



# Terms of Business

**These terms of business set out the basis on which Aviva Direct Ireland Limited will provide insurance services to you.**

**Effective from 1st January 2019**

Aviva Direct Ireland Limited is a wholly owned subsidiary of Aviva Insurance Limited and part of the Aviva group. Aviva Direct Ireland Limited is regulated by the Central Bank of Ireland.

| Retirement | Investments | **Insurance** | Health



## Consumer Information

Aviva Direct Ireland Limited is authorised as an investment business firm under Section 10 of the Investment Intermediaries Act, 1995 (as amended) to provide the services of an investment intermediary and is registered as an insurance intermediary under the European Communities (Insurance Mediation) Regulations, 2005 (as amended). These registers are available on the Central Bank of Ireland's website, [www.centralbank.ie](http://www.centralbank.ie) Aviva Direct Ireland Limited is regulated by the Central Bank of Ireland. Aviva Direct Ireland Limited is subject to a number of the Central Bank of Ireland's codes of conduct including the Consumer Protection Code 2012 and the Minimum Competency Code 2011. These codes of conduct are in place to protect consumers when dealing with regulated financial service providers. A copy of these codes are available on the Central Bank of Ireland's website, [www.centralbank.ie](http://www.centralbank.ie).

## Our Services

Aviva Direct Ireland Limited arranges non-life insurance products (motor, property, health, travel, legal expenses). We also provide advice on and arrange life, pension and investment products.

Aviva Direct Ireland Limited is an intermediary and we provide products on a limited analysis of the market basis. This means that we only supply products that are

provided by product producers from which we hold an appointment in writing. Therefore, the products we provide are not based on an analysis of all products available in the entire insurance market. The section below entitled, 'Product Producer Details', outlines which products are provided by which insurance companies to Aviva Direct Ireland Limited.

Aviva Direct Ireland Limited can receive and send orders for life assurance and non-life assurance.

## Conflicts of Interest

It is our policy to avoid any conflict of interest when providing business services to our clients. However, if an unavoidable conflict arises we will advise you of this in writing before providing any business service.

## Compensation Scheme

Aviva Direct Ireland Limited is a member of the Investor Compensation Scheme set up under the Investor Compensation Act 1998. This compensation scheme provides compensation in certain circumstances, to clients as detailed in the Act. A right to compensation will only arise where money or investment instruments held by this firm on your behalf cannot be returned whether for the time being or in the foreseeable future and where the client falls within the definition of "eligible investor" as contained in the Act. In the event that a right is established, the amount payable is the

### Product Producer details

Product producers	Aviva Insurance Limited	Aviva Life & Pensions UK Limited, trading as Aviva Life & Pensions Ireland	Chubb European Group SE	DAS Legal Expenses Insurance Company Limited	Irish Life Health dac
Products	Home, Motor, Commercial	Life insurance, pensions, savings & investments	Travel	Home and Motor Legal Expenses	Health
Address	One Park Place, Hatch Street, Dublin 2	One Park Place, Hatch Street, Dublin 2	5 George's Dock, IFSC, Dublin 1	DAS House, Quay Side, Temple Back, Bristol, BS1 6NH	Irish Life Centre, Lower Abbey Street, Dublin 1.
Contact Number	(01) 898 8000	1890 646464 or (01) 898 7000	(01) 440 1700	(01) 881 8033	(021) 480 2040
E-mail	<a href="mailto:direct@aviva.ie">direct@aviva.ie</a>	<a href="mailto:CSC@aviva.com">CSC@aviva.com</a>	<a href="mailto:Aviva.travelinsurance@chubb.com">Aviva.travelinsurance@chubb.com</a>	<a href="mailto:b_little@DAS.ie">b_little@DAS.ie</a>	<a href="mailto:heretohelp@irishlifehealth.ie">heretohelp@irishlifehealth.ie</a>
Where Registered	Registered in Scotland	Registered in England	Registered in Ireland	Registered in England	Registered in Ireland
Company Number	2116	3253947	1112892	103274	376607
VAT Number	9839849W	10547300	IE8271023V	567782290	6396607G
Authorising Authority	Authorised by the Prudential Regulation Authority in the UK and regulated by the Central Bank of Ireland for conduct of business rules.	Aviva Life & Pensions UK Limited, trading as Aviva Life & Pensions Ireland is authorised by the Prudential Regulation Authority in the UK, and is regulated by the Central Bank of Ireland for the conduct of business rules. Aviva Life and Pensions UK Limited trading as Aviva Life and Pensions Ireland, is also regulated in the UK by the Prudential Regulation Authority for prudential rules, and, to a limited extent by the Financial Conduct Authority for applicable UK conduct rules.	Chubb European Group SE trading as Chubb, Chubb Bermuda International and Combined Insurance, is authorised by the Autorité de contrôle prudentiel et de résolution (ACPR) in France and is regulated contrôle prudentiel et de résolution (ACPR) in France and is regulated by the Central Bank of Ireland for conduct of business rules.	DAS Legal Expenses Insurance Company Limited is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority of the United Kingdom and regulated by the Central Bank of Ireland for conduct of business rules.	Irish Life Health dac is regulated by the Central Bank of Ireland. Irish Life Health has been entered onto the register of Health Benefit Undertakings maintained by the Health Insurance Authority.

lesser of 90% of your loss which is recognised as being eligible for compensation, or a maximum of €20,000.

## Receipts

Aviva Direct Ireland Limited issue a receipt for all premium payments received. These are issued with your protection in mind and should be retained safely. To ensure continuity of cover, where you have an existing non-life insurance policy that is due to expire and we have been unable to contact you, we may put continuing cover in force whilst awaiting your instruction.

You will be liable for any premiums payable to the relevant insurer for the period of time between renewal and when we receive your instruction. You have the right not to avail of this service.

## Charges

If you take out an insurance policy with Aviva Direct Ireland Limited, you will be charged a premium by the insurance company underwriting your policy. The premium amount will be given to you at the time of purchase and explained in detail on your policy documentation. If you choose to pay your Motor or Property Insurance premium by Direct Debit an additional 7% service charge is applied by the insurance company underwriting your policy.

## Administration Fees

- 1 Where you make an amendment to your policy during your period on cover, Aviva Direct Ireland Limited will charge an administration fee of €25. No administration fee will apply where the amendment is made on-line.
  - 2 Fee amounts relate to administration fee only. Where your policy amendment generates an additional insurance premium this amount will be invoiced including any administration fee due.
- Or

Where your policy amendment generates a return insurance premium we will not deduct the administration fee from your refund. The administration fee must be paid separately. (Please refer to mid term adjustments section where the additional or return premium is below €20).

- 3 If your policy is paid by monthly instalments, your remaining instalments will be adjusted accordingly to reflect any additional or return amount. (Please

refer to mid term adjustments section where the additional or return premium is below €20).

- 4 Applicable fee amounts will be shown on all policy amendment confirmation letters.
- 5 One fee will apply per policy amended.

## Mid Term Adjustments

If you make an alteration to your Motor and / or Property policy and this results in an adjustment in premium, your underwriter will not charge you for premium adjustments less than €20, nor will your underwriter refund you any premium amounts of less than €20.

## Cancellation

In respect of all Non-Life, Life, Pension and Investment products please consult your policy documents for details of the policy underwriter's cancellation process/information. Please note that cancellation charges may apply.

## Cooling Off

For Motor, Property, Travel and Health insurance products you are entitled to a 14-day cooling off period. This entitles you to withdraw from the policy without penalty and without giving any reasons. This 14-day period begins when you have received all your policy documentation. You will however be charged a pro rata premium by the underwriter for the period you are on risk, during the cooling off period. We require you to notify us in writing of your wish to cancel. For motor insurance policies we will also require the return of the Insurance Certificate and Disc. Please send your notification (and certificate & disc, for Motor business) to: Customer Services, Aviva Direct Ireland Limited, Western Distributor Road, Galway.

For Life, Pension and Investment products please consult your policy documents for cooling off information.

For Health products please consult your membership handbook for cooling off information.

## Remuneration Policy

Aviva Direct Ireland Limited receives commission from an underwriter when it sells a policy (both at New Business and Renewal). Aviva Direct Ireland Limited are not obliged, either contractually or otherwise, to introduce a minimum level of business to any product producer. Details of our remuneration arrangement are available on request.

## Premium Default

If you fail to pay the premium(s) due, Aviva Direct Ireland Limited will notify the underwriter/product producer who may lapse / cancel your cover in accordance with the conditions of the Policy.

The product producer may also pursue you to recover any premium(s) outstanding for the period you were on cover.

## Law Applicable & Available Language of Terms & Conditions

Please note that Irish law will apply to all insurance contracts and Irish Courts will have jurisdiction to hear any disputes regarding the contents unless otherwise stated in our policy terms and conditions. All contractual Terms and Conditions are available in English.

## Complaints policy

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 quickly and effectively as possible. If you do have a complaint in connection with the service we have provided to you please contact:

The Aviva Direct Contact Centre on 1850 33 55 77 or email [direct@aviva.ie](mailto:direct@aviva.ie). Website: [www.aviva.ie](http://www.aviva.ie)

You can also write to the Complaints Team, Aviva Direct Ireland Limited, Western Distributor Road, Galway.

If your complaint is not resolved to your satisfaction, please contact the:

CEO, Aviva Direct Ireland Limited, One Park Place, Hatch Street, Dublin 2.

Or you can contact the following:

- Financial Services and Pensions Ombudsman, Lincoln House, Lincoln Place, Dublin 2, D02 VH29  
Phone: 01 567 7000  
E-mail: [info@fspo.ie](mailto:info@fspo.ie)  
Website: [www.fspo.ie](http://www.fspo.ie)
- The Office of the Pensions Ombudsman at 4th Floor, Lincoln House, Lincoln Place, Dublin 2.  
Phone: 01 676 6002  
Fax: 01 661 8776  
E-mail: [info@pensionsombudsman.ie](mailto:info@pensionsombudsman.ie)
- Insurance Ireland at Insurance Centre, 5 Harbourmaster Place, IFSC, Dublin 1, D01 E7E8.  
Phone: 01 676 1914  
Fax: 01 676 1943  
E-mail: [iis@insuranceireland.eu](mailto:iis@insuranceireland.eu)  
Website: [www.insuranceireland.eu](http://www.insuranceireland.eu)

## Getting the best in personal service

### How to contact us

Contacting Aviva couldn't be easier:

- log on to our website at [www.aviva.ie](http://www.aviva.ie)
- For Motor and Property Insurance **1890 33 22 11**
- For Life, Pension and Investment products **1890 24 22 27**
- For Health insurance **1850 45 35 25**

### Help us to help you

We appreciate that even the smallest of changes can help us to provide a better service. Please contact us with your suggestions by emailing [direct@aviva.ie](mailto:direct@aviva.ie)

*Calls may be recorded for training and verification purposes.*

## Aviva Direct Ireland Limited - Data Protection Notice

We collect and use personal information so that we can provide you with an insurance policy or other products and services that suit your needs. This notice explains the most important aspects of how we use personal information and what rights individuals have. You can get more information about the terms we use and view our full Privacy Policy at our Privacy page on [www.aviva.ie](http://www.aviva.ie), request a copy by writing to the Data Protection Officer, Aviva Direct Ireland Limited, One Park Place, Hatch Street, Dublin 2 or call us on (01)8988000.

The data controller responsible for this personal information is Aviva Direct Ireland Limited ("**we**" "**us**" "**our**") as your intermediary. Additional controllers include the product producer/underwriter of your policy, which will be identified in your policy documentation and any applicable reinsurers of the product.

### 1. Personal information we collect

**Your data:** The personal information we collect and use will differ depending on the type of product we are arranging but may include name, address, telephone number and/or email address, date of birth or age, occupation, PPS number (or any other relevant tax identification numbers) other applications or products you have purchased from us, insurance requirements including details about your home or vehicle, claims history, employer details, driver licence details, bank account details or payment card details, marital status, employment status, salary details, existing policy arrangements, unspent criminal convictions and for motor insurance, penalty point information and Road Traffic offences, telematics data and on-board vehicle diagnostics information.

**Other people's data:** As well as collecting personal information about you, we may also use personal information about other people, for example family members you wish to insure on a policy, dependents (where relevant for suitability purposes), insured persons (where different from the applicant/policyowner e.g. life of another life policies), family health history of insured persons, limited personal information about trustees/beneficiaries (where policies are under trust), nominated representatives and attorneys (under powers of attorney).

**Note: If you are providing personal information about another person we require you to let them know what information you've shared with us, share this data protection notice with them and ensure that they have given you permission to provide this information to us.** If you or they have any concerns please ask them to contact us in one of the ways described below.

**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 provide insurance services or other services to you.**

**Health data:** We may need to ask for details relating to your health data or the health data of somebody else relevant to your quotation/policy. **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 a policy of insurance.

Where we process health data for the purpose of a policy of insurance we will take suitable and specific measures to safeguard the fundamental rights and freedoms of individuals. Further information can be found in our Privacy Policy.

**Criminal conviction data:** For certain non-life insurance policies, we will ask for details relating to any unspent criminal convictions you and anybody else covered under your policy may have.

**We recognise that information about health data and criminal convictions is particularly sensitive information. We will only collect and use such data as follows:**

Type of Data and purpose for which it is used	Our legal basis for using it
For certain non-life insurance policies, criminal conviction data is used for the purposes of obtaining/providing quotes and handling any complaints you may have.	<ul style="list-style-type: none"> <li>• To take steps at your request before entering into a policy (e.g. obtaining/providing a quote).</li> <li>• Performance of a contract i.e. our Terms of Business under which we provide insurance services.</li> <li>• Performance of a contract i.e. assisting in the administration of a contract (the insurance policy).</li> <li>• Consent (where another person provides your criminal conviction data to us so that we can provide them with a quote).</li> </ul>
Where relevant, health data is used for the purposes of obtaining/providing quotes, providing advice on and/or submitting a proposal for insurance and providing insurance services to assist in the administration of an insurance policy, including handling any complaints you may have.	Irish Data Protection law allows us to use health data where we need to and where it is proportionate for the purposes of a policy of insurance.
We may also need to use your 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.	

## **2. How we collect your personal information**

We may collect personal information about you from:

- you;
- your named driver (if you are purchasing or renewing a motor policy);
- joint policyholder;
- other people who live with you in an insured property (if you are purchasing or renewing a home insurance policy);
- insured persons (where different from the applicant/policyowner e.g. life of another policies);
- your agents, attorneys (under powers of attorney), nominated representatives and other third parties relevant to you and/or the policy, including your legal advisers;
- your employer/pension scheme trustees, if relevant to your insurance cover;
- publicly available information including social media websites and online content, newspaper articles, TV, radio and other media content, court judgements;
- when you visit one of the Aviva Group websites; and telephone calls, which we may record or monitor for regulatory, training and quality assurance purposes.

### 3. How we use your personal information

We may collect and use personal information (other than health data and criminal convictions) for the purposes, and on the legal basis, set out below:

Purpose:	Legal basis:
To obtain/provide a quote, assess your insurance needs, provide advice on and/or submit proposals for policies of insurance	<ul style="list-style-type: none"> <li>• Performance of a contract i.e. our Terms of Business under which we provide insurance services.</li> <li>• In order to take steps prior to entering into a contract i.e. the insurance policy.</li> <li>• Consent where another person provides your criminal convictions data to us so that we can provide them with a quote.</li> </ul>
To verify your identity and/or carry out anti-money laundering checks.	<ul style="list-style-type: none"> <li>• Performance of a contract i.e. our Terms of Business under which we provide insurance services.</li> <li>• In order to take steps prior to entering into a contract i.e. the insurance policy.</li> <li>• To comply with legal obligations.</li> <li>• Public interest.</li> </ul>
To obtain/arrange policies of insurance and provide insurance services to assist in the administration of an insurance, pension or investment contract, including, dealing with any queries or changes, payments, renewals, claims, processing a cancellation of your policy and handling any complaints you may have.	<ul style="list-style-type: none"> <li>• Performance of a contract i.e. our Terms of Business under which we provide insurance services.</li> <li>• Performance of a contract i.e. assisting in the administration of a contract (the insurance policy).</li> </ul>
To comply with laws and regulations.	<ul style="list-style-type: none"> <li>• To comply with legal obligations.</li> </ul>
We may process personal information of other people to obtain a quote, arrange policies of insurance and/or provide insurance services to assist in administration of an insurance, pension or investment contract.	<ul style="list-style-type: none"> <li>• Legitimate Interests (of Aviva and/or the applicants/policy owners).</li> </ul>
For marketing purposes, including profiling.	<ul style="list-style-type: none"> <li>• Legitimate interests.</li> </ul>
For management information purposes including portfolio assessment, risk assessment, performance reporting and management reporting.	<ul style="list-style-type: none"> <li>• For our legitimate interests in managing our business.</li> </ul>
For a proposed portfolio transfer, reorganisation, transfer, disposal or other transaction relating to our business.	
Managing our business effectively e.g. with third party service suppliers.	
Managing our legal affairs including exercising our legal rights and defending claims.	
Market research Data/customer analytics including profiling Staff training Providing online services	<ul style="list-style-type: none"> <li>• Legitimate interests to better understand our customers and improve service enhancement and business performance.</li> </ul>

#### **4. How we share your personal information with others**

Where relevant, we may share your personal information with::

- The underwriter of the insurance policy (i.e. the product producer from which we hold an appointment in writing);
- Other Aviva Group companies, our agents, professional advisers acting for us and third parties who provide services to us to help us administer our products and services;
- Your agents, nominated representatives and other third parties relevant to you and/or the policy, including your legal advisers;
- Other Aviva Group companies and our agents and third parties who provide services to us for marketing purposes;
- Regulatory bodies and law enforcement bodies, including Central Bank of Ireland, Financial Services and Pensions Ombudsman, Revenue Commissioners/Inspector of Taxes, Gardaí and Data Protection Commission e.g. if we are required to do so to comply with a relevant legal or regulatory obligation;

Some of the organisations we share information with may be located outside of the European Economic Area, including India. We'll take steps to ensure that any such transfer of information outside of the EEA is managed to protect your privacy rights. For more information on this please see our Privacy Policy or contact us.

**If you are purchasing a motor policy**, we will require your Driving Licence Number to validate your driving licence number with the relevant authority and the number of penalty points disclosed by you.

#### **5. 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 and improve customer journeys.

#### **6. How long we keep your personal information for**

We maintain a retention policy to ensure we keep personal information only for as long as we reasonably need it – please see our Privacy Policy for further details.

Information submitted for a quotation may be retained by us for a period of up to 15 months from the date of the quotation. Where you purchase a product from us, information will be held for the duration of your insurance cover and a period of at least six years after the end of our relationship. We keep information after our relationship ends in order to comply with applicable laws and regulations and for use in connection with any claims.

#### **7. Your rights**

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;
- 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 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 your personal information for direct marketing purposes; and**
- **use of your personal information based on our legitimate business interests (including profiling) or a public interest.**

**If you 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 have consequences (e.g. impact our ability to arrange insurance cover and/or our ability to provide insurance services) and we can discuss these if you want to object.**

We will respond to your request in writing, or orally if requested, as soon as practicable and in any event not more than within one month after receipt of your request. In exceptional cases, we may extend this period by two months and we will tell you why. We may request proof of identification to verify your request. 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 below.

## **8. Contacting us**

If you have any questions about how we use personal information, manage personal information within our business 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 Direct Ireland Limited, One Park Place, Hatch Street, Dublin 2, or call us on (01) 8988000.

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 Office of the Data Protection Commissioner at any time.

Please see our Privacy Policy (available at [www.aviva.ie](http://www.aviva.ie) or on request) or contact us for further details.







The registered office of Aviva Direct Ireland Limited is: One Park Place, Hatch Street, Dublin 2.

**Phone:** (01) 898 8000 **E-mail:** [direct@aviva.ie](mailto:direct@aviva.ie)

Aviva Direct Ireland Limited is registered with the Companies Registration Office under Company Number 374895.

**VAT number:** 9E66299H