

# UTMOST PANEUROPE DAC PRIVACY NOTICE OCTOBER 2022

utmost™

At Utmost, we are committed to protecting the privacy of your data. This Privacy Notice explains how we do this, as well as letting you know about your rights in relation to the data.

This Privacy Notice has been issued by Utmost PanEurope dac, Utmost Bermuda Limited and Utmost Services Ireland Limited, together the Companies.

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## 1. WHO WE ARE

Utmost PanEurope dac, trading as Utmost Wealth Solutions and Utmost Corporate Solutions, provides wealth management, savings, investments and employee benefit solutions to individuals, corporates and institutions across Europe and is regulated by the Central Bank of Ireland.

Utmost PanEurope dac includes the books of business previously managed by Harcourt Life and Utmost Ireland dac, following an Insurance Portfolio Transfer approved by the High Court of Ireland in October 2019. This portfolio transfer also includes the entire life assurance businesses of Harcourt Life International (formerly Harcourt Life Assurance dac), Scottish Mutual International dac, Augura Life Ireland dac and Union Heritage Life Assurance Company dac which transferred to Harcourt Life Ireland dac with effect 31 March 2018 and are all closed to new business.

Utmost PanEurope dac also includes the life assurance business of Utmost Ireland dac, which specialises in life assurance and capital redemption bonds for high net worth UK residents. This includes the books of business previously owned by AXA Life Europe, Aviva Life International and Athora.

Utmost PanEurope dac has a wholly owned subsidiary, Utmost Bermuda Limited which also operates a closed life book. Utmost Bermuda Limited is regulated by the Bermuda Monetary Authority.

There is also a book of business in relation to Quilter International Ireland dac; this portfolio transfer took place in September 2022.

Utmost Services Ireland Limited is part of Utmost Group Ireland and provides ancillary services for insurance and pensions.

## 2. WHAT IS A PRIVACY NOTICE AND WHY IS IT IMPORTANT?

We know your personal information is important to you and it is important to Utmost PanEurope dac too. This Privacy Notice tells you what we use your personal information for and explains your rights around how we use it.

Please read this Privacy Notice to understand how and why we use your personal information. If you give us personal information about someone else, please make sure you have their permission and make them aware of this Privacy Notice, as it also applies to them.

## 3. WHAT PERSONAL INFORMATION WE COLLECT AND WHY

We use personal information to provide our plans, service our customers, assess claims and pay benefits. We must have a lawful basis to collect and use personal information. This is explained below:

### NEEDED FOR YOUR CONTRACT

We need to collect and use your personal information to provide your plan contract. This includes information such as your name, date of birth, contact and bank account details. We will ask for other information depending on the plan type and this can include health, employment, pension and salary information. We restrict access to, and use of, any sensitive personal information. We also create new personal information such as your plan value and benefits.

Personal information needed for plan contracts is held and used to:

- › process your application
- › issue your plan
- › make and receive payments
- › provide you with information about your plan
- › administer your plan and pay benefits
- › provide customer care and service and
- › contact you to inform you of any relevant actions you may need to take.

We also collect and use personal information about agents, brokers and financial advisers to service their agency contracts with us.

If you are a claimant, we will use your information to manage and administer your claim in accordance with the policy's terms and conditions. We will use your information to respond to any complaints you make.

### DATA RETENTION

Our policy is to retain your data only as long as is necessary for the purpose for which it was collected, or for legal or regulatory reasons. Personal information will be securely disposed of when it is no longer required in accordance with our Personal Data Retention Schedule.

We do keep certain transactional records - which may include personal information - for more extended periods if we need to do this to meet legal, regulatory, tax or accounting needs. For instance, under the Consumer Protection Code, we are required to retain an accurate record of dealings with us for at least six years after your last interaction with us, so we can respond to any complaints or challenge you or others might raise later. We will also retain files if we reasonably believe there is a prospect of litigation.

## REQUIRED BY LAW

We use your personal information to comply with law and regulations:

- › reporting to regulators
- › keeping proper books and records and
- › actuarial analysis and risk management to ensure the company stays financially sound.

We carry out internal reporting, quality checking, compliance controls and audits to help meet these obligations.

We must collect certain personal information to comply with Anti-Money Laundering law. This depends on your plan type but includes up to date proof of identification and address. We also screen all customers against Financial Sanctions and Politically Exposed Persons (PEP) lists. To do this, we use your name, date of birth, address, nationality and occupation information.

Where needed, we carry out searches of publicly available information. You must give us your tax residence information and tax identification number for tax reporting.

Under regulations, we must give you information and updates on your plan. To do this, we use your plan and contact details.

We must keep and use your relevant personal information to calculate the death and disability liability for other plans like yours.

As a regulated product producer, we must use our customer personal information, including yours, to identify the target market for our regulated products and services.

When you give us your personal information, we will check to see if we already have a record of you. This helps us to comply with your Data Protection rights.

The type of personal information that is required by law may vary in the future.

## UTMOST'S LEGITIMATE INTEREST

We use your personal information for our legitimate interests as shown below. This does not affect your privacy rights. We have taken account of any privacy risks and have ensured that your data protection rights are not affected. We believe these uses benefit our customers. You can contact us if you have any questions using the details at the end of this Privacy Notice.

### › **Customer Research:**

- To help improve the level of service we provide, we may on occasions contact you for participation in consumer satisfaction or research surveys.

### › **Sharing with your Broker or Financial Adviser:**

- We recommend that all our customers get financial advice to make sure their plan suits their needs. We share your personal information with your broker or financial adviser and keep them up to date on your plan. This allows them to give you better advice.

### › **Sharing with Other Insurers:**

- If you told us you have similar cover in place with other insurers for certain plans we will validate that information with the other insurer(s). If you tell other insurers about similar cover you have in place with us for certain plans we will confirm this information to other insurers.

### › **Customer queries and service requests:**

- When you send us a query or request a service, such as a call back, we will collect and use the personal details needed to respond to your request.

### › **Customer verification with other Utmost Group companies:**

- We maintain a record of plans you hold with certain Utmost Group companies using personal information such as your name and contact details in order to provide Utmost Group joint services to you.

### › **Statistical Analysis:**

- We combine and group personal information for statistical analysis to help us understand our customers, to develop better products and services and to help promote our products and services
- Personal information from other Utmost Group companies may also be used for this purpose
- Statistical analysis uses aggregate information and individuals are not identifiable.

#### › **Data Analytics:**

- We perform data analytics on our products and customers across the Utmost Group companies to allow us to understand how our customers interact with us, what products and services customers avail of across the group and to develop new products and services
- Data analytics will include personal data, but not special category data such as medical information
- Aggregate reports are used for these purposes where individuals are not identifiable.

#### › **Safety and Security:**

- We capture and hold data from email, web and network traffic to monitor and protect information security and to support investigation around cyber or data loss events (e.g. a malicious act – virus or hacking).

### 4. WITH YOUR CONSENT

You need to give consent for us to collect and use personal information classed as sensitive or for certain uses of your personal information. You are given the choice to provide consent, or not. When we collect your consent, we will explain what we need it for and how you can change your mind in the future.

#### › **Automated-Decision Making, including profiling:**

- We have an automated-decision making system for underwriting. This is designed to improve efficiency, reduce costs, improve quality and provide consistent underwriting decisions
- This system determines underwriting acceptance and the terms we can offer
- Acceptance and terms are based on set risk criteria agreed between Utmost and our reinsurers
- You will be asked to provide consent for automated underwriting decisions to be made about you
- You can ask to have a person review and make the final underwriting decision.

#### › **Biometric Data:**

- Where you have consented we will collect information to identify you through voice, facial or fingerprint recognition technology.

#### › **Direct Marketing:**

- We would like to be able to contact you about offers and services from across the Utmost Group companies, separately from your plan communications. We will only send you direct marketing content where we have your consent.

#### › **Cookies:**

- When you visit our website we will use cookies to tell us whether you have visited our website before. We also use cookies for third party advertising to show you Utmost ads where you have visited our website before or visited other websites offering similar products and services. We will ask for your consent to use these once you visit the website.

### 5. CONSENT AND HOW TO WITHDRAW CONSENT

If we process your personal information based on consent, you have the right to withdraw that consent at any time. The opt-out methods will depend on how the consent was collected and will be explained when you give us your consent, e.g. you can change your mind using the opt-out link in any direct marketing emails sent to you, or by opting out of a mobile app service.

You will also be able to withdraw consent by contacting us directly using the details at the end of this Privacy Notice.

### 6. HOW AND WHERE DO WE GET YOUR PERSONAL INFORMATION FROM?

You provide us with your personal information directly when you contact us, complete our forms, speak with us or visit our website. For more information on what personal information is collected and used on our website, please see our Website and Cookie Policy at [www.utmostinternational.com/cookie-policy](http://www.utmostinternational.com/cookie-policy).

We also get personal information from agents, brokers, financial advisers, solicitors, licenced private investigators, employers or regulators (where relevant).

If you are the person insured under a protection plan, we will get relevant personal health information from your health professionals. If we have accepted your cover based on a proposal and underwriting decision with another insurer, we will get relevant personal information and personal health information from that insurer in order to process any claims.

We will check if you have similar cover or claims already in place with other insurers for certain plans in line with Revenue rules.

We also collect information from publicly available information including social media websites and online content, newspaper articles, television, radio and other media content, court judgements, public registers and specialist databases (for example Companies Registration Office, Vision-net, Oracle, Dow Jones, SoloCheck) and (only for purposes of verifying your identity) electoral register.

## 7. TO WHO DO WE PASS YOUR PERSONAL INFORMATION?

We pass personal information, including personal health information if necessary, to:

### › **Data Processors:**

- Companies that act as service providers under contract with us and only process your personal information as instructed by us. Your personal information is transferred securely and is not used by other parties for any other reason. Our main Data Processors are Utmost Services Ireland Limited, Utmost Administration Limited and Utmost Services Limited.

The categories of services that we use other Data Processors for include: document management, administration, underwriting, customer services, marketing, actuarial services, Financial Sanctions, PEP screening and mobile app services.

### › **Brokers or Financial Advisers:**

- who you have chosen to act as your intermediary to give service and advice on your plan.

### › **Trustees:**

- appointed in connection with the plan contract. Health Professionals:- where needed for underwriting and paying benefits.

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- where needed for underwriting and paying benefits.

### › **Reinsurers:**

- that we have a contract with to underwrite our plans and claims.

### › **Investment Service Providers:**

- We pass limited personal information to investment service providers where you want to access these services through your plan e.g. Stockbroker or Online Trading Platform.

### › **Licensed Private Investigators:**

- We engage private investigators to trace beneficiaries, identify and reduce fraud, and for good claims management. This is carried out in line with the Private Investigators Code of Practice.

### › **Regulators:**

- If appropriate with regard to relevant legal/tax regulatory obligations and Revenue requirements: with regulatory bodies, law enforcement bodies, government departments including Central Bank of Ireland, Financial Services and Pensions Ombudsman, Revenue Commissioners/Inspector of Taxes, Gardaí, Criminal Assets Bureau, Data Protection Commission and Department of Employment Affairs and Social Protection.

### › **Other Insurers:**

- For assessing claims if we accepted your cover based on a proposal and underwriting with another insurer
- In order to check if you have similar cover or claims in place for certain plans in line with Revenue rules.

## 8. DO WE TRANSFER YOUR PERSONAL INFORMATION OUTSIDE OF THE EU?

Your personal information is processed and stored within the EU. However, we do pass personal information securely to other companies within the Utmost Group of companies:

- › Utmost International Isle of Man Limited in the Isle of Man
- › Utmost Administration Limited in the Isle of Man
- › Utmost Services Limited in the Isle of Man
- › Utmost Worldwide Limited in Guernsey.

Transfers within the Utmost group will be covered by an agreement entered into by members of the Utmost group (an intra-group agreement) which contractually obliges each group company to ensure that your Personal Information receives an adequate and consistent level of protection wherever it is transferred within the group.

Where we, or our data processors, transfer your personal information outside the EU, we will take steps to ensure that your personal information is adequately protected and transferred in line with data protection law.

We process and store data in the UK, in line with the adequacy decision in place between the UK and the EU for such processing and storing, or under other available legal means permissible for transfer to non-EU countries.

## 9. WHAT ARE YOUR RIGHTS?

You have a number of rights over your personal information which you can exercise free of charge by contacting us using the details at the end of this Privacy Notice. You will need to give us information to help us identify you and we will respond to you within one month in line with regulation.

Any restrictions to your rights will be explained in our response.

### RIGHT TO INFORMATION

You have a right to the information set out in this Privacy Notice. The most recent version of our Privacy Notice will always be accessible on our website at [www.utmostinternational.com](http://www.utmostinternational.com). If we make changes to the type of personal information we collect and/or how we use it, we will inform you of the changes.

We have controls in place to protect your personal information and minimise the risk of security breaches. However should any breaches result in a high risk for you, we will inform you without undue delay.

### RIGHT TO RESTRICT OR OBJECT

You can restrict or object to any unfair and unlawful collection or use of your personal information.

You can object to any automated decision making that has a legal or similar significant impact for you and ask for the decision to be made by a person.

You can withdraw consent and object to, for example direct marketing.

### RIGHT TO CORRECT AND UPDATE

You can ask us to correct and update personal information we hold about you.

Your Utmost plans are long-term contracts and to provide you with the best service it is important we have your up to date personal information, such as contact details.

### RIGHT TO DELETE AND BE FORGOTTEN

You can have your personal information deleted if it is incorrect, if it is no longer needed or has been processed unfairly or unlawfully.

If you have withdrawn consent, you can ask for your personal information to be deleted.

We will keep a record of your request so we know why your personal information was deleted.

If we have provided a regulated product or service to you, we must keep your personal information for a minimum period by law.

### RIGHT TO PORTABILITY

You can ask for a copy of all personal information that you gave us (including through your interactions with us), and which we hold in an automated format. You can receive this in a machine-readable format that allows you to keep it.

You may also request Utmost PanEurope dac to send this personal information in a machine readable format to another company. The format will depend on our ability to provide this in a secure way that protects your personal information.

It is unlikely we will be able to use a copy of your personal information sent to us in this way. This is because we can only collect personal information that we need. We also need your most up to date personal information for underwriting and to comply with regulations.

### RIGHT TO ACCESS

You have the right to know what personal information we hold about you and to receive a copy of your personal information.

We must tell you:

- why we hold it
- who we pass it to, including whether we transfer it outside the EU
- how long we keep it for
- where we got it from and
- if we carried out any automated-decisions, and if so, the logic behind it and what it means for you.

This right does not allow you to access personal information about anyone else.

To access your personal information please write to us or email us using the contact details at the end of this Privacy Notice. To help us respond as quickly as possible please let us know if you are only looking for copies of specific personal information.

## 10. PLEASE CONTACT US

The primary point of contact for all issues arising from this privacy policy, including requests to exercise data subject rights, is our Data Protection Officer. The Data Protection Officer can be contacted in the following ways:

email address: [dataprotection@utmost.ie](mailto:dataprotection@utmost.ie)

postal address: Navan Business Park  
Athlumney  
Co Meath  
C15 CCW8  
Ireland

### OUR SUPERVISORY AUTHORITY

If you are not happy with the way we are handling your information, you have a right to lodge a complaint with your local data protection supervisory authority at any time. In Ireland, this is the Data Protection Commission.

postal address: Data Protection Commission  
21 Fitzwilliam Square South  
Dublin 2  
D02 RD28  
Ireland

web address: [www.dataprotection.ie](http://www.dataprotection.ie)

We would ask that you please attempt to resolve any issues with us before contacting the Data Protection Commission.

### CHANGES TO OUR PRIVACY NOTICE

We may need to change this Privacy Notice from time to time. You can see when this Privacy Notice was last updated by checking the date at the top of this privacy Notice. You are responsible for periodically reviewing this privacy notice.