



# Curran, Connolly & Co. (Drogheda) Ltd.

Registered Insurance Brokers

28 LAURENCE STREET, DROGHEDA, CO. LOUTH, A92 NN28

Telephone: (041) 9836513/4

Fax: (041) 9835272

E-mail: info@curcon.ie

## TERMS OF BUSINESS

25th May 2018

We are pleased that you have decided to select Curran Connolly & Co. (Drogheda) Ltd. (the Company) to act as your insurance and investment intermediary. This document sets out the terms under which the Company will provide insurance and investment services to you. Please ensure that you read through this document. If you require further clarification regarding any matter we will be happy to deal with your query.

### Regulatory Information

The Company is registered as an insurance intermediary under the European Communities (Insurance Mediation) Regulations 2005, as an Investment Business Firm and Investment Product Intermediary under the Investment Intermediaries Act 1995 and is regulated by the Central Bank of Ireland (C1424). The Company has passporting rights to insurance mediation services in the UK and is subject to limited regulation by the Financial Conduct Authority. Details of registration are available on request or by contacting the Central Bank of Ireland. The Company is a member of Brokers Ireland. Our company registration number is 75285.

### Codes of Conduct

The Company is subject to the Consumer Protection Code 2012, the Fitness and Probity Standards 2014, the Handbook of Prudential Requirements for Investment Intermediaries 2014 and the Minimum Competency Code 2017. These Codes offer protection to consumers and can be found on the Central Bank's website [www.centralbank.ie](http://www.centralbank.ie).

### Our Services

The Company provides advice and arranges cover in relation to all classes of non-life insurance (motor, property, liability, etc.)

Our advice to consumers is based on a fair analysis of the available market, which means that we will analyse a sufficiently large number of contracts and product producers available on the market to enable us to identify and select a contract most suitable to meet your needs. We do not offer alternative quotations where there is a restricted or single provider option for a product.

If you require credit terms, we may be able to arrange premium finance, in which case you will be entering into a separate credit agreement with a premium financing provider. Alternatively, a monthly direct debit facility may be operated by insurers.

### Duty of Disclosure

Insurance is deemed to be a special type of contract which imposes onerous duties on prospective insureds to act with 'utmost good faith' towards insurers at all times, when arranging, renewing and throughout the term of an insurance policy, and also during the claims process. The omission of material facts, whether intentional or accidental, may lead to your insurance coverage being invalid and result in your policy being cancelled, claims not being paid, the difficulty in trying to purchase insurance elsewhere, and a breach of the terms and conditions attaching to any loan secured on your property. The insurer would also be entitled to seek recovery of any claims already paid by them under the policy.

A circumstance is material if it would influence the judgement of a prudent insurer in calculating the premium, deciding whether to accept the risk or assessing the terms on which to grant cover. If you are in doubt, as to whether information is material, you should disclose it, even if there isn't a question on the proposal form that covers the particular point. If the policy is incepted on a 'statement of fact' basis, it is your responsibility to check the accuracy of all information provided, including any pre-populated sections.

### Cancellation

You can cancel your policy at any time by giving us a notice in writing. Provided that all reasonable charges and costs incurred by us have been paid and no incident likely to give rise to a claim has occurred during the period of insurance, you will normally be entitled to a pro-rata return of the premium for the unexpired period of insurance.

No return premium will be allowed where the policy is on a minimum and deposit basis. Our policy set up charge is non-refundable.

A consumer (as defined in the European Communities (Distance Marketing of Consumer Financial Services) Regulations 2004) is entitled to withdraw from a distant contract of insurance within 14 days of entering into such contract, without giving any reason ('cooling-off period'). If the cover is in relation to motor insurance, then the policy cannot be cancelled or money refunded until the relevant certificate of insurance and disc have been received by the insurer.

No refund will apply if a claim has occurred on the policy.

### Remuneration and Charges

We earn income by commission paid by insurers and/or brokerage fees paid by you. Details of commission received from insurers are available on request. The commission is deemed earned at the placement of cover.

Brokerage fees are charged as a fixed fee or percentage of the insurance premium and Government levies as follows:

- Personal Insurance: up to a max of 30%, subject to a minimum of €50
- Commercial Insurance: up to a max of 25%, subject to a minimum of €100
- Mid-Term Alterations: up to a max of 25% subject to a minimum of €25 on Personal Insurance and €100 on Commercial Insurance
- In the event of cancellation or rebate a brokerage fee may be levied subject to a maximum of 15%.
- The amount of any commission received by the Company from insurers will not be deducted from the brokerage fee payable by you.

Advice without placement of a contract is chargeable on a time disbursements basis:

- Directors/Senior Personnel: €200 per hour.

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Directors: J. Murphy A.C.I.I., N. McGoldrick A.C.I.I., P. Connolly

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- Account Executives/Consultants: €150 per hour.

In respect of arranging insurance premium finance on your behalf, a commission payment of up to 2% is charged.

## Handling Clients' Money & Receipts

The Company accepts payments in cash, cheque, card, bank draft/transfer or premium payment plan, where available. Money received from you are retained in our Client Premium Account. A receipt is issued for each payment received.

## Non-payment of Premium by Client

In the event that you fail to pay within the credit terms agreed when cover is arranged, the Company will advise the insurer involved and cover will be cancelled. Please read your policy document regarding the circumstances giving rise to cancellation. In the event of cancellation, you may be liable to a cancellation charge up to a maximum of full premium cost.

## Premium Rebates

Premium rebates are issued within 5 business days after the rebate has been received from the insurer or, if applicable, being notified by them that a rebate is due.

Any charges due to us under the Remuneration and Charges section above may be deducted from any rebate due to you prior to it being issued – this will be agreed with you in writing in each instance.

## Conflict of Interest

It is the policy of the firm to avoid any conflict of interest when providing business services to its clients. However, where an unavoidable conflict may arise we will advise you of this in writing before providing any business service.

## Claims Processing

You must contact the Company or the insurer without delay in the event of a claim being made. Failure to report a potential claim promptly and without delay could result in an insurer declining the claim.

If an insurer appoints a loss adjuster to assist in the processing of a claim, that loss adjuster acts in the interests of the insurer. You may appoint a loss assessor to act in your interests as a claimant but any such appointment is at your own expense.

## Complaints Procedure

The Company has a written procedure in place for the effective consideration and handling of complaints (full copy available on request). Any complaints should be addressed to Compliance Officer using the contact details above. We will acknowledge each complaint in writing within 5 business days and will provide a regular written update on the progress of the investigation of the complaint at intervals of not greater than 20 business days. We will attempt to investigate and resolve the complaint within 40 business days of having received the complaint. On completion of investigation, we will provide you with a written report of the outcome, and advise you of your right to refer the matter to the Financial Services & Pensions Ombudsman, Lincoln House, Lincoln Place, Dublin 2, Tel: 01 567 7000, E-mail: info@fspo.ie.

## Compensation Scheme

The Company is a member of the Investor Compensation Scheme (ICCL) established under Section 38 of the Investor Compensation Act 1998. This legislation provides for the payment, in certain circumstances, of compensation to eligible investors (as defined in the Act) to the extent of 90% of an investor's net loss, up to a maximum of €20,000.

In addition, the Company is bonded through its membership of Brokers Ireland, which offer their clients 5 times more cover than the ICCL.

## Data Protection

The Company complies with the Data Protection Acts 1988 and 2003, the EU General Data Protection Regulation ('GDPR') and any other Data Protection legislation/Acts passed as a result of the GDPR.

To provide you with relevant information, respond to your queries and arrange transactions on your behalf, we sometimes request that you provide us with information about yourself or someone else. Such data will be held on a computer database and/or paper files and processed in order to perform a contract to which you are party or in order to take steps at your request prior to entering into a contract. Please read our Privacy Notice carefully as it will inform you in detail of how we collect, use and disclose personal data.

## Money Laundering

The Company is required to comply with anti-money laundering legislation and as such reserves the right to request certain information from you, which it reasonably believes is needed to comply.

## Insurer Security and Solvency

As an insurance broker, we use both local and international insurers to obtain the best products available to meet your needs and requirements. Our selection is generally based on our knowledge and experience of the insurance market and its products, and a variety of factors are taken into account including the financial status of the insurer in question. We cannot guarantee or take responsibility for the financial security or performance of any insurer.

## Governing Law

Our terms of business shall be governed and construed in all respects according to the laws of the Republic of Ireland, and the courts of the Republic of Ireland will have the exclusive jurisdiction over any dispute.

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## PRIVACY NOTICE

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We are pleased that you have decided to select Curran Connolly & Co. (Drogheda) Ltd. (the Company) to act as your insurance and investment intermediary. This document sets out in detail how we collect, use and disclose personal data we gather from you. Please ensure that you read through this document and contact us, if you require further clarification regarding any matter.

### Regulatory Information

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The Company complies with the Data Protection Acts 1988 and 2003, the EU General Data Protection Regulation ('GDPR') and any other Data Protection legislation/Acts passed as a result of the GDPR.

### How We Process Your Data

The Company follows these principles when processing personal data:

- a) We process personal data lawfully, fairly and in a transparent manner.
- b) We collect personal data for specified, explicit and legitimate purposes only.
- c) We only process personal data that is adequate, relevant and limited to what is necessary for the purposes of processing personal data.
- d) We keep personal data accurate and, where necessary, up to date. We take every reasonable step to ensure that inaccurate personal data is erased or rectified without delay.
- e) We do not keep personal data for longer than is necessary for the purposes of processing personal data.
- f) We process personal data in a manner that ensures appropriate security, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

If you provide information about someone else, such as an additional insured, you must have obtained this person's consent and have made them aware of the terms of this insurance. For motor insurance, you must also have obtained the additional insured's consent to allow us to verify their information via the Integrated Insurance Data System ('IIDS').

### What Information We Gather & Why

We process your personal data in order to provide insurance quotation and placement services, i.e. processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract. We process your personal data to:

- Introduce, propose or carry out other work preparatory to the conclusion of contracts of insurance
- Carry out administration of contracts of insurance at inception, mid-term, renewal and throughout the term of the policy
- Assist in the event of a claim
- Comply with regulatory, industry and tax legislation
- Carry out internal reporting.

### Who We Share or Seek Information From

We may share your personal data with or seek information from a number of external parties, such as:

- Insurers, intermediaries and third party underwriters that we obtain quotations from
- Insurance software providers
- Premium financing companies for the purposes of arranging a premium credit facility for you
- Re-insurers
- Parties acting on your behalf, e.g. insurance intermediary, insurer, loss assessor, solicitor, executor, accountant, garage, repairer, etc.
- Parties acting on the insurer's behalf, e.g. loss adjuster, external investigator, medical practitioner, solicitor, repairer, etc.
- Surveyors, assessors and consultants for the purposes of surveying or assessing the risk
- The Central Bank of Ireland, the Financial Services & Pensions Ombudsman or any equivalent supervisory or regulatory body
- The Gardaí, Revenue Commissioners or any other persons authorised by law to access records
- Computer network maintenance companies.

### What Information We Keep

Including but not limited to:

- Name
- Address
- Phone number

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- E-mail address
- Date of birth
- Occupation
- CV's
- Convictions, claims, penalty points, etc.
- Risk details, e.g. driving licence, NCT, vehicle information, property, turnover, fee income, etc.
- Banking details for premium credit facility
- Medical history.

It may sometimes be necessary to transfer personal information overseas. When this is needed, information is only shared within the European Economic Area (EEA) in full compliance with all aspects of data protection.

### Retention Schedule

Type of Data	Legal Basis	Retention Period
Personal customer data: all liability and Directors & Officers insurance policies	Consumer Protection Code 2012 The Statute of Limitations 1957 The Safety, Health & Welfare at Work (General Applications) Regulations 1993	Indefinitely
Personal customer data: all other insurance policies	Consumer Protection Code 2012	7 years from the date of the transaction or the date the Company ceased to provide product/service
Credit card information	EU General Data Protection Regulation	For duration of the transaction

### Your Rights

- Right to be informed
- Right of access
- Right to rectification
- Right to erasure ('right to be forgotten')
- Right to restrict processing
- Right to data portability
- Right to object
- Right in relation to automated decision making and profiling.

You have the right to withdraw your consent to us processing your personal data at any time by contacting us as per the section below.

### Contacting Us

If you have any questions or comments about our Privacy Notice or data protection practices, or would like to exercise any of the above rights, please contact our Compliance Officer at [info@curcon.ie](mailto:info@curcon.ie), who will review your request.

You have the right to lodge a complaint with the Data Protection Commissioner at [info@dataprotection.ie](mailto:info@dataprotection.ie) if you are unhappy with any aspects of how your personal data is processed.

## CLIENT ACKNOWLEDGEMENT

### Terms of Business

I confirm having read the Terms of Business of Curran Connolly & Co. (Drogheda) Ltd. and that I agree with same.

### Data Protection & Privacy Notice

I confirm having read the Data Protection section in the Terms of Business of Curran Connolly & Co. (Drogheda) Ltd, as well as the Privacy Notice, and that I agree with same.

Client name: .....

Signed: .....

Dated: .....

If you would like to be informed of any new products or services provided by us or associated firms, please tick here

**Please sign this page and return as soon as possible (retain a copy for your reference).**

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