

MB Planning Limited t/a Clear Financial Privacy Notice

This Privacy Policy describes what **Personal Data** we collect, how we handle it, why we need it and who we share it with. We may also supplement this Privacy Policy with Data Protection Notices where appropriate.

MB Planning Limited t/a Clear Financial ('Clear Financial') processes Personal Data and Special Categories of Personal Data to provide and administer its life insurance and pension products and to provide related services. Depending on your relationship with us (e.g. as a client/policyholder, a candidate for a role with Clear Financial, etc.), we may collect different types of data relating to you. Further information is set out in this Privacy Policy.

Who are we?

We are MB Planning Limited t/a Clear Financial (referred to as '**Clear Financial**'), a limited company incorporated in Ireland and registered under company number 494837. Our registered office is at Premier Office Centre, Main Street, Rathcoole, Co. Dublin. Clear Financial is regulated by the Central Bank of Ireland.

Clear Financial sells life (protection and investment) and pension products (together, **Products**) to its customers in the Republic of Ireland. Our principal business is to provide advice and arrange transactions on behalf of clients in relation to life insurance, pensions and investments. The range of services that Clear Financial provides is based on the products offered by the product producers from whom a written letter of appointment is held. A list of the product producers with which Clear Financial holds an agency appointment is available on request.

Data Protection Definitions

We use certain expressions throughout this document such as **Personal Data** and **Special Categories of Personal Data**.

Personal Data means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Special Categories of Personal Data includes information revealing a person's racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Data Controller means the entity which, by itself or jointly with others, determines the purpose and means of processing **Personal Data**. Clear Financial is the Data Controller in respect of **Personal Data** and **Special Categories of Personal Data** covered by this Privacy Policy.

This Privacy Policy sets out the basis on which any **Personal Data** and **Special Categories of Personal Data** we collect from you, or that you (or others) provide to us, will be processed by us. Please read the following carefully to understand our practices regarding your **Personal Data** and **Special Categories of Personal Data** and how we will treat it.

When you become our customer, the processing of your **Personal Data** and, in accordance with legal requirements, **Special Categories of Personal Data**, will become a condition of the contract between us as we require certain information in order to be able to provide you with our products (e.g. contact information). In those circumstances, if you do not wish us to process your Personal Data and, in accordance with legal requirements, Special Categories of Personal Data, we may be unable to provide our services to you.

If you have any queries on data protection, our Compliance Officer, Michelle Farrell may be contacted at: admin@clearfinancial.ie or you can contact our Customer Services team on 01 458 7576.

Michael Bradley
QFA Qualified
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a member of

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What personal data do we collect from you?

You may give us **Personal Data** and **Special Categories of Personal Data**:

- By corresponding with us in writing, by phone, email or otherwise, we ask you to disclose only as much **Personal Data** and/or **Special Categories of Personal Data** as is necessary to provide you with our Products and services or to submit a question/suggestion/comment in relation to our Website, our Products or our customer service;
- By applying for, or taking out, one or more Products as a policyholder or a life insured, either directly from us or via a self-employed agent of Clear Financial or another third party (e.g. your employer if you are a member of a group scheme);
- By corresponding with us in relation to one or more of your Policies (e.g. with respect to an encashment);
- By posting on our social media platforms, message boards, blogs and any other services to which you can post information. Please note that if you share **Personal Data** or **Special Categories of Personal Data** through these services, this information may become public information;
- When you supply us with goods or services;
- By applying to work with us. The type of information you may provide includes your CV, a cover letter, your name, address, email address and telephone number. CVs should include information relevant to your employment history and education (e.g. degrees obtained, places worked, positions held, relevant awards). We ask that you do not disclose **Special Categories of Personal Data** (e.g. nationality, gender, height, weight, medical information, religion, philosophical or political beliefs) or financial data in your application;

For all Products available through Clear Financial or via a self-employed agent of Clear Financial we collect the following classes of **Personal Data**:

- Contact details (including name, address, email address and telephone number);
- Identification details (including gender, marital status, date of birth);
- Occupation details;
- PPS number;
- Nationality and country of residence;
- Photographic identification (necessary for performance of anti-money laundering checks);
- Bank details, debit/credit card details (where needed);
- Income details (where needed);
- Information relating to criminal convictions or civil litigation history, where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with this Privacy Policy. Less commonly, we may use information relating to criminal convictions or civil litigation history where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public;
- PEP (politically exposed person) status (for compliance with anti-money laundering legislation);
- In certain cases, we may receive sensitive information from which it is possible to infer your trade union membership, religious or political beliefs (e.g. if you are a member of a group scheme through a professional, trade, religious, community or political organisation).
- Employer name and address
- Disability information (if you apply for early retirement on the grounds of ill health)

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- If you have a Product that includes a form of insurance e.g. Protection and some Pension and Investment Products, which also offer life and serious illness benefits, we also collect the following **Special Categories of Personal Data**:
 - Medical history (personal and relevant family members), personal habits (e.g. smoking and alcohol consumption), prescription information.

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

What personal data do we collect about you, from third parties?

We may obtain **Personal Data** and/or **Special Categories of Personal Data** about you from the following third parties:

- Medical professionals (including doctors, nurses and dentists) where medical information is necessary in order to underwrite or administer a policy, including the processing of a claim;
- Other financial brokers/advisor/investment manager – as you have signed a letter of authority;
- Your legal or tax advisor;
- Your employer and/or scheme Trustee and/or Registered Administrator (for group schemes).

What personal data do we collect from you, about other people?

We may collect **Personal Data** and/or **Special Categories of Personal Data** from you that relates to people other than the policyholder, life insured or group scheme member:

- We may collect **Personal Data** from you relating to trustees, beneficiaries, assignees, persons exercising a power of attorney, your medical professionals (e.g. GP), financial broker or advisor, investment manager, legal advisor, tax advisor, or a referee (in the event of a job application). The **Personal Data** collected by us with respect to such people is limited to name, address and, where relevant, identifier number, and is used only for identification purposes.
- When we receive documentary evidence from you (e.g. for the purpose of conducting anti-money laundering checks), the documentation may contain **Personal Data** belonging to other people, not related to your Product (e.g. a co-addressee on a bill or a partner's name on a Marriage Certificate). The **Personal Data** collected by us with respect to such people is not used by us but is retained as part of your policy records. All **Personal Data** on these other people will be removed from our records when we execute our retention policy to remove your **Personal Data** from our records.
- For Protection Products, we collect information relating to relevant family medical history. However, we do not collect, nor do we expect to receive, family members' names and do not consider the information received as being sufficient to identify those family members. Therefore, it is not considered to be **Personal Data** or **Special Categories of Personal Data**.

If you provide us with **Personal Data** or **Special Categories of Personal Data** relating to other people you must first: (a) inform the person about the content of this Privacy Policy; and (b) obtain any legally required consent from that person to the sharing of their **Personal Data** or **Special Categories of Personal Data** in this manner.

Why do we collect this personal data?

- We collect **Personal Data** and, where necessary and in accordance with legal requirements, **Special Categories of Personal Data**, in order to provide you with our Products, to market our Products, to transact business, to develop or enhance our service and to recruit staff.

We will use this information:

- To assess your needs and assess Product suitability (if a Product is being directly sold to you by a financial advisor of Clear Financial or a self-employed agent of Clear Financial) which is necessary for compliance with our legal obligations;
- To set you up as a policyholder, life insured or member of a group scheme (or a third party where the **Personal Data** relates to a trustee, beneficiary, assignee, person exercising a power of attorney, named medical professional, financial broker or advisor,

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- investment manager, legal advisor or tax advisor) so that we can fulfil our contract with you;
- To communicate with you as part of our business relationship with you so that we can fulfil our contract with you;
 - To administer and renew your policies so that we can fulfil our contract with you;
 - To communicate with your self-employed agent of Clear Financial as part of our business relationship with you and in order to help us fulfil our contract with you;
 - To create a candidate profile for you if you are a prospective employee so that we can take steps prior to entering into a contract with you;
 - As part of our efforts to keep our Websites safe and secure which is necessary for compliance with our legal obligations and to help us fulfil our contracts;
 - To administer and improve our Website and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes, which is necessary for our legitimate business interest. For further information please see our [Cookie Policy](#);
 - For training and security purposes which is necessary for compliance with our legal obligations and for our legitimate business interest;
 - To assess whether to provide insurance and the level of premium to be paid which is necessary for compliance with our legal obligations and to help us fulfil our contract with you;
 - To process your premium and other payments;
 - To make suggestions and recommendations to you and other users of our Website about services that may interest you. This is necessary for our legitimate business interests and may be based on your consent where you have chosen to give it;
 - To deliver information about our products and services to you or to enter you in promotional competitions, where you have subscribed to same and in accordance with your preferences and based on your consent where you have chosen to give it;
 - To prevent, detect and investigate crimes, including fraud and money laundering;
 - To carry out research and analysis including analysis of our policyholders and others whose **Personal Data** we collect as set out in this Privacy Policy;
 - To establish and defend legal rights, to protect our operations or those of our Group companies or business partners;

To comply with regulatory requirement, the legal basis for the processing of your **Personal Data** and **Special Categories of Personal Data** are:

- Processing necessary for the performance of a contract which you have entered into or to take steps at your request prior to entering into a contract;
- Processing necessary for the purposes of the legitimate interests which we pursue prior to contract (e.g. in providing you with quotes and proposals about our services) and post contract (for further details, see the section entitled WHO MIGHT WE SHARE YOUR PERSONAL DATA WITH?) where such interests are not overridden by your interests or fundamental rights or freedoms which require the protection of your information;
- Processing based on your consent which we obtained from you when you purchased your product, for example, if necessary in order to process a **Special Category of Personal Data**;
- Processing data concerning health where necessary and proportionate for the provision of insurance or pension policies;
- Processing necessary for compliance with a legal obligation to which we are subject; and
- Processing that you have provided consent for with respect to processing for one or more specific purposes (e.g. subscribing to a mailing list, entering a competition, submitting a request for information or communication).

Who might we share your personal data with?

In certain instances, we may make your information available to third parties with whom we have a relationship where that third party is providing services on our behalf. We will only provide those third parties with information that is necessary for them to perform the services and we take measures to protect your information.

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The information we collect may be used, stored and processed in the EU, UK, United States, Switzerland, Ireland or in any other country in which Clear Financial does business. By providing the information via the website, you are consenting to the transfer of the information outside of your country to any country (including countries which may not have adequate levels of protection). Clear Financial may disclose information it has collected about you on the website if required to do so by law or when necessary to protect the rights of Clear Financial or its employees.

How long do we keep hold of your personal data and special categories of personal data?

The time periods for which we retain your **Personal Data** and **Special Categories of Personal Data** depends on the type of information and the purposes for which we use it. We will keep your information for no longer than is required or permitted.

All **Personal Data** and **Special Categories of Personal Data** will be retained for the duration of the periods set out in our Data Retention Policy. These periods of time are subject to legal, tax and regulatory requirements or to enable us to manage our business.

If you would like further information, please contact us at the details provided below.

In some circumstances we may anonymise your **Personal Data** and **Special Categories of Personal Data** so that it can no longer be associated with you, in which case we may use such information without further notice to you. This anonymised data may be used for research or analytical purposes.

Do we transfer your information outside the European Union or European Economic Area?

If we transfer personal data to a third party or outside the EU we as the data controller will ensure the recipient (processor or another controller) has provided the appropriate safeguards and on condition that enforceable data subject rights and effective legal remedies for you the data subject are available.

What are your rights with respect to your personal data and special categories of personal data?

You have the following rights:

- To access the **Personal Data** and **Special Categories of Personal Data** we hold about you.
- To require us to rectify any inaccurate **Personal Data** or **Special Categories of Personal Data** relating to you without undue delay.
- To have us erase any **Personal Data** or **Special Categories of Personal Data** we hold about you in specific circumstances, e.g. where it is no longer necessary for us to hold the **Personal Data** or **Special Categories of Personal Data** for the administration of your contract or if you have withdrawn your consent to the processing.
- To object to us processing your **Personal Data** or **Special Categories of Personal Data** in specific circumstances, e.g. processing for profiling or direct marketing.
- To ask us to provide your **Personal Data** and **Special Categories of Personal Data** to you in a portable format or, where technically feasible, for us to port that information to another provider provided it does not result in a disclosure of information relating to other people.
- To request a restriction of the processing of your **Personal Data** or **Special Categories of Personal Data**.
- In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your **Personal Data** or **Special Categories of Personal Data** for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law. In that instance, any processing that we have carried out before you withdrew your consent remains lawful.

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You may exercise any of the above rights by writing to us at our registered office :Compliance Officer, MB Planning Limited ta/ Clear Financial, Premier Office Centre, Main Street, Rathcoole, Co Dublin, or by emailing us at admin@clearfinancial.ie

In the above circumstances, we may need to request specific information from you to help us confirm your identity and ensure your right to access the **Personal Data** or **Special Categories of Personal Data** (or to exercise any of your other rights). This is another appropriate security measure to ensure that **Personal Data** or **Special Categories of Personal Data** is not disclosed to any person who has no right to receive it.

You may lodge a complaint with respect to our processing of your information directly with the Supervisory Authority, the Office of the Data Protection Commission with an address at Canal House, Station Road, Portarlinton, Co. Laois.

Automated decision making and profiling

Automated decision-making takes place when an electronic system uses **Personal Data** and/or **Special Categories of Personal Data** to make a decision without human intervention. We are allowed to use automated decision making in the following circumstances:

1. Where we have notified you of the decision and given you 21 days to request a re-consideration.
2. Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
3. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any **Special Categories of Personal Data**, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

Data security

We have put in place measures to protect the security of your **Personal Data** and **Special Categories of Personal Data**.

Details of these measures are available upon request.

Third parties will only process your **Personal Data** and **Special Categories of Personal Data** on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your **Personal Data** and **Special Categories of Personal Data** from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your **Personal Data** and **Special Categories of Personal Data** to those employees, agents, contractors and other third parties who have a business need to know. They will only process your **Personal Data** and **Special Categories of Personal Data** on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

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What will happen if we change our privacy policy?

This Privacy Policy may change from time to time, and any changes will be posted on our Website and will be effective when posted. Please review this Privacy Policy each time you use our Website or our services. The date this Privacy Policy was last updated is shown below.

How can you contact us about data protection?

You can contact us:

By phone: Customer Services team on 01 458 7576

By post addressed to: Compliance Officer, MB Planning Limited. t/a Clear Financial, Premier Office Centre, Main Street, Rathcoole, Co Dublin.

By email: admin@clearfinancial.ie

May 2018

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