







## Important

**You (“You” means the Proposer and/or the Solicitor acting on behalf of the Proposer) must tell us any other facts which are likely to affect whether we agree to provide a policy or how we assess the risks proposed for insurance. If You are not sure whether You should tell us something please tell us anyway. This is for your protection because if You do not give us all the information we need or the information provided is untrue we may seek to issue legal proceedings against You and/or claim against the Solicitors Professional Indemnity insurance in these circumstances in the event of payment under the policy by Aviva.**

**The law that applies to the contract** – Under the relevant European and Irish laws, we Aviva Insurance Ireland DAC and you, the proposer, are free to choose the law that will apply to the contract. We propose that Irish law will apply to the contract. We, Aviva Insurance Ireland DAC, will provide the insurance under this policy.

**Complaints procedure** – We aim to give excellent service to all our customers; however, we recognise that things may occasionally go wrong. We will do our best to deal with your complaint as effectively and quickly as possible. If you arranged your cover through an intermediary or broker, please send your complaint to them. If your complaint is not sorted out to your satisfaction, please contact:

Aviva Insurance Ireland DAC at 1850 666 555.

You can also write to the Aviva Ireland Complaints Team - Aviva Insurance Ireland DAC, One Park Place, Hatch Street, Dublin 2, Ireland, D02 E651 or you can contact the following

- **Insurance Ireland, Insurance Centre, 5 Harbourmaster Place, IFSC, Dublin 1, D01 E7E8**  
Phone: 01 676 1914  
Fax: 01 676 1943  
E-mail: iis@insuranceireland.eu  
Website: www.insuranceireland.eu
- **Financial Services and Pensions Ombudsman, Lincoln House, Lincoln Place, Dublin 2, D02 VH29**  
Phone: 01 567 7000  
E-mail: info@fspo.ie  
Website: www.fspo.ie

You will not lose your right to take legal action if you contact either of the above.

ONLY SIGN THE FOLLOWING DECLARATION IF YOU FULLY UNDERSTAND, AND HAVE MET, ALL OF THE ABOVE REQUIREMENTS.

**Declaration** – I/we confirm that, all the details, answers and information given in this proposal are true, accurate and complete. I acknowledge that this proposal will form the basis of my/our contract with Aviva Insurance Ireland DAC.

Your Signature:

Date:  /  /

## Aviva Data Protection - Privacy Notice

### 1. Personal Information

The Data Controller responsible for this personal information is **Aviva Insurance Ireland DAC** (“We” “Us” “Our”) as the underwriter of the product. Additional data controllers include Your intermediary/broker who is responsible for the sale and distribution of the product and any applicable reinsurers that We may use

“You” means the Proposer<sup>1</sup> and/or the Data Subject<sup>2</sup> as the case may be.

We collect and use personal information which has been provided to Us by You and other sources as part of the application process for this Missing Beneficiary Insurance Product and any additional personal information which may be provided to Us in the future in the context of Us performing services relating to the Missing Beneficiary Insurance Product.

This Data Protection Notice explains the most important aspects of how We use that information and what rights can be exercised in relation to such personal information. Further information about the terms We use is contained in Our full Privacy Policy which is available on Our Privacy page at <https://www.aviva.ie/privacy/>, a copy of the Privacy Policy may be requested by writing to Us at Data Protection Officer, Aviva Insurance Ireland DAC, (“Aviva”) One Park Place, Hatch Street, Dublin 2, Ireland, D02 E651, Ireland or call Us at 01 898 8000. This Data Protection Notice supplements the Privacy Policy and is not intended to override it.

### 2. Personal information We collect

**Your data/Proposer/Policy holder information:** The personal information We collect, and use may include, beneficiary’s full legal name, details of any name changes e.g. marriage, deed poll, divorce, annulment, deed of separation etc, last known address, former addresses, telephone number and/or email address, gender, date of birth or approximate age, occupation, relationship to the deceased, marital/civil status, domicile, nationality, occupation, share of estate, market value of share of estate, health data (if applicable) such details as included on Inland Revenue Affidavit (CA 24 Form) photographic identification where required.

**Other people’s data:** As well as collecting personal information outlined above, We may also use personal information about other people, for example the Executor/Executrix or Administrator/Administratrix of the Estate, Witness to a Will, Trustees, dependants or other beneficiaries, Wards of court, claimants and any such other personal information requested in the Proposal Form.

**Child data:** We may need to ask for personal information relating to a child (i.e. any person under 18 years of age) in the context of the child being a beneficiary of the Estate. In most cases, the personal information sought will be limited such as name, address, date of birth and relationship to the deceased and such data will be obtained from You, the child’s parent or guardian or their legal representative.

**Note: If You are providing information about another person We expect You to show them this data protection notice and ensure that they have given You permission to provide this information to us. If they have any concerns, please ask them to contact us in one of the ways described in the “Contacting Us” section below.**

From time to time, We may record Your telephone conversations for verification purposes, to ensure We have Your instructions and for training purposes.

**Claims data:** If a claim is made We may also collect personal information about the claim from any relevant third parties.

**Note: You don’t have to provide Us with any personal information, but if You don’t provide the information We need We may not be able to proceed with Your application or any Claim You make. We will let You know what information is required to proceed with Your application or any claim You may make.**

**Criminal Conviction data:** We may need to ask for details relating to unspent<sup>3</sup> conviction information relating to You or somebody else material to this risk, including in the event of a claim.

**Health Data:** We may need to ask for details relating to the health data of persons material to the risk including in the event of a claim. If You are asked to provide health data, please do not send the results of any genetic tests carried out on You or any other relevant person. We will only collect and use such information where We need to and where it is proportionate for the purposes of obtaining and maintaining this Product.

<sup>1</sup>E.g. Solicitor.

<sup>2</sup>A Data Subject is any living individual whose personal information We process.

<sup>3</sup>An individual is not required to disclose a spent conviction when supplying information on past convictions. To determine whether or not a conviction is a ‘spent conviction’ under the Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016 please visit [www.irishstatutebook.ie](http://www.irishstatutebook.ie) for further details.

**We recognise that information about health data<sup>4</sup> and/or criminal convictions is particularly sensitive information. We will only collect and use such data as follows:**

Purpose for which it is used	Our legal basis for using it
Health data is used for the purposes of locating a missing beneficiary (e.g. if the beneficiary is in a nursing home) or in the context of verifying the beneficiary (results of a DNA test).	Irish Data Protection law allows Us to use health data.
Health data is used for the purposes of providing, processing any claims made fraud investigation and handling any complaints made.	Irish Data Protection law allows Us to use health data.
Conviction data used for the purposes of providing a quote, underwriting, processing any claims, in the context of a fraud investigation, handling any complaints and managing reinsurance arrangements.	To perform the Insurance Policy and persons covered.
We may also need to use health and/or criminal data for the purposes of establishing, exercising or defending legal rights, including in connection with advice, claims, or proceedings, and where authorised by law.	

### 3. How We collect personal information

We may collect personal information from:

- You;
- Trustees;
- Other Beneficiaries;
- Assignees;
- Persons exercising a power of attorney;
- Witnesses;
- Executors, Administrators and Personal Representatives of the Estate;
- Professional advisers (e.g. Your Solicitor);
- Family tree verification service provider;
- Your broker or intermediary;
- Probate Office;
- High Court Proceedings;
- Medical professionals (including doctors, and nurses) where medical information is necessary;
- Publicly available information including social media websites and online content, newspaper articles, TV, radio and other media content, court judgements;
- Third parties (including private investigators/tracing agents engaged in tracing a missing beneficiary, solicitors and independent experts);
- Genealogists;
- Actions taken by Estate to trace missing beneficiary; and
- When You visit one of the Aviva Group websites.

We may receive documentary evidence (e.g. for the purpose of conducting anti-money laundering checks) which may contain Personal Data belonging to other people unrelated to the Missing Beneficiary Insurance (e.g. a co-addressee on a bill or a partner's name on a Marriage Certificate). The Personal Data collected by Aviva with respect to such people is not used by Aviva but is retained as part of Our records. All Personal Data on these other people will be removed from Our records in line with Our Data Retention Policy.

### 4. How We use personal information

We may collect and use personal information for the purposes, and on the legal basis, set out below:

Purpose for which it is used	Our legal basis for using it
To provide services including dealing with initial set up of the Missing Beneficiary Insurance Product.	<ul style="list-style-type: none"> <li>• To take steps at Your request prior to entering into the Policy.</li> <li>• Consent where another person provides Your data to Us so that We can provide them with a quote.</li> </ul>
To verify Your identity.	<ul style="list-style-type: none"> <li>• To perform the Policy.</li> <li>• To take steps at Your request prior to entering into the Policy.</li> <li>• To comply with Our legal obligations.</li> </ul>
To provide cover and administer the insurance Policy, including dealing with any queries or changes, payments, and processing a cancellation of this Policy.	<ul style="list-style-type: none"> <li>• To perform the Policy.</li> </ul>
To validate, investigate and/or process any claims made in relation to the Missing Beneficiary Insurance Product and any future processing, administration and subsequent alterations of same.	<ul style="list-style-type: none"> <li>• To perform the Policy.</li> <li>• To comply with Our legal obligations.</li> </ul>
To maintain arrangements We have with reinsurers.	<ul style="list-style-type: none"> <li>• For Our legitimate interests in managing Our business.</li> </ul>
For management information purposes including portfolio assessment, risk assessment, performance reporting and management reporting, auditing and the provision of legal advice which are key governance functions to protect the business.	
For a proposed portfolio transfer, reorganisation, transfer, disposal or other transaction relating to Our business.	
To detect and prevent fraud.	<ul style="list-style-type: none"> <li>• For our legitimate interests in managing Our business.</li> <li>• To perform Your Policy.</li> <li>• Processing is necessary to comply with Our legal obligations.</li> </ul>
To comply with laws and regulations.	<ul style="list-style-type: none"> <li>• Processing is necessary to comply with Our legal obligations.</li> </ul>

We process this information and store it on Our computer and manual record systems.

<sup>4</sup>For example, data resulting from medical reports or, details of physical and psychological health or medical conditions.

## 5A. How We share personal information with others

We may share personal information: -

- With other Aviva group companies;
- With Our agents and third parties who provide services to Us, (e.g. Tracing Agents, Private investigators);
- With regulatory bodies and law enforcement bodies, including the Central Bank of Ireland, the Gardaí or the Revenue Commissioners, Financial Services and Pensions Ombudsman, Inspector of Taxes, Criminal Assets Bureau, Data Protection Commission and Department of Social Protection. e.g. if We are required to do so to comply with a relevant legal or regulatory obligation;
- With High Court to manage legal claims;
- To carry out other activities that are in the public interest: for example, We may need to use personal information to carry out anti-money laundering checks;
- Where applicable with other organisations for fraud prevention/detection purposes;
- With reinsurers who provide reinsurance services to Aviva and for each other in respect underwritten by Aviva with insurers who cover Aviva under its group insurance policies and with Our brokers who arrange and manage such reinsurance and insurance arrangements. Reinsurers will use Your data to decide whether to provide reinsurance cover, assess and deal with reinsurance claims and to meet legal obligations. They will keep Your data for the period necessary for these purposes and may need to disclose it to other companies within their group, their agents and third-party service providers, law enforcement and regulatory bodies;
- In the event of any contemplated or actual reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of Our business, assets or stock (including any insolvency or similar proceedings); and
- To meet any legal obligation, including to the relevant ombudsman if a complaint has been made about the product or service We have provided.

## 5B. Transfer of Personal Data outside EEA

Some of the organisations with whom We share information with are located outside of the European Economic Area (EEA), including India. These locations may not provide an adequate level of protection. We'll always take steps to ensure that any such transfer of information is carefully managed to protect privacy rights and such measures will be in line with the requirements of European Data Protection Laws. For more information on this please see Our Privacy Policy or contact Us in one of the ways described below. We will not disclose Your personal data to parties who are not authorised to process it.

## 5C. How We share Your personal information with others for fraud prevention

The data You provide will be used by Us and shared with other insurers as well as certain statutory and other authorised bodies for anti-fraud purposes including:

- sharing information about You with other insurers, public bodies and the Gardaí; and
- private investigators, tracing debtors or beneficiaries, recovering debt, managing Your accounts and/or insurance policies;
- undertaking fraud searches on publicly available information as outlined above and where applicable checking the Insurance Industry claims database, Insurance Link. For more information on Insurance Link please go to [www.inslink.ie](http://www.inslink.ie). This database helps insurers check claims information and prevent fraudulent claims.

## 6. Credit searches

For commercial policies, We may carry out credit searches against the policyholder through third parties who provide Us with credit information.

## 7. Online information

When You visit one of the Aviva Group websites, We may record information about Your computer or mobile device, including hardware and software used, general location, when and how You interact with Our websites. This information is used to note Your interest in Our websites, improve customer journeys.

## 8. How long We keep personal information for

We maintain a Data Retention Policy to ensure We only keep personal information for as long as We may reasonably need it for the purposes explained in this notice. We keep information for the lifetime of the Missing Beneficiary Insurance and for the period necessary to manage Our business or as required by law or contract. We may also need to keep information, for example to ensure We have an accurate record in the event of a complaint or to defend legal claims, carry out relevant fraud checks, or where We are required to do so for legal, regulatory or tax purposes. We will not retain personal data longer than necessary to fulfill the purposes for which it was collected or to fulfill legal obligations, or as permitted by law. Afterwards, We will delete the personal data.

For more information on Our data retention policies please see Our Privacy Policy or contact Us - refer to the details in the "Contacting us" section overleaf.

## 9. Your rights in relation to Your personal information

You have various rights in relation to Your personal information, including: -

- the right to request access to Your personal information;
- correct any mistakes on Our records;
- erase or restrict records where they are no longer required;
- object to use of personal information based on legitimate business interests including profiling and marketing or public interests;
- ask not to be subject to automated decision making<sup>5</sup> if the decision produces legal or other significant effects on You;
- move (in a structured, commonly used and machine-readable format) certain data to other providers (data portability).

Where We rely on Your consent as Our legal basis for the use of Your personal data You have a right to withdraw Your consent to such use.

**Note: You have the right to object to use of personal information based on legitimate business interests. If You do object, We will have an opportunity to demonstrate that there are compelling legitimate grounds which override Your rights and freedoms or that processing is necessary for the establishment, exercise or defence of legal claims. Please note that any successful objection may prevent Us assessing future claims and/or the Policy may be cancelled.**

For more details in relation to Your rights, including how to exercise them, please see Our full Privacy Policy or contact Us in one of the ways described overleaf.

<sup>5</sup>Not applicable to this product.

## 10. Contacting Us

If You have any questions about how We use personal information, or if You want to exercise Your rights stated above, please contact Our Data Protection team by either emailing them at [DPO@aviva.com](mailto:DPO@aviva.com), writing to the Data Protection Officer, Aviva Insurance Ireland DAC, One Park Place, Hatch Street, Dublin 2, Ireland, D02 E651, or call Us at (01) 898 8000.

If You have a complaint or concern about how We use Your personal information, please contact Us in the first instance and We will attempt to resolve the issue as soon as possible. You also have the right to lodge a complaint with the Data Protection Commission at any time by emailing [info@dataprotection.ie](mailto:info@dataprotection.ie) or writing to the Data Protection Commission, Canal House, Station Road, Portllington, Co. Laois, Ireland or call them at either +353 (0761) 104 800 or LoCall 1890 25 22 31.

## 11. Changes to Our Data Protection Notice

Occasionally, it may be necessary to make changes to this Data Protection Notice and/or Our Privacy Policy for example to keep it up to date or to comply with legal requirements, and any such amended Data Protection Notice will only apply from the time of amendment.

The most recent version will always be available on Our website. Please review Our full Privacy Policy each time You use Our Website or avail of Our services.

### **Aviva Insurance Ireland DAC**

Aviva Insurance Ireland Designated Activity Company, trading as Aviva, is regulated by the Central Bank of Ireland.

A private company limited by shares.

Registered in Ireland No. 605769.

Registered Office: One Park Place, Hatch Street, Dublin 2, Ireland, D02 E651.