

Terms of Business

These Terms of Business applicable from 10/03/2021 set out the general terms under which we will provide business services to you and the respective duties and responsibilities of both ourselves and you in relation to such services. Please ensure that you read these terms thoroughly and if you have any queries, we will be happy to clarify them. If any material changes are made to these terms, we will notify you.

Authorisation and Codes of Conduct

Barry Walsh Financial Services is regulated by the Central Bank of Ireland. Our authorisation can be checked on the Central Bank of Ireland registers website at www.centralbank.ie or by calling them on 1890 777 777 to verify our credentials. Our reference code is C72296. We are also subject to the Consumer Protection Code, Minimum Competency Code and Fitness & Probity Standards which offer protection to consumers. These Codes can also be found on the Central Bank's website. Barry Walsh Financial Services is a member of Brokers Ireland.

Our Services

We are an Insurance and Investment Intermediary. Our principal business is to provide advice and arrange transactions on behalf of our clients in relation to life, pensions & investments. We are not under a contractual obligation to conduct Insurance distribution business exclusively with one or more Insurance Undertakings and do not give advice on the basis of a fair and personal analysis, we do however provide advice from the selection of products provided by the Companies we have agencies with. We recommend the product that, in our professional opinion, is best suited to your needs and objectives from this selection of products.

As part of the process when giving our clients advice on Investments we will need to gather information with regards your investment knowledge and experience, if this information is not provided, we will not be in a position to determine whether the product is appropriate for you.

For a full list of insurers, product producers and agencies see below;

Investment and Life Companies
Arena Capital Partners Limited
Aviva Life & Pensions Ireland Dac
BCP Asset Management DAC
Blackbee Investments Limited
Greenman Investments
Irish Life Assurance plc
J & E Davy
KBC Bank Ireland plc
MMPI Ltd t/a Broker Solutions, MMPI, Broker FX
New Ireland Assurance Co plc
Royal London
Quintas Wealth Management Limited
Wealth Options Limited
Zurich Life Assurance plc

Disclosure of information

We act as your representative to the companies we have agencies with and we will provide assistance to you for any queries you may have in relation to the policies or in the event of a claim during the life of the policies and we will explain to you the various restrictions, conditions and exclusions attached to your policy. However, it is your responsibility to read the policy documents, literature and brochures to ensure that you understand the nature of the policy cover. Material information about medical history, non-smoker status, occupation category

and any hazardous pursuits are central to underwriting decisions and it is imperative that all information you provide to the insurer is accurate and complete.

You are under a duty to answer all questions posed by the insurer or ourselves on your behalf, honestly and with reasonable care.

It is presumed, unless the contrary is shown, that the you would know all questions in an application or at renewal is material to the risk undertaken by the insurer or the calculation of the premium by that insurer, or both.

Any failure to disclose material information may invalidate a claim and render your policy void. You must inform and disclose any material information including any material changes that might take place between the time you complete an application form and the time you pay the first premium. To assist us in providing you with a comprehensive service and to keep our records as up-to date as soon as possible, please notify us of any changes to your personal circumstances, e.g. name change, change of address, etc.

Although we will not be considering adverse impacts of investment decisions on sustainability factors in our investment and insurance-based Investment advice, we will keep an eye on the changes the Product Providers put in place and note any adverse effect on the cost to you if any.

Adverse Sustainability Impacts Statement

After due consideration with regards the legislation on Sustainable Finance Disclosure Regulation, due to our size and the type of business we transact with our clients, we have decided not to consider adverse impacts of investment decisions on sustainability factors in our investment and insurance-based Investment advice. The reason we have decided this course of action is because we do not produce these investments, it is the Product Producers we have agencies with that build the Investment Products we advise on. Within the next year we will consider whether we will continue with this view, to ensure we stay within the guidelines of the legislation. All information re Sustainable Finance Disclosures will be adhered to by the Product Producers and their brochures and documents will outline their disclosures.

If any of the investments we provide advice on have a Sustainability Finance Disclosure, these investments will be produced by the product providers we have agencies with, and their brochures and documents will have full details of the areas that are considered.

Remuneration

Barry Walsh Financial Services is remunerated by commission and other payments from product producers on the completion of your business. You may choose to pay in full for our services by means of a fee. Where we receive recurring commission, this forms part of the remuneration for ongoing advice with regard to the business we advise you on and we will provide you with an annual update on your Investment business.

If we receive commission from a product provider, this will be offset against the fee which we will charge you. Where the commission is greater than the fee due, the commission will become the amount payable to us unless an arrangement to the contrary is made.

A summary of the details of all arrangements for any fee, commission, other reward or remuneration paid or provided to us by the product producers" is available on our website. If you

need further explanation on this information, please do not hesitate to call us.

Regular reviews

It is in your best interests that you review, on a regular basis, the products which we have arranged for you. As your circumstances change, your needs will change. You must advise us of those changes and request a review of the relevant policy so that we can ensure that you are provided with up to date advice and products best suited to your needs.

Conflicts of interest

It is the policy of Barry Walsh Financial Services to avoid conflicts of interest in providing services to you. However, where an unavoidable conflict of interest arises, we will advise you of this in writing before providing you with any service. As per above we receive commission from the lenders and companies we have agencies with for the business you transact.

Default on Payments by Clients

We will exercise our legal right to receive payments due to us from clients (fees) for services provided. Product producers may withdraw benefits or cover in the event of default on payments due under policies or other products arranged for you. We would refer you to policy documents or product terms for the details of such provisions.

Client Monies & Receipts

We request that all cheques or negotiable instruments are made payable to the appropriate Product Provider for Life, Pensions, Investment business. We shall issue a receipt for each payment received pursuant to Section 30 Investment Intermediaries Act, 1995 and under the Consumer Protection Code. These receipts are issued with your protection in mind and should be stored safely. Every effort is made to ensure that clients' money is transmitted to the appropriate Product Provider without delay. We are not authorised to accept cash.

The acceptance by Barry Walsh Financial Services of a completed proposal DOES NOT in itself constitute the effecting of a policy. It is only when the Provider confirms the policy is in place and that your policy is live.

Complaints

We have a complaints procedure in place which is available on request. Your complaint can be in writing, email, telephone or face to face. If your complaint is face to face or by phone, we will write to you to confirm our understanding of your complaint. We will acknowledge your complaint within 5 business days, advising you of the name of the person dealing with your complaint on behalf of the company. Please address any complaint to Barry Walsh Financial Services, 13 Parnell Street, Waterford City. If in the event, a complainant is dissatisfied with the outcome of our investigation, you are entitled to refer the matter to the Financial Services & Pensions Ombudsman, 3rd Floor, Lincoln House, Lincoln Place, Dublin 2, Lo call 01 5677000 email info@fspo.ie.

Data Protection

Barry Walsh Financial Services complies with the requirements of the Data Protection Regulation 1988-2018. The data which you provide to us will be held on a computer database and paper files for the purpose of arranging transactions on your behalf. The data will be processed only in ways compatible with the purposes for which it was given. A Data Privacy Notice is attached which outlines exactly how, what and where we use your data. We may receive referrals from partner firms and

may advise them of any transactions arranged for you.

Compensation Scheme

We are members of the Investor Compensation Scheme operated by the Investor Compensation Company Ltd. The Investor Compensation Act, 1998 provides for the establishment of a compensation scheme and the payment, in certain circumstances, of compensation to certain clients (known as eligible investors) of authorised investment firms, as defined in that Act. Compensation may be payable where money or investment instruments owned or belonging to clients and held, administered or managed by the firm cannot be returned to those clients for the time being and where there is no reasonably foreseeable opportunity of the firm being able to do so. A right to compensation will arise only: If the client is an eligible investor as defined in the Act; and if it transpires that the firm is not in a position to return client money or investment instruments owned or belonging to the clients of the firm; and to the extent that the client's loss is recognized for the purposes of the Act. Where an entitlement to compensation is established, the compensation payable will be the lesser of: 90% of the amount of the client's loss which is recognised for the purposes of the Investor Compensation Act, 1998; or Compensation of up to €20,000. For further information, contact the Investor Compensation Co Ltd. at (01) 224 4955.

Governing Law and Business Succession

These Terms of Business shall be governed by and construed in all respects according to the laws of the Republic of Ireland and will be deemed to cover any successors in business to Barry Walsh Financial Services.

DECLARATIONS

I/We acknowledge that I/We have been provided with Terms of Business and Data Privacy Notice for Barry Walsh Financial Services and confirm that I/We have read and understand them.

DIRECT MARKETING

I/We consent to Barry Walsh Financial Services making contact with me in relation to the range of services provided by ourselves or our associated or partnership companies which we feel may be of interest to you and to the sharing of relevant information. We will still be allowed to contact you in relation to the business we have advised you on, even if you opt out of marketing material. You have the right to be removed from our marketing lists in the future, by contacting us and requesting same.

If you wish to avail of these services, please tick here; (Otherwise you will not be on our mailing list).

Post: Phone: Email: Text: Social Media:

We may also use automated data processing or profiling to allow us to give you quotes etc., and for marketing purposes, by signing these terms of business you are also agreeing to us using these systems on your data.

Client 1: _____

Client 2: _____

Date: _____

Barry Walsh Financial Services. Barry Walsh T/A Barry Walsh Financial Services is Regulated by The Central Bank of Ireland

13 Parnell Street, Waterford City. Tel: 051-584776 Email: info@bwfs.ie Website: www.bwfs.ie or



DATA PRIVACY NOTICE

Our principal business is to provide advice and arrange transactions on behalf of clients in relation to Life, Pensions, Investments and Deposits. We provide our services from the selection of products provided by the Companies we have agencies with. We recommend the product that, in our professional opinion, is best suited to you. In providing this service to you we will need to obtain personal information from you the following outlines how we deal with this information and how it is used. Any questions or concerns you have can be addressed to us directly.

This Privacy Notice sets out the bases on which we gather, use, process and disclose any Personal Data we collect about you, or that you provide to us.

This Privacy Notice applies to you, whether you are a current, past or prospective customer. It also applies to third parties whose Data you provide to us in connection with our relationship with you (for example, the names of relatives). Please ensure that you provide a copy of this Privacy Notice to any third parties whose personal data you provide to us.

Who controls your Personal Data and how can you contact them

We control your Personal Data to allow us to give you advice and recommendations on your financial affairs, your data is then passed on to the relevant company/companies we have agencies with by way of application forms, by post email or through their secure websites online.

Data we may collect about You

In order for us to give you a recommendation and information on financial products, we need to collect and process personal information about you. If you do not provide the information we need, we may not be able to offer you advice or provide our services to you. The types of personal data that are processed may include:

- Individual details - Name, address (including proof of address), other contact details (e.g. email and telephone numbers), gender, marital status, date and place of birth, nationality, employer, job title and employment history, and family details, including their relationship to you.
- Financial detail – full details on any debts, loans assets you may own.
- Identification details - Identification numbers issued by government bodies or agencies, including your PPS Number, passport number, tax identification number

Special Categories of Personal Data

- Health information which has additional protection under Data Protection Law. We do not process health information other than hold the information on application forms you have filled in. The Life Insurers process and control your health data to allow them to underwrite your policy or decide to decline cover, they may have further information they have obtained with your approval from your doctor but we are not privy to this information.
- **Claims information** – information you give us with regards claims you notify us about or ask for help on.
- **Policy Information** - Information about the quotes you receive and policies you take out

Where We May Collect Your Personal Data From

We may collect your personal data from various sources, including;

You, Your employer or representative, Life Companies we have agencies with, any other records you have or had any other contracts of insurance with or sought a quote from us that is under our agencies, otherwise we will need a letter of authorisation from you to allow us contact other companies on your behalf. When you visit our website and input a request for us to contact you. Which of the above sources apply will depend on your particular circumstances and the product or service you are interested in or your enquiry relates to.

Legal Bases for Processing Your Information

We will only use your Personal Data for lawful reasons. These are:-

- a) The use is necessary for the performance of a contract to which you are a party or in order to take steps at your request prior to entering a contract (such as providing a recommendation).
- b) The use is necessary to comply with our legal obligations.
- c) You have consented to us using your information in such a way.
- d) The use is necessary for the purpose of our legitimate interests.
- e) The use is necessary for the performance of a task carried out in the public interest, such as assisting a regulatory authority's investigation of a criminal offence

The Purpose of Processing Your Information.

- To give you information on and provide you with recommended financial products.
- Disclose data to policyholder, life assured, beneficiary, trustee, assignee, successors, group company or to other parties.
- To comply with legal and regulatory requirements including Anti-Money Laundering and Sanctions compliance.
- To understand how people, interact with our websites (if applicable).
- To carry out and determine the effectiveness of advertising, and of marketing campaigns.

Who we share Your Information with

In order to provide our services and to comply with legal obligations imposed on us, we may share your information with:-

Pension Trustees, & beneficiaries of Pensions & other Financial Products, Relatives & guardians, (in certain circumstances and within the law)
Employers - past, present and prospective.
Legal, financial, investment, medical, & other professional advisors in the process of submitting your application on the various.
Companies we may outsource our printing and posting to.
Businesses that refer your business to us.
Any business which we are required by law to share the information with, ie compliance resource companies.
Database provider all data encrypted
The Pensions Authority.
Stockbrokers we have agencies with
Insurance and Assurance companies, we have agencies with
Investment Companies we have agencies with
An Garda Síochána.(Anti Money Laundering)
Central Bank of Ireland. We are authorised by Central Bank and they have the right to inspect our files.
The Financial Services Ombudsman. In the event of a complaint.
Data Protection Commissioner
The Revenue Commissioners. Re pensions and Dirt tax

How long do we keep Your Information

When providing products to you it may be necessary to retain your information for an extended period of time. We keep your information for as long as required by law for the purpose that you gave it to us for. As a general rule for legal and best practice reasons we are required to keep your information for 6 years after the date on which our relationship with you ends.

Your Rights to Access, Transport, Correct, Delete and Restrict the Use of Your Personal Data

You have the right to access a copy of your Personal Data which we hold on you. In the case of Personal Data you provided to us to process on the basis of your consent or for automated processing, you have the right to have it provided in a commonly used electronic format to you or to another Data Controller (subject to applicable Data Protection Law). If you would like a copy of your Personal Data, please contact us. Your request will be dealt with as quickly as possible and in any event within a month for us to respond. If at that stage we are unable to provide the data you require (due to the complexity or number of requests) we may extend the period to provide the data by a further two months but shall explain the reason why. There is no charge for the request for your data but it must be in writing, fax, email or text message.

Correcting Your Personal Data

You have the right to have your Personal Data corrected if you feel we have incorrect data held on you.

Deleting Your Personal Data

Subject to any overriding legal obligation requiring us to retain it, you have the right to have your Personal Data deleted, however erasing your information may make it difficult or impossible for us to give you information on, provide you with, or administer our financial products. If you want your information deleted, please contact us.

Restricting our use of your Personal Data

You have the right to restrict our use of your Personal Data in certain circumstances. If you wish to exercise your rights in this regard, please contact us.

Automated/Profiling Decision Making

Where we use automated decision-making you will always be informed & you will be entitled to have a person review the decision so that you can contest it and put your point of view and circumstances forward. Eg. When we produce quotes for the business you are contacting us about. When we want to market to you, we may run a program which allows us to identify certain criteria of clients (all those with that fit within a certain criteria for example).

Your Right to Object and Withdraw your Consent to Data Processing

Where our lawful basis for processing your Personal Data is based on our legitimate interests, you have the right to object. You also have the right to withdraw your consent to any processing at any time. However, if we cannot process your data it may make it difficult, impossible or unlawful for us to give you information on, provide you with, advice on financial products. If you want to object or withdraw your Consent to processing please contact us.

Your Right to Make a Complaint

If you are dissatisfied about the way, we handle your Personal Data please contact us. We will do our best to address your concerns swiftly and resolve any issues you have. You have the right to complain to the Office of The Data Protection Commission, Canal House, Station Road, Portllington, Co. Laois, R32 AP23. www.dataprotection.ie Tel.: +353 (0)761 104 800. Fax: +353 57 868 4757. E-Mail: info@dataprotection.ie

