

# TERMS OF BUSINESS

## WHAT ARE THESE TERMS OF BUSINESS?

These terms of business tell you how FBD Insurance Group Ltd and FBD Insurance plc provide business services to you. It's important that you read them in full. If there's anything you don't understand, please let us know.

We may update our terms of business from time to time to meet various laws and regulations. These terms apply from 1st March 2022.

## WHO ARE WE?

FBD Insurance Group Ltd (trading as 'FBD Insurance') and FBD Insurance plc, are wholly owned subsidiaries of FBD Holdings plc.

- **FBD Insurance** – is an authorised investment intermediary and an insurance intermediary.
- **FBD Insurance plc** – is authorised as a non-life insurance company.

Both companies are regulated by the Central Bank of Ireland and subject to its codes of conduct, including the Minimum Competency Code 2017 and the Consumer Protection Code 2012. These codes help to protect you and you can view them at [www.centralbank.ie](http://www.centralbank.ie).

You can read about our company authorisation and registration details on page 12.



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FBD Insurance Group Ltd, trading as FBD Insurance, is regulated by the Central Bank of Ireland. FBD Insurance plc is regulated by the Central Bank of Ireland.

## WHAT SERVICES DO WE OFFER?

FBD Insurance offers both life and non-life insurance products and services on a limited analysis of the market basis. This means we only supply products provided by product producers we have a written agreement with.

### NON-LIFE SERVICES

We offer the following kinds of insurance underwritten by FBD Insurance plc:

Private Motor	Employer Liability
Commercial Motor	Public Liability
Agricultural Motor	Product Liability
Motor Fleet	Personal Accident
Property Damage	Home
Business Interruption	Farm
Goods in Transit	Bonds and Guarantees
Marine Hull	Engineering

We also offer the following non-life products and services underwritten by other companies:

PRODUCT OR SERVICE	UNDERWRITER OR SERVICE PROVIDER
Commercial Legal Expenses	ARAG Legal Protection Limited
Engineering Inspection	Bureau Veritas UK
Home and Motor Emergency Assistance	Mapfre Assistance Agency Ireland
Travel	Chubb European Group SE
Professional Indemnity Liability Protection	Hiscox SA
Directors and Officers Liability Protection	Hiscox SA

In this document we refer to all products underwritten by FBD Insurance plc, together with Commercial Legal Expenses, Engineering Inspection and Home and Motor Emergency Assistance services as FBD Insurance policies.

### LIFE, PENSION AND INVESTMENT SERVICES

FBD Insurance offers the following life, pension and investment products ('life products'):

- lump sum deposits or investments;
- regular contribution savings plans in various types of non-linked, unit linked, and other collective investment funds;
- pension planning and retirement income plans;

- life assurance cover, specified serious illness cover, income protection and other protection policies.

New Ireland Assurance (New Ireland) is our preferred supplier for these products. We may also offer products provided by other companies if we have a business relationship with them, or if a product is not available through New Ireland. You can ask us if you would like a list of these providers.

## HOW CAN YOU CONTACT US?

Both FBD Insurance and FBD Insurance plc have their registered office at FBD House, Bluebell, Dublin 12, D12 YOHE.

### **You can also contact us:**

- by phone:
  - for non-life insurance services, call 0818 18 18 18;
  - for life, pension and investment services, call 01 409 3203;
- in person – call into any of our branch offices nationwide; or
- online – [www.fbd.ie](http://www.fbd.ie).

## CAN YOU ACCESS INVESTOR COMPENSATION?

Yes. FBD Insurance is a member of the Investor Compensation Scheme, established under the Investor Compensation Act 1998. This gives you the right to ask for compensation if we cannot return money or investments we hold for you. If you meet the Investor Compensation Act's definition of 'eligible investor' and qualify for compensation, you will be paid:

- 90% of the amount you are recognised to have lost,
- up to €20,000.

We are also bonded through our membership of the Irish Brokers Association (IBA) for €250,000, with an upper limit of €100,000 for each client.

## DO SERVICE PROVIDERS PAY US?

Yes. FBD Insurance receives a commission from the relevant underwriter or product provider for policies sold or renewed. Full details of FBD Insurance remuneration arrangements (such as fees, commissions, and other rewards) are available on our website [www.fbd.ie](http://www.fbd.ie).

## HOW CAN YOU PAY YOUR INSURANCE?

You can pay for your FBD Insurance policies in the following ways:

IF YOUR BUSINESS IS...	...AT A BRANCH	...OVER THE PHONE	...ONLINE ON THE INTERNET
Cash*	✓	--	--
Cheque*	✓	✓	--
Credit card*	✓	✓	✓
Debit card*	✓	✓	✓
Direct debit**	✓	✓	✓

\* Only full payment is accepted using these methods.

\*\* You must meet our direct debit conditions.

For other non-life policies, you can pay the underwriter directly or as outlined in your policy documents.

For life products, FBD Insurance may accept payment on behalf of the provider. If we do this, we will make sure that your money is transferred without delay.

### DIRECT DEBITS

If we offer you a direct debit payment option for your FBD Insurance policies, you must make the first payment by credit or debit card. The direct debit service charge can vary, but we will tell you what it is before you complete the agreement.

You need to tell us if you want to stop your payment by direct debit. Otherwise, we may continue to take payments when your policy is due for renewal.

If one of your direct debit payments fails, we may attempt to collect it again at a later date. If you do not keep up direct debit payments due for any product, the underwriter or product producer may cancel your policy or withdraw your cover.

### RETURN PAYMENTS

If we owe you money for an FBD Insurance policy, we will pay you in one of the following ways: by cheque, by putting the money back onto the credit or debit card used to make the payments to us, or by putting the money directly into your bank account by electronic fund transfer. If you are a direct debit customer, we may take the money off your remaining direct debit instalments.

If you are due money back after changes to or cancellation of an FBD Insurance policy, we may offset this money against payments due for any other FBD Insurance policies you hold.

For details of how payments are handled by other underwriters or providers, you should read your policy documents.

## HOW LONG IS THE 'COOLING OFF' PERIOD?

All non-life policies are sold with a 'cooling off' period once your contract is for a period of 30 days or longer. The cooling off period will apply both at New Business and at Renewal, and will last for 14 working days from the date you receive your policy documents. If you cancel your policy within the cooling off period, you will be charged proportionally for the period you were on cover.

In the case of life products, you should read your policy documents for information about cooling off periods.

## WHAT ABOUT A CONFLICT OF INTEREST?

We aim to avoid conflicts of interest. This may include financial or other interests we hold. However, if a conflict arises that could negatively affect our ability to treat you fairly, we'll let you know about it before providing any business service.

## WHAT IF YOU HAVE A COMPLAINT?

We would like to hear from you if you have a complaint about our service. If you tell us your concerns, we'll try to put matters right and improve our service to all our customers. If you would like to make a complaint, please contact us:

- by phone:
  - for non-life insurance services, call 0818 18 18 18;
  - for life, pension and investment services, call 01 409 3203; or
- in person – call into any of our branch offices nationwide; or
- by email – [info@fbd.ie](mailto:info@fbd.ie).

If you are not satisfied with our response or how we have dealt with your complaint, you may refer your case to the:

Financial Services and Pensions Ombudsman,  
Lincoln House, Lincoln Place, Dublin 2,  
D02 VH29.

Phone: + 353 1 567 7000

Email: [info@fspo.ie](mailto:info@fspo.ie)

Website: [www.fspo.ie](http://www.fspo.ie)

## WHAT LAW APPLIES?

The laws of Ireland will apply to your policy.

## FOR CUSTOMERS WITH FBD INSURANCE POLICIES

### CAN YOU CANCEL YOUR POLICY?

Yes. You may cancel your policy at any time. Just write to us with your cancellation instructions. For motor insurance, you must also return the insurance certificate and insurance disc to us. FBD Insurance plc will cancel the policy from the date we receive your instructions, certificate and disc, if appropriate.

### CAN FBD CANCEL YOUR POLICY?

Yes. If FBD Insurance plc cancels your policy, we will give you seven days' notice in writing to your last known address (10 days' notice in the case of motor insurance policies).

We can also treat the policy as invalid or as if it never existed if you do not provide us with correct information, valid documents and the payment required to put cover in place.

If your policy is cancelled, this could make it more difficult for you to apply for other insurance policies in the future.

### WILL YOU GET A CANCELLATION REFUND?

FBD Insurance plc will return the premium you paid for the period of insurance left to run, if:

- You cancel the policy within the cooling off period, or
- We cancel the policy.

If you cancel outside the cooling off period, we will return the premium for the period of insurance left to run (less any cancellation charge), only if:

- the refund amount due is over €1,
- there has been no claim on your policy, and
- no claim is pending.

We may keep your full premium if your policy is cancelled due to fraud.

### IS THERE A CHARGE FOR MAKING CHANGES TO YOUR POLICY?

If you make a change to your FBD Insurance policy while you are on cover, and it increases or reduces your insurance payment by €10 or less, we will not charge or give a refund. If the change results in a difference of more than €10, we will charge the increase or refund the reduction.

Separately, the following charges apply to CarProtect motor policies:

CARPROTECT POLICY ADMINISTRATION FEES	WE CHARGE
If you: <ul style="list-style-type: none"> <li>change a driver or vehicle, or</li> <li>suspend your policy</li> </ul>	€20
If you request copies of documents	€15
If you miss a direct debit payment	€10

## WHAT IS THE CANCELLATION CHARGE?

If you cancel your policy at any time outside the cooling off period and the premium is returned, the following charges will apply:

	and if the premium payment is	the cancellation charge is
<b>IF YOU CANCEL THE POLICY IN THE FIRST YEAR OF INSURANCE*</b>	up to €500	€50
	€501 to €1,000	€60
	€1,001 to €2,000	€75
	€2,001 or over	€100
<b>IF YOU CANCEL THE POLICY ANY TIME AFTER THE FIRST YEAR*</b>	a €40 flat cancellation charge applies	

\*For CarProtect insurance policies, a flat €50 charge applies in all cases if you cancel the policy outside the cooling off period.

## HOW DOES FBD INSURANCE PLC DEAL WITH CLAIMS?

If there's a claim, you may be responsible for paying the initial amount of your claim known as an 'excess'. This amount will be printed on your policy documents.

At your own expense, you can ask an expert or advisor such as a Public Loss Assessor to act on your behalf. For property insurance claims, we can choose if we want to settle your claim by paying you or by reinstating, repairing or replacing the damaged property.

## WHAT IF THERE'S A DISPUTE?

Any dispute under your FBD Insurance policy must be referred to 'arbitration', a process using an independent arbitrator to help settle the dispute. The arbitrator will be appointed either by agreement between you and us or by the authorised body identified in the current arbitration legislation. If you do not refer a disputed claim to arbitration with us within 12 months of your claim being turned down, we will treat the claim as abandoned.

## DATA PROTECTION – HOW WILL WE USE YOUR INFORMATION?

We will handle, manage and process personal data in line with the data protection statement for FBD Insurance and FBD Insurance plc.

If you have any questions or need more details, you can:

- read our 'Full Data Protection Statement' at [www.fbd.ie/dataprotection](http://www.fbd.ie/dataprotection);
- email [info@fbd.ie](mailto:info@fbd.ie) or [dataprotectionofficer@fbd.ie](mailto:dataprotectionofficer@fbd.ie); or
- write to FBD Data Protection Officer, FBD House, Bluebell, Dublin 12, D12 Y0HE, Ireland.

This data protection statement is an overview of our Full Data Protection Statement, which applies to all your dealings with FBD group companies.

### WHAT IS 'PERSONAL DATA'?

Throughout this statement, we refer to your personal data to mean information about:

- you,
- anyone else who is insured under your policy, or
- anyone involved in a claim relating to your policy.

This personal data may also include sensitive data, such as information about a person's health or convictions.

If you give us personal data about someone else, you are confirming that you will explain to them you gave us their personal data. You are also confirming that they understand their data will be processed in the ways set

out here and in the Full Data Protection Statement.

### WHAT PERSONAL DATA DO WE COLLECT?

We may ask for different types of personal data. Examples include:

- **policy data** – title, surname, forename(s), address, phone numbers, email address, previous or existing employment details, occupation and marketing preference;
- **claims data** – previous or existing claims details, medical information, PPS number and CCTV footage;
- **information from sources other than you** – vehicle details, penalty points, IP address and geocode (precise address location).

Sometimes the data we ask you for may be optional, and we will tell you if this is the case. We will also explain to you any implications of not giving us the data.

### WHY DO WE COLLECT YOUR PERSONAL DATA?

Most of the information we ask you for is to assess risk, offer insurance and process claims. We ask you for different types of personal data depending on the kind of insurance you want or the claim being processed. This allows us to manage your policy, serve you better and uphold the law.



## Manage your policy

We need to process some personal data to agree and fulfil a contract with you. For example, we do this when we need to:

- verify the accuracy of the information and personal data received;
- assess your insurance needs and the level of cover you need;
- contact or respond to you;
- quote for and manage insurance and other products that we provide to you;
- underwrite policies and handle claims;
- verify and process payments or refunds;
- provide services such as help with car breakdown assistance;
- manage your claim, including reserving.

## Serve our customer

We also need to process personal data where we have a 'legitimate interest' to do so. Legitimate interests include:

- training and monitoring staff in how to perform their duties and serve you as best they can;
- marketing and doing market research and statistical analysis to improve services and products;
- protecting customers and ourselves from being the victims of fraud.

Before we process personal data for our legitimate interests, we carefully consider its effect on you and others. On balance, we believe that the processing we do is necessary and respects your legal rights and freedoms.

## Uphold the law

We also process personal data to comply with regulatory or legal obligations.

Examples are:

- Conduct of Business requirements
- Money Laundering Acts
- Employment Acts
- Road Traffic Acts
- Finance Acts

## WHY DO WE NEED SENSITIVE DATA?

We need sensitive information such as health related information about you and others connected to an insurance policy so that we can:

- offer you the best products and services,
- assess the risk of your proposed policy, and
- assess claims which may relate to medical conditions or information about motoring or criminal charges or convictions.

However, you do not need to give data about 'spent' convictions. These are convictions which, under the Children Act 2001 or Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016, can be ignored after a set period of time. If you are in any doubt about whether a conviction may be spent, you can contact Citizens Information on 0818 07 4000 or visit [www.citizensinformation.ie](http://www.citizensinformation.ie).

When you give us sensitive data, both you and anyone else on your policy are accepting that the data is necessary for us to provide your insurance. We will only process sensitive data if we have appropriate, suitable and specific measures in place to protect the data and your legal rights and freedoms.

## WHY DO YOU NEED TO GIVE US ACCURATE INFORMATION?

If you give us incorrect or out-of-date information, we may not provide you with cover or may have to delay processing your claim. If you give false information and make a claim, it may not be paid and could result in criminal prosecution. To avoid this, you must always give us accurate and up-to-date information, especially when seeking insurance cover or making a claim.

## HOW DO WE COLLECT PERSONAL DATA?

We collect personal data through your dealings with us or our appointed agents. This may be through websites, contact centres or in person.

We can also get personal data from other sources. Examples include vehicle databases, Insurance Link (a central claims database for the insurance industry – see [www.inslink.ie](http://www.inslink.ie)) and public social media sites. We use these sources to help us gather and verify personal data or other information you have provided.

## HOW DO WE COLLECT PERSONAL DATA ABOUT CHILDREN?

If you give personal data about a child under the age of 18 years, we will need to check that you are their parent or guardian. We do this to make sure you can authorise us to process personal data about the child.

## HOW LONG DO WE KEEP PERSONAL DATA?

We hold personal data in line with our record retention policy. If you do not accept a quote or complete an application for an insurance policy, we will keep your data (information) for 15 months. For policyholders we retain customer data for seven years after your relationship with us ends.

We hold personal data: to underwrite your policy; to meet legal and regulatory requirements, including where we have not offered insurance; for complaints handling; to help us counteract fraudulent practices; and where we have consent to include you in marketing communications. If there is a claim or a potential claim against a policy, we hold the data for at least seven years after any legal proceedings or potential legal proceedings have been finalised.

For more information, please see our Full Data Protection Statement which is available at [www.fbd.ie/dataprotection](http://www.fbd.ie/dataprotection).

## DO WE ASSESS PERSONAL DATA USING AUTOMATED TOOLS?

Yes. When you ask about a product or service or submit a claim, we use automated procedures to assess your personal data and reach a decision. This is sometimes called 'profiling' or 'automated decision-making'. For example, if you ask for a quote, we will put your data through a computer program to calculate risk. Based on this, we may decide to offer or not to offer you a particular product.

If you want more information or would like a decision reviewed, please call 1800 617 617.

## DO WE SHARE PERSONAL DATA?

To provide insurance cover or to process a claim, we may have to share your personal data with others. These may include employees or agents, service providers, reinsurance companies, trade bodies, private investigators, professional advisors and others involved in administering or processing your data.

To meet our regulatory, industry or legal obligations, we may also pass your personal data to external databases. For example:

- The National Fleet Database, a database of insured vehicles; or
- Insurance Link ([www.inslink.ie/](http://www.inslink.ie/)), a database of claims data which can include name, address, date of birth, type of injury or loss suffered, and property damaged.
- We will also add details of your policy to the Motor Third Party Liability Database maintained by the Motor Insurers Bureau of Ireland (MIBI) for use by An Garda Síochána.

Personal data on Insurance Link may be shared with other insurance companies, self-insurers or statutory authorities. These third parties may keep their own record of personal data obtained from Insurance Link. See the Full Data Protection Statement on [www.fbd.ie/dataprotection](http://www.fbd.ie/dataprotection) for more details.

## WILL WE CONTACT YOU FOR MARKETING?

If we are allowed to send you information about products, services and special offers from FBD group companies, we may contact you in different ways. This may be by mobile phone, landline, email, text message or post. We may also contact you on the anniversary of your policy lapsing or your quote request.

It is always your choice to receive marketing information or not, and you will be asked about this when you apply for a quote or buy a product or service. You can change your mind and opt out of marketing at any time by calling 1800 617 617 or emailing [info@fbd.ie](mailto:info@fbd.ie).

If you choose not to receive marketing information, it will not affect any of the services we provide to you, now or in the future.

## WHAT ARE YOUR DATA PROTECTION RIGHTS?

You have a number of rights when it comes to personal data. These may include the right to:

- be told if we hold personal data about you;
- correct your personal data;
- ask for a copy of your personal data;
- object to the use of your personal data;
- ask us to delete your personal data;
- restrict the use of your personal data; or
- send and receive personal data electronically.

Some of these rights only apply in certain situations. For more information, please see Section 14 of our Full Data Protection Statement on [www.fbd.ie/dataprotection](http://www.fbd.ie/dataprotection).

If you want to use your data protection rights, please write to FBD Data Protection Officer, FBD House, Bluebell, Dublin 12, D12 YOHE, Ireland. We will reply as quickly as possible and, at the latest, within 30 days of receiving your request. In certain instances, this may be extended up to 60 days. We will tell you about this before making an extension.

You also have a right to lodge a complaint about the processing of your personal data with the Data Protection Commissioner:

- [www.dataprotection.ie](http://www.dataprotection.ie)
- write to: Data Protection Commissioner, 21 Fitzwilliam Square South, Dublin 2, D02 RD28; or
- phone: 01 7650 100 / 1800 437 737.

## WHAT ARE FBD'S AUTHORISATION AND REGISTRATION DETAILS?

- FBD Insurance – is registered in the Companies Registration Office as number 140134. We are authorised as an investment intermediary under Section 31 of the Investment Intermediaries Act, 1995 (as amended) and an insurance intermediary under the European Communities (Insurance Mediation) Regulations, 2005 (as amended).
- FBD Insurance plc – is registered in the Companies Registration Office as number 25475 and is authorised by the Central Bank as a non-life insurance company. We are a member of Insurance Ireland and abide by its voluntary code of conduct.

Both FBD Insurance and FBD Insurance plc are registered for Value Added Tax (VAT), registration number 9F72885E.

## FBD.IE

FBD House, Bluebell, Dublin 12, D12 YOHE, Ireland

- Non-life insurance services: 0818 18 18 18
- Life, pension and investment services: 01 409 3203

