

TERMS OF BUSINESS

McGivern Flynn & Co Limited, 36 Lad Lane, Dublin 2 specialise in the provision of General Insurance services to consumers.

Authorised Status

McGivern Flynn & Co Limited is authorised in Ireland as an investment business firm under Section 10 of the Investments Intermediaries Act, 1995 (as amended) to receive and transmit orders in relation to insurance policies. Our firm is also registered as an insurance/reinsurance intermediary under the European Communities (Insurance Mediation) Regulations, 2005 (as amended). The Financial Regulator holds registers of regulated firms. You may contact the Financial Regulator on (01) 4104000 or alternatively visit their website on www.financialregulator.ie to verify our credentials.

McGivern Flynn & Co Limited is a member of the Irish Brokers Association.

Regulatory Status

McGivern Flynn & Co Limited is regulated by the Financial Regulator. Our regulator number is 9882.

Services

McGivern Flynn & Co Limited offer advice in relation to all aspects of General Insurance (motor, property, liability, professional indemnity etc.). We also transmit orders on our client's behalf to any of the insurance undertakings or product producers from whom the company hold letters of appointment. We are also authorised as authorised advisors and as such we are required to research the whole marketplace when providing advice and services to our clients.

Remuneration Policy

McGivern Flynn & Co Limited are usually remunerated by commission received from the product producers for the work involved in placing an order and finalising the product with them on your behalf (some product producers do not pay a commission). We charge a service fee, agreed with clients, depending on the complexity of the transaction, time spent, nature and extent of the transaction; this includes transactions that may result in an additional or a return premium. In determining the fee applicable, factors such as specialist skills, complexity, value, risk, urgency and amount of commission receivable from the insurer will be taken into account. We charge a fee of up to 80% of the premium. The fee to be charged will be disclosed and agreed with our clients prior to providing any service. In the event of a cancellation or return premium the Financial Regulator will not allow a deduction from the premium of the negative commission attached to that return.

Premium Handling

McGivern Flynn & Co. Ltd. will accept payments in cash, and by debit/credit card in respect of all classes of insurance in the circumstances permitted under Section 25G of the Investment Intermediaries Act. McGivern Flynn & Co. Ltd. is not authorised to accept cash or negotiable instruments in any other circumstances.

Premiums are due on or before inception or renewal. Under the Financial Regulators legislation very strict rules apply to the payment of premiums to Insurance Companies. We will not be able to pay premiums to Insurers which have not been received from clients. Therefore to avoid cancellation, premiums must be paid strictly within the credit terms, if agreed, otherwise immediately prior to cover inception.

Data Protection

McGivern Flynn & Co Ltd is a Data Controller as defined in the Data Protection Act 1988 and 2003. We collect your personal details in order to provide the highest standard of service to you. We take great care with the information provided; taking steps to keep it secure and to ensure it is only used for legitimate purposes. To fulfil these objectives we may share information with other affiliated professionals. The information and other data provided to our office may be used to advise you of products and services we may offer from time to time.

You have the right at any time to request a copy of any “personal data” within the meaning of the Data Protection Act 1988 (as amended or re-enacted from time to time) that our office holds about you and to have any inaccuracies in that information corrected.

Conflict of interest

It is the policy of McGivern Flynn & Co Limited to avoid a conflict of interest when providing services to clients. Where an unavoidable conflict arises we will advise you of this in writing before providing any business services. If you have not been made aware of any such conflict you may assume that none arises.

Complaints Procedure

McGivern Flynn & Co Limited has in place a written procedure for the handling of complaints. This procedure ensures that all complaints are recorded and acknowledged within 5 business days. All complaints are fully investigated and the complainant updated at intervals of not greater than 20 business days. We will attempt to investigate and resolve a complaint within 40 business days.

Any complaint should be directed in writing to Ms Margot Doyle, Complaints Officer, McGivern Flynn & Co Limited, 36 Lad Lane, Dublin 2. In the event that a client remains dissatisfied with the handling of and/or response to a complaint they may refer the matter to The Financial Services Ombudsman.

Consumer Protection

McGivern Flynn & Co Limited is a member of the Investor Compensation Scheme established under the Investor Compensation Act 1998. The legislation provides for the establishment of a compensation scheme and to the payment in certain circumstances, of compensation to clients of firms covered by the Act. However you should also be aware that a right to compensation would only arise where money or investment instruments held by this company on your behalf cannot be returned either for the time being or for 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 to compensation is established, the amount payable is the lesser of 90% of the client's loss, which is recognised as being eligible for compensation, or €20,000.

In addition to the Compensation available under the “Investor Compensation Act 1998” McGivern Flynn & Co. Ltd. is bonded through its membership of IBA (Irish Brokers Association). Subject to the rules of the scheme, the liabilities of its member firms, up to a maximum of €100,000 per client (€250,000 in aggregate), may be discharged by the Fund on its behalf if the member firm is unable to do so, where the above detailed ICCL (established by law) has failed to adequately compensate any client of the member.

Default Remedies

McGivern Flynn & Co Limited actions in the event of default by the client are as follows. Product providers are entitled to withdraw benefit or cover on default of any payments due under any products arranged for your benefit. It is therefore critical to the guaranteed continuance of your insurance that your premium is paid in full. Some insurers may include as a term of the insurance a settlement due date or in some cases a warranty under the terms of which the premium must be paid to them by a certain date. We inform our clients of such requirements and the relevant date in good time to allow the payment terms to be met. Failure to comply with the terms of the warranty may mean that the insurer’s obligation under the policy will be terminated. We will automatically advise you of any payments outstanding on your policy and the consequences of failure to pay premiums. It is imperative that you review and understand the terms of your Insurance Policy Documentation and comply with the requirements stipulated therein, failure to do so will result in cover being cancelled or claims not being paid.

McGivern Flynn & Co Limited will, if necessary exercise its legal rights to receive any payments due to it from clients for business services provided by it and, to be reimbursed for any value obtained by the firm on behalf of clients who subsequently default in any payment due to the firm.

Governing Law and Language

The laws of Ireland form the basis for establishing relations between you and McGivern Flynn & Co Limited. All contracts, terms, conditions and communications relating to any policies you may enter with this firm will be in English. The terms set out above apply to any service provided to you after March 2010 and should the firm change its terms you will be notified in advance.

McGivern Flynn & Co Limited, 36 Lad Lane, Dublin 2.

Phone: 01 632 1321 Fax: 01 632 1322 Website: www.mcgivernflynn.com

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