

## ICL IC Limited

P.O Box 33, Dorey Court, Admiral Park, St Peter Port, Guernsey, GY1 4AT  
Telephone: +44(0) 1481 707909 Fax: +44(0) 1481 710551

### PRIVACY NOTICE

#### Definitions

In this privacy notice, the terms below have the following meanings:

- "**Beneficiaries**" means the beneficiaries of Members under the Pension Plan;
- "**controller**" means a person that determines the purposes and means of the processing of personal data;
- "**data subject**" means an individual to whom personal data relates;
- "**DP Law**" means the Data Protection (Bailiwick of Guernsey) Law, 2017 (as amended);
- "**EEA**" means the European Economic Area;
- "**equivalent legislation**" means data protection legislation of an "authorised jurisdiction" for the purposes of the DP Law, which include the UK and any jurisdiction outside of the EEA that the European Commission has formally recognised as ensuring an adequate level of data protection;
- "**GDPR**" means the EU's General Data Protection Regulation, which applies across the EEA;
- "**Guernsey**" means the Bailiwick of Guernsey;
- "**Insurer**", "**we**", "**us**" or "**our**" refers to ICL IC Limited;
- "**Members**" means members of the Pension Plan;
- "**personal data**" means any information about an identified or identifiable living person;
- "**processing**" means any operation performed on personal data (for example, collecting, recording, storing, disclosing, and so on), and related terms, such as "**process**", should be construed accordingly;
- "**processor**" means a person that processes personal data on behalf of a controller;
- "**Pension Plan**" means the ICL Group Pension Plan;
- "**Special Category Data**" (also sometimes referred to as "sensitive data") means: personal data revealing an individual's racial or ethnic origin, political opinion, religious or philosophical belief, or trade union membership; genetic data; biometric data; health data; personal data concerning an individual's sex life of sexual orientation; or criminal data;
- "**Trustee**" means ICL Pension Trust Limited in its capacity as trustee of the Pension Plan; and
- "**you**" and "**your**" refer to the Members and Beneficiaries whose personal data we need process in the course of carrying on our business as Insurer.

#### Introduction

The Insurer, an incorporated cell of White Rock Insurance (Guernsey) ICC Limited, is a company incorporated and registered under the laws of Guernsey.

We are licensed by the Guernsey Financial Services Commission to write long-term insurance business in Guernsey, and have been established to insure the longevity and other demographic risks associated with certain beneficiaries of the Pension Plan under an insurance contract we have entered into with the Trustee.

In the course of carrying on our business as Insurer, we need to process information about Members and their Beneficiaries. We are therefore a controller of personal data for the purposes of the DP Law.

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The DP Law has been formally recognised by the European Commission as providing an adequate level of data protection and is thus effectively regarded as "equivalent" to the GDPR. Like the GDPR, the DP Law aims to protect individuals' personal data by, among other things, imposing certain obligations on controllers and processors of personal data and establishing certain rights for individuals in relation to the processing of their personal data. We will process your personal data in accordance with the requirements of the DP Law.

The purpose of this privacy notice is to provide you with information about our processing of your personal data, including information concerning:

- The types of personal data that we process;
- Sources from which we receive personal data;
- Third parties to which we may need to transfer personal data;
- The purposes for which we process personal data;
- The legal bases applicable to our processing of personal data;
- Our retention of personal data;
- The measures that we have adopted to ensure the security of your personal data;
- Your rights in relation to our processing of your personal data; and
- How you can contact us to make enquiries or exercise your rights.

### **Types of personal data that we process**

We typically need to process the following types of personal data in the course of our business as Insurer:

- Information about you: for example, your, gender, date of birth, marital status, and postcode; and
- Financial information: for example, information relating to your pension entitlement under the Pension Plan.

We do not generally process Special Category Data. In the event that we do need to process Special Category Data, will only do so if the conditions under which the DP Law permits such processing are met.

### **Sources of personal data**

We receive the personal data that we need in order to carry out our business as Insurer primarily from the Trustee. We may also receive personal data back from third parties to which we transferred the personal data in the first place, such as our reinsurer.

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### **Recipients of personal data**

In the course of carrying on our business as Insurer, we may need to share your personal data with the following third parties or categories of third parties:

- The Trustee;
- Our insurance manager, Aon Insurance Managers (Guernsey) Limited ("**Aon**"), and any sub-processors engaged by Aon with our agreement;
- Our reinsurer, Swiss RE Europe S.A.;
- Other professional advisors and service providers, such as bankers, investment managers, lawyers auditors, accountants and calculation agents;
- Our IT service providers; and
- Governmental, tax or regulatory authorities, where necessary in order to comply with our legal and regulatory obligations.

We (or a processor acting on our behalf) may need to share your personal data with a third party (such as a sub-processor) in a jurisdiction that is not subject to the GDPR or equivalent legislation, in connection with our business as Insurer. In such circumstances, we will ensure that the conditions under which the DP Law permits such a transfer have been satisfied, which will generally entail that appropriate safeguards are in place to ensure that the personal data is subject to adequate levels of protection and that your rights as a data subject will be respected. Further information concerning any such transfers – including a copy of the safeguards that have been put in place in relation to any such transfers – will be made available to you on request.

Where our processing of your personal data involves the services of a third party processor, we will take such measures as may be required by the DP Law to safeguard your rights as a data subject in relation to such processing.

### **Purposes for which we process personal data**

The main purposes for which we process personal data are as follows:

- Insuring the longevity and other demographic risks of the Trustee of the Pension Plan;
- Complying with our contractual obligations, for example under our insurance agreement with the Trustee and our reinsurance agreement with our reinsurer;
- Calculating and managing premium and claim payments;
- Fulfilling our legal and regulatory obligations and protecting ourselves and our clients against fraud.

We will never sell your personal data or otherwise disclose it to any third party for our own commercial benefit.

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### **Legal bases for processing personal data**

The DP Law lists several legal bases for the processing of personal data. We will only process your personal data to the extent that one of these legal bases apply. The legal bases that apply most commonly to our processing of personal data are outlined below.

- **The processing is necessary for the performance of a contract entered into by you or in your interests.**

For example, we may need to process your personal data in order to perform our obligations under the insurance contract that the Trustee has entered into with us in the interests of the Members.

- **The processing is necessary to enable us to comply with our legal and regulatory obligations**

For example, we may need to process personal data relating to Members and Beneficiaries pursuant to our obligations under laws and regulations relating to financial sanctions and the countering of financial crime and terrorist financing.

- **The processing is necessary for the purposes of our legitimate interests or those of a third party**

For example, we may process personal data pursuant to the Trustee's legitimate interests in insuring its risks, and/or our own legitimate interests in providing our services, maintaining service standards, managing our business relationships, and protecting the security of our systems.

We will not process your personal data on the basis of our legitimate interests if those interests are outweighed by your interests, rights and freedoms as a data subject.

- **You have explicitly consented to the processing of your personal data for a particular purpose**

We may ask for your consent to process your personal data in particular circumstances, for example, in the event that it is necessary to obtain your consent in order to process Special Category Data.

If we are processing your personal data on the basis of your consent, you may withdraw such consent at any time. The withdrawal of your consent will not affect the lawfulness of any processing undertaken before such withdrawal or on any legal basis other than consent.

### **Retention of personal data**

We will retain your personal data for as long as necessary to fulfil the purposes for which it was collected, and to comply with our legal and regulatory obligations. This may entail retaining the personal data for a reasonable period after your membership of the Pension Plan has terminated.

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### Security of personal data

In accordance with the DP Law, we take appropriate technical and organisational measures to ensure the security of your personal data, and in particular to protect your personal data from accidental or unlawful destruction, loss or alteration, or unauthorised disclosure or access.

### Your rights in relation to our processing of your personal data

In summary, and subject to the conditions and exceptions set out in the DP Law, you have the following rights as a data subject in relation to our processing of your personal data:

- The right to certain **information** about our processing of your personal data. The purpose of this privacy notice is to provide you with that information.
- The right to **data portability**: in certain circumstances, you may require us to transfer your personal data to you or to another organisation.
- The right to **access** your personal data, which includes the right to request a copy of the personal data that we hold about you.
- The right to **object** to the processing of your personal data for certain purposes, including marketing. We do not generally use personal data for marketing purposes.
- The right to require us to **rectify** your personal data that we are processing if that personal data is inaccurate or incomplete.
- The right to require us to **erase** your personal data in certain circumstances, for example if it is no longer necessary for us to process your personal data for the purposes for which it was collected.
- The right to require us to **restrict the processing** of your personal data in certain circumstances, for example, pending the determination of a dispute as to the accuracy or completeness of your personal data.
- The right **not to be subject to decisions based on the automated processing of your personal data**, except in specific circumstances, such as where you have consented to the automated processing. We do not generally make decisions based on the automated processing of personal data.

These rights are set out in full in sections 14 to 24 of the DP Law.

### Contact us

If you have any queries or concerns regarding our processing of your personal data, or if you wish to exercise any of your rights as a data subject, you can contact us at [rachel.roberts1@aon.co.gg](mailto:rachel.roberts1@aon.co.gg).

Please note that we may need to verify your identity before we are able to respond to your request.

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### **Complaints**

If you are unhappy with the manner in which we are processing your personal data, we would encourage you to contact us in the first instance so that we can attempt to address your concerns.

Nevertheless, if you consider that we have not processed your personal data in accordance with the DP Law, you are entitled to lodge a complaint with Guernsey's Data Protection Authority (see: <https://www.odpa.gg/for-individuals/make-a-complaint/> ).

### **Changes to this privacy notice**

We reserve the right to update this privacy notice at any time and will ensure that you are notified of any such update as soon as is reasonably practicable.