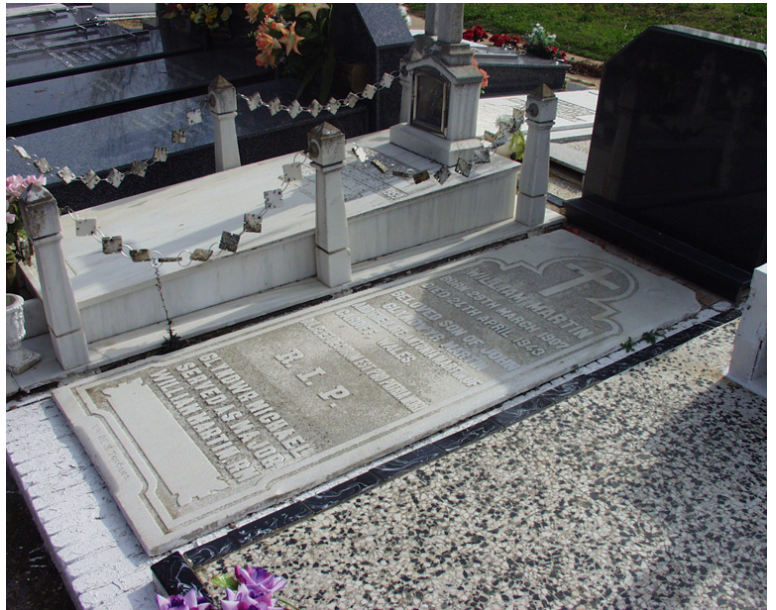
In Spain, the CWGC look after and maintain the war graves and memorials of more than 126 men, most from the Second World War, such as the historically famous 'The man who never was'.

During the Second World War, civilian Glyndwr Michael, who died at the age of 34 in the UK, posthumously served his country under the assumed rank and name of Major William Martin, Royal Marines as a decoy, and became a turning point in the Second World War.

As the Allies prepared to invade Sicily in 1943, they decided to dupe German High Command into assuming this attack was going to happen elsewhere by putting a body in the sea – that of Glyndwr Michael. Michael would be dressed up as a Major, carrying fake secret documents suggesting the invasion would be happen in Greece.

This deception worked, and the diversion of German troops to played a major part in the success of the Sicily invasion.

Glyndwr, who is thought to have come from Wales, is buried at Huelva Roman Catholic Cemetery in Huelva, South-East Spain and remembered on the Debt of Honour Roll.



The CWGC owes its existence to the vision and determination of one man - Sir Fabian Ware.

Neither a soldier nor a politician, Ware was nevertheless well placed to respond to the public's reaction to the enormous losses in the war.

At 45 years old, he was too old to fight but he became the commander of a mobile unit of the British Red Cross. Saddened by the sheer number of casualties, he felt driven to find a way to ensure the final resting places of the dead would not be lost forever.

His vision chimed with the times. Under his dynamic leadership, his unit began recording and caring for all the graves they could find. By 1915, their work was given official recognition by the War Office and incorporated into the British Army as the Graves Registration Commission.

Three of the most eminent architects of the day, Sir Edwin Lutyens, Sir Herbert Baker and Sir Reginald Blomfield, were chosen to begin the work of designing and constructing the cemeteries and memorials. Rudyard Kipling was tasked, as literary advisor, with advising on inscriptions.

The Commission continues to preserve its cemeteries and memorials and encourage the act of remembrance. Occasionally military remains are found - a human reminder of the reason the Commission came into being and why its work is still so important today.

Renovation and maintenance forms a major part of our responsibility. Each year around 20,000 headstones are either replaced or repaired by our staff. Our work is never ending and we are proud to continue to work to the high standards set by the Commission in 1917.



Bilbao British Cemetery

By preserving the memory of the dead with simple dignity and true equality, the Commission hopes to encourage future generations to remember the sacrifice made by so many.

For anyone interested in finding out more about their nearest CWGC graves, you can download the free [CWGC War Graves app](#) for all iOS, Android and Windows phone.

Also, check out the website on www.cwgc.org to find war graves and further information.

Merry Christmas Everyone



By Tina Brown – Tax Adviser and General Services Expert.

The Germans gave us Christmas trees, the Swiss gave us gluhwein, the Brits gave us Christmas cards and America gave us Trump (ok, ok, I had to get that one in as I'm still in shock).

Whatever nationality you are, we all have our own rituals and traditions, our individual ways to celebrate, but over the years there has been a real amalgamation of cultures.

I'm a huge fan of Christmas, so much so that we had a rule in our house that I couldn't talk about it until after bonfire night; there's nothing I don't love, the cheesy songs, the soppy movies, bright, twinkly lights, wrapping gifts, baking cakes and wandering the shops desperately searching for the perfect present, feet wet and nose cold.

I can still remember as a child lying in bed waiting for Santa, convinced that I could hear sleigh bells, the excitement of the day to come nearly making me sick, sneaking downstairs in the early hours to see if "he's been", checking if he's eaten the mince pie and rum and black left out for him (well that's what Santa liked to drink when he visited our house). Always praying for it to snow, not that it ever did and even if there was a sprinkling it soon became a soggy mess.

As an adult my rituals became slightly more sophisticated, sitting in bed drinking champagne, eating croissants whilst opening presents. Then getting the dinner prepared ready for the family to arrive, each year more and more people adding to the numbers until one year we had to dismantle the bed and set the dining table up in the bedroom there were so many coming.

My first Christmas in Spain was horrific, no chance of snow, not a jingle to be heard and not a sprout in sight, it was so bad I almost jumped on a plane back to the UK and was on the verge of giving up on Christmas altogether. Convinced to give it a go I asked the butcher for a turkey crown and was presented with turkey road kill, a pancake flat turkey which looked like a steam roller had gone over it. There were no decorations to buy, no trees to erect, no cards to write and crackers were just something to go with cheese.

Luckily over the years things have changed, our customs are sneaking into the Spanish way of life, seeping into the corners of commerce and the shops are looking more and more like “home” with every passing year. The first year I had sprouts in Spain they had travelled over three thousand miles, bizarrely they were grown in Spain, shipped to the UK then imported for the expat market. These days you can get sprouts year round, fresh or frozen.

When the supermarket Iceland opened in Benissa I thought all my Christmases had come at once. I made the pilgrimage, map in hand (we didn't have sat navs in our cars in those days) expectant at what was ahead of me. Once in the shop I was more excited than a toddler in Toys-R-Us, practically running up and down the aisles throwing things into the shopping trolley, though I have to confess I'm still like this if I ever go back to the UK and visit a Tesco. Looking back, with an Iceland just down the road, I can't believe that I travelled over two hours each way just to stock up on goodies from home, and was happy to do it.

My local butcher can now provide turkeys year round (which is good as I do like to indulge at Easter) and supplies the tastiest joints of whatever meat you care to indulge in, including home-made stuffing, pigs in blankets, beef dripping and rich meaty gravy. A far cry from my first year when I stood crying in Carrefour as a pack of screaming Spaniards fought over a suckling pig being held aloft for all to see. A bit hypocritical I know, crying over a pig whilst stuffing my face with turkey but I never said I was perfect.

I have moved on and developed new traditions but there are still things I miss about Christmas in the UK, a big one of these being the office Christmas party, where it is acceptable to get drunk, make a fool of yourself, kiss your colleagues and have the fire brigade rescue you from a revolving door. No? Is that just me then? The last office party I attended here was quite surreal, having taken a catering pack of crackers to the party, the builders I worked with then spent the evening pulling them and wearing a host of plastic jewellery and hair clips whilst we tried to translate the jokes, luckily alcohol made it easier and I was happy to accept a plastic ring and marriage proposal.

The other thing I miss is (the theory of) snow, however much I love the warmth and sunshine there is something magical about snow, the fluffy white flakes drifting idly from above, the haunting sky just before it starts and the quiet stillness once it has settled, washing the world clean in a covering of purity. A few years ago it snowed in La Marina Urbanisation; it was as though the lord almighty had dumped a bucket of snow straight onto the Urb. People came from all over to look, the local police closed the Urb as they didn't really know what to do, making locals go back and stay in hotels and ploughs came along and destroyed all the sleeping policemen. As I said, the theory of snow, as the reality is a lot less romantic.

I have now adapted to the new way of Christmas and have merged a selection of cultures into my own. I attend the various carol concerts held in the run up, sit drinking gluhwein in the sunshine, visit the Christmas shop that opens each November to stock up on cards and novelties, attend the Feast of Saint Lucy held by the Swedish, gate-crash as many Christmas parties that I can and go down to the beach on Christmas day where I sit people watching, eating my tostada con tomate whilst enjoying an Irish coffee. Different but just as enjoyable.

However you choose to spend the day, I do hope you enjoy the run up to Christmas, which is possibly more fun than the day itself, enjoy the holiday period and enjoy spending time with those around you, making time in all the celebrations to take a moment to appreciate what you have.

So, I wish you all a very Merry Christmas and, as Tiny Tim would say **“God bless us everyone!”**



Tina Brown – EXPAT SOLUTIONS LA MARINA.
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Hope is stronger than Fear



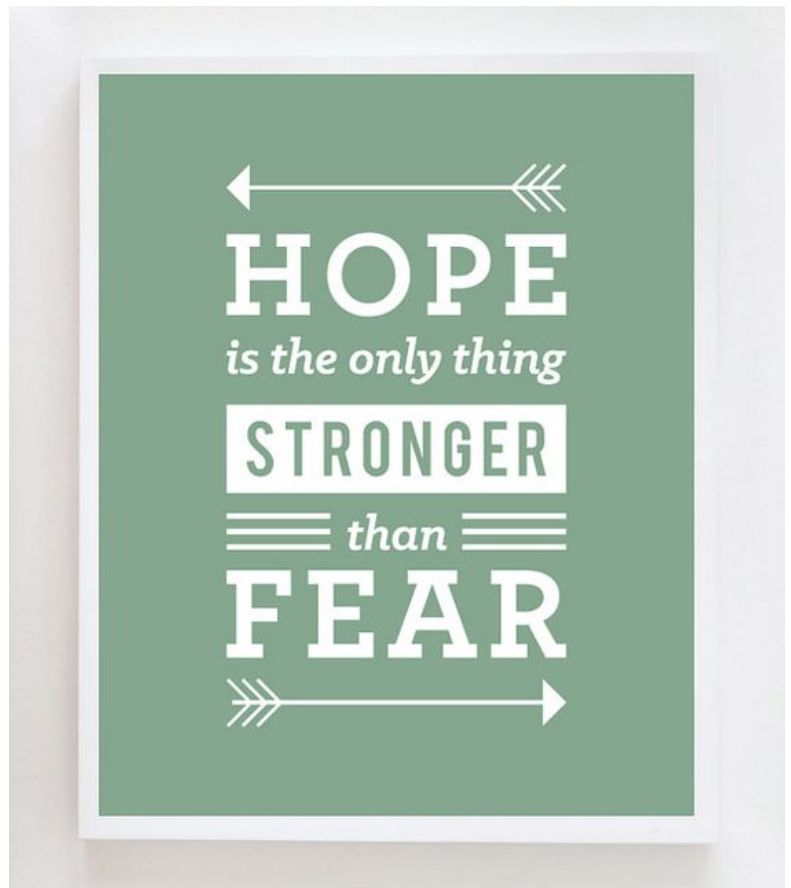
By David Diggle, Financial Advisor at Blacktower Group.

It's been a topsy-turvy year with plenty of hairpin bends on the investment road map, but all of our investors have made money, and as at today, our investors who took the advice (appropriate to them) to convert some euros into sterling investments just after the Brexit referendum have been rewarded with a positive 7.2% gain on currency alone, irrespective of the actual return of their investment sector.

Some sectors have performed outstandingly, the Global technology sector to name but one and pleasingly one of our clients has made 35% in 16 months with one fund that owned Google and Facebook shares amongst many others.

But like any portfolio, this was just a part of his overall holdings so go thinking that that performance is the norm for an entire portfolio. Indeed this year has been about capital conservation and eking out gains when opportunities presented themselves, as they always do.

However, at the risk of repeating myself in this monthly newsletter, the golden rule is know what you own and why.



So what will 2017 bring?

Donald Trump's election has given US voters lots of hope and the equity strategists at Goldman Sachs expect hope to dominate through the first quarter of 2017 and predict that the S&P 500 index will climb by 9% to 2400. Trump's inauguration is on January 20th and Goldmans' economists expect a swathe of legislation will be proposed during the first 100 days. The prospect of lower US corporate taxes, repatriation of overseas cash, reduced regulations and fiscal stimulus has already led investors to expect positive earnings per share revisions.

Accordingly, their forecast for 2017 does look like a game of two halves. Having built it up for the first quarter, they expect fear to pervade during the second quarter and they expect the S&P 500 will end 2017 at 2300, roughly 5% above the current level. Their economists expect inflation will reach the Fed's 2% target, wages to be accelerating at an even faster pace and interest rates to be 1% higher than today.

But still pretty positive stuff and as we all know, if the US sneezes then we (The UK) catch a cold a little later. Let's hope this US growth is also catching.

Meanwhile, in the UK after a non-inflammatory autumn statement from Philip Hammond, which in my opinion is an indication that most things are chugging along in the right direction currently under the circumstances, growth forecast for 2017 has been downgraded to just 1% because of impending brexit. But the the fear of economy wreckage after the referendum did not materialised and indeed was said to have had no effect on the overall economy., so is this growth downgrade misplaced gloom? At least it's still growth.

So ignoring prophecies, what sectors are likely to perform well? There are many, but an example of the renewable energy sector is a good one, as 115 nations have just agreed in November to tackle climate change. New technologies are not free and Research and Development companies (being one of the UK'S best sectors, always) are forever finding better and cleaner ways for us to live.

Technology has now allowed manufacturers to produce solar panels, tough enough to apparently take 18 wheel trucks. Imagine electric cars that can feed from the road? They would then have no distance limitations. There's some thing to think about over your festive turkey.

So as you can see, despite Article 50 in the UK to be invoked prior to 31st March, and Trump taking office, investment opportunities present themselves as the world keeps turning and our need to eat and travel and communicate continues. So Hope really is stronger than Fear.

In early 2017 I hope to be doing a few information seminars with Connie and I look forward to meeting some of her clients.

I wish you and your families a Merry Christmas and a Very Happy New Year.

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We are here to help, so to arrange an independent, professional and impartial consultation please contact me by email dave.diggie@blacktowerfm.com or call me on **615 607 278**.

The Blacktower Group has been established for 30 years and offering sound, independent advice.

Dave Diggie C.A.T., DipFA, (Based in Costa Blanca South) Main office: Edificio Palau III, local 7, Javea 03730, Alicante, Spain)

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DS & SJ Consultancy Ltd

Pensions Update

The last month, Autumn Statement, Flood protection, Car insurance fraud.



By David Sawyer – Independent Financial Consultant at DS & SJ Consultancy Lt, UK.

The Reality of the Last Month.

Since our last Update we have had to take on board some new realities. Whilst our last general election and Brexit burst the bubble of “pollsters” predictions, it was not restricted to the UK. The USA continued the trend in that the expected Clinton win did not happen and the world will go into a new era which seems to be dominated by Twitter diplomacy.

On the plus side, we got to understand how their electoral system worked! We will be seeing more elections across Europe which may be influenced by the US and Brexit assumption that people are no longer happy with conventional politics and want a change. The next few years may be the most interesting, if not dramatic, we will see during our lifetimes.

The good news this month came with Philip Hammond's autumn statement. At last we have a Chancellor who understands that the practice of presenting two sets of tax change statements during the year can be less than helpful to both industrial and personal planning. We will go back to the March Budget setting out immediate and future tax changes. I fondly remember the traffic jams caused outside petrol stations when the Chancellor announced that fuel tax would be increased from midnight on the day of the budget.

On the pensions front another Philip, this time Green, made the business headlines when it was reported that the Pensions Regulator had not yet come to an agreement with regard a settlement to the BHS pension fund. This is a complicated matter with several parties being involved, including the Pension Protection Fund. Given that there is an element of power play and posturing by all parties, in the end it will become a precedent for future cases – in more ways than one.

The Autumn Statement

We do not intend to set out the whole contents of the statement as many of the figures given were provided by independent bodies set up for that purpose and were immediately challenged, probably the continuation of the pollster syndrome. It was interesting that the Shadow Chancellor, in response to the statement, mainly repeated what he has said over the previous two weeks in the media prior to the statement.

Insurance Premium Tax (IPT)

Anyone who has had a recent motor or house insurance renewal or quote will no doubt have noticed that there was some red writing stating that IPT had increased to 10%. It will be increased again to 12% from June next year – the third increase in 18 months. IPT is a different tax to VAT, but if we continue with these rises there will be little difference, with the exception that businesses do not have the same offset options.

Whiplash Claims

This has been covered in previous Updates but was again mentioned by the Chancellor in that once the regulations were imposed then it would save every motorist £40 in reduced premiums. As previous the devil will be in the detail with, no doubt, some interesting legal actions to test its viability.

Pensions

There was limited reference to pension in the statement, the Annual Contribution and Lifetime Allowance have not been changed. He has however “tinkered” with the pension freedom which helped to revive interest in this form of long term saving. Currently once a plan holder starts to take withdrawals from their plan or plans their maximum annual contribution is reduced from £10,000 to £4,000 effective April 2017.

The Treasury will be consulting on how this will work. This will have an impact on those who have built into their planning the maturity of a plan early (N.B. after age 55) i.e. payoff mortgage, and wanted to maximise their contributions to boost their final pension options. However, the current majority of plan members do not pay above £4,000 p.a. It does mean that those who were planning on boosting their remaining funds prior to

retirement and especially those in Workplace Pensions need to do their figures before making withdrawals as retaining the value of added tax relief may remain a better option than reducing the ongoing ability to maximise future contributions. Professional advice will be essential in many cases.

The above having been said we still expect to see more changes come next March.

Salary Sacrifice

Salary sacrifice, has been under review by HMRC as it is mainly seen as a way of employers and employees saving National Insurance where an employee forgoes part of their salary for the provision of certain benefits. The Chancellor said that from April 2017 the tax rules which govern these benefits will be revised. He did however state that pension savings and advice, childcare and the cycling to work scheme would be excluded. Other scheme arrangements established before April 2017 will be protected until April 2018.

Salary sacrifice for pensions has been used for many years but is not suitable in all situations and for all employees.

Where used, it is important that the pros and cons are properly explained to employees and that participation is not compulsory. Cycle to work schemes have become more popular over the years as we become a healthier nation which should have the bi-product of reducing obesity and thus a NHS saving.

Property Flood Resilience Action Plan

This was recently launched to bring together the insurance industry and government with the aim of better equipping property owners to prepare for flooding. It is designed to provide a one stop shop web portal. Full details can be found on www.gov.uk/.../flood-resilience-bonfield-action-plan-2016.pdf. It is long, if not interesting, reading for those in flood areas or especially with elderly relations who may be affected.

Bogus Motor Insurance – If it looks cheap it may not be value for money.

The police have warned that “ghost insurance brokers” are selling bogus policies to the unsuspecting public. Often via the internet offering considerable premium discounts to those found in the conventional market. This is often attractive to young motorists for their first car. In the event of being stopped by the police or in an accident they are not only uninsured but are liable to be arrested for driving without insurance with the potential difficulties in getting further or loaded insurance.

The question is what can one do to avoid being caught? If not using a specialist broker and preferring the “compare the market” approach, use recognisable sites and compare one with the other. If then in doubt check who the underwriter is and then use a separate search engine to check them out.

Finally, as we have said before, check what cover is being provided and that it covers your requirements. Price sensitive insurances will always be susceptible to this type of fraud so beware!

Next month will be our Christmas issue and will look at Father Christmas and his image taking into consideration the events of the last year.

The information provided in this document is for information purposes only and does not represent any form of recommendation. It is based on our understanding of the current legislation and interpretation cover the subjects included, which may change from time to time. This document is for information basis only and does not represent any form or recommendation or advice.

E&O.E

RETIREMENT – CONTRIBUTORY PENSIONS



By Connie Raymundo.

The following article, published in the Costa Blanca News, provides the basics on Retirement, hope you find it interesting.

In three of our previous articles covering various aspects of the topic Employee's Basic Rights, we have reviewed Annual Leave and Sick Leave both of which are paid for by the Employer, plus Maternity Leave which is paid for by the Government. Important though these certainly are, the one leave period that we probably worry about the most is Retirement.

Public retirement pensions are described and detailed in Article 50 of the Spanish Constitution, which specifies that the Government will guarantee, by means of proper and periodically updated pensions, the financial sufficiency of 'third age' citizens.

This type of pension, called "contributory", will substitute a person's in-work earnings for a regular payment for life from the time a worker ceases his/her working activity. However, to be entitled to this lifetime pension an individual has to meet certain requirements, such as being affiliated to Social Security (the Company or Companies for which the worker has been employed should have paid the proper contributions), to be of retirement age, to have worked enough time to qualify for the pension and to have actually retired from the workplace.

In order for someone to gain access to the contributory pension payments, and provided that they meet above mentioned legal requirements, they will have to make a formal application to Social Security.

The actual pension amount to be paid will be calculated in accordance with the 'salary regulative basis': for 2016 the maximum pension is fixed at 2,567 Euros and the minimum pension at 636 Euros, and the appropriate payments are made on a monthly basis and only end on the death of the recipient.

The actual age at which one could qualify to claim a pension became a controversial topic of discussion when the Socialist Government of José Luis Rodríguez Zapatero increased the standard retirement age from 65 to 67 years old.

The normal retirement age at this moment in 2016 remains at 65 years (and 4 months) - unless of course someone is opting to take early retirement - but by 2027 the normal retirement age will have increased to 67 years. Between now and 2027 provision has been made in law for a transitional system to be applied which gradually increases the retirement age; therefore anyone retiring within the next 11 years should consult the retirement age scale provided by Social Security on their official web site at www.seg-social.es

Nevertheless, retirement at 65 will still be allowed if the worker (or his company/employer) has contributed to Social Security for a longer period: again, the number of years of contribution required for this is to increase proportionally from 35 years to 38 years and six months. An additional requirement is to have worked for at least 2 years within the last 15 years but taking into account the long periods of contribution required to qualify this seems to be an 'empty' rule - anyone working for 38 years, let's say from the age of 18, and wanting to retire at 65, will have certainly contributed to Social Security within the last 15 years.

The above explanation applies to the general and regular retirement pension system known as 'contributory'. However, there are many other situations that would allow a person to be entitled to claim a retirement pension, such as those with shorter periods of contribution, or for individuals who for various reasons were not actually working at the time of their anticipated retirement age etc. There are also other types of pensions, and so on.

The fact is that a complete book could be written simply to explain how public retirement pensions function and therefore, if your particular case does not fit into the "general" retirement situation explained here, please do visit your local Social Security office for more details. In addition, those who work in a company with its own Human Resources staff will be able seek assistance from them, and we will also be pleased to help should you need further information and advice.

Please, do not hesitate to contact me connie@rhv-lawfirm.com if you need more information.

***Connie Raymundo –
Lawyer & Barrister at Raymundo & Hopman Abogados.***

Animal Mistreatment



By Ignacio Ganga. Lawyer.

The many and recent news about animal abuse, such as the case of the kittens injured with abrasive liquid in the Alicante Port or the dogs kept in poor conditions in a Finca in Rebolledo, have been the definitive impulse for the Bar's Association of Alicante to set up a commission of Lawyers for the Animals Defense.

Their aim is to appeal for harder legal measures and penalties for the animal abusers.

At the moment, our Criminal Code punishes the mistreatment and the abandonment but Judges usually punish the abuser with penalties below the two years prison and due to it, the abuser rarely gets into jail.

The new Animal Defense Section will fight for the hardening of the above mentioned penalties and will coordinate with other similar Sections all around the Spanish Geography.

We, as animal lovers and defenders, feel very happy about this new Bar's Association Section, wishing them lots of success and looking forward to seeing the hardening of penalties included in the Criminal Code in a very near future.

Please, inform the authorities if witnessing any animal mistreatment or abandonment, your prompt action can save their lives.

Please do not hesitate to contact us for any query in regards to this or any other Criminal Issue emailing to iganga@rhv-lawfirm.com.

Ignacio Ganga – Lawyer & Barrister at Raymundo & Hopman Abogados.

MORTGAGES (Part 3)

- Ground Clauses.



By Connie Raymundo- (Article published in CBNews)

In Part 2 of this series about mortgages (printed in CBNews on 30th September and in our previous Newsletter) we outlined the general topic of abusive clauses within mortgage loan contracts: in accordance with Section 3 of EU Directive 93/13 and Section 82 of the Consumer Law, a contract clause will be considered abusive if it has not been negotiated and agreed individually with each client and is creating a significant imbalance between the rights and obligations of each of the parties.

We will now take a closer look at **Ground Clauses**, surely the most significant of the various abusive clauses if only because of the fact that almost every mortgage signed after 2009 and before 2013 included such a clause within the contract.

A mortgage ground clause is a clause that Banks routinely began to include within variable rate mortgage contracts and which fixed the lowest rate of interest they were prepared to apply to mortgage payments - even if the reference indicator for the calculations of the rates agreed by the customer, usually EURIBOR, fell below the minimum rate of interest they specified in the ground clause.

In May 2013, the Spanish Supreme Court decided that these clauses were abusive because clients were not fully or properly informed about the financial and legal consequences, and issued a ruling against three Banks ordering the return to customers of all monies obtained by the application of such clauses; however, the Court's decision stated that these repayments were due only from the date of the Court Decision.

In April 2016, another Spanish Superior Court extended the Supreme Court decision to cover all Spanish Banks (40 in total).

Following the Supreme Court decision, the obvious question was raised as to whether the Banks should only repay money charged after May 2013, or if they should also repay to every client all the monies collected by these means from 2009 when they first started to apply these ground clauses, or at least from the date that every individual client signed their mortgage contract if that happened after 2009 (and before 2013).

The case was presented at the TJEU (European Union Court of Justice) which discussed the possibility of including the above mentioned retroactive action in the elimination of mortgage ground clauses in Spain. Subsequently, in early July 2016, the General Attorney of the European Union Court of Justice produced a report setting out his conclusions on this matter and in which he supports a limited level of retroactivity; a limited level due to the huge financial repercussions that would likely be involved in returning all monies charged above the reference indicator rate from the beginning.

The opinions of the General Attorney are not binding on the EU Court of Justice but nevertheless, the Court's final decisions are usually based on the Attorney's conclusions.

The EU Court of Justice will produce its decision soon, and this will be solely regarding the matter of retroactivity – the basic principle that ground clauses are abusive is settled and is no longer in question or under discussion.

If you have signed a mortgage after 2009 our legal experts will be pleased to check it out for you free of charge in order to see if it includes a ground clause and if so, how can it be contested with a view to applying for a repayment of the monies involved.

Connie Raymundo – Lawyer & Barrister at Raymundo & Hopman Abogados. ICALI Reg. N° 5936.

NON RESIDENTS YEARLY TAX RETURNS



By Roberto Fernández, lawyer at Raymundo & Hopman Abogados.

Sadly and as it happens with all taxes in Spain, **yearly tax return for non-residents** is not an easy matter and due to it, is convenient to contact an expert who will be preparing it properly for you.

If you are a non-resident then you should be aware that the deadline for the submission of the 2015 yearly tax return for non-residents is December 31st.

The taxable period is from the 1st of January of 2015 to the 31st of December of 2015.

Every non resident owning a property in Spain, except few exceptions mentioned in Law, must lodge this tax, even if paying taxes in their country of origin.

Contact us for more information, we will be happy to help you and if you find it convenient, to prepare your taxes with the due and proper guarantees.

Please, contact us today for further information:

Robert@rhv-lawfirm.com

Roberto Fernández, Lawyer at Raymundo & Hopman Abogados

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RAYMUNDO & HOPMAN Lawyers and Associates would like to wish you

MERRY CHRISTMAS

AND A VERY HAPPY NEW YEAR



Our offices will be closed from the 22nd of December to the 9th of January 2017.

Please, contact as by email (info@rhv-lawfirm.com) in case of any emergency and we will be replying to you at our earliest opportunity.

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