

# Privacy Policy

## Introduction

### Summary:

This is our main Privacy Policy and it explains how we use Personal Information which we collect about individuals.

Personal Information is information about you and other individuals.

Before providing us with Personal Information about someone else, please tell that individual about this Privacy Policy and (where possible) get their permission to share their Personal Information with us.

### In detail:

We use the words **Personal Information** to describe information about you and other individuals (for example, your partner or other members of your family), and from which you or they are identifiable.

Our aim is responsible and secure handling of Personal Information, balancing the benefits of activities like research and data analytics to improve our products and service delivery, with our other commitments, including fairness, transparency and non-discrimination.

This is our main Privacy Policy which describes how we use Personal Information that we collect as part of our business activities.

This Privacy Policy will be supplemented by additional privacy notices tailored to our specific relationships with you where this is useful to provide you with a full picture of how we collect and use your Personal Information.

Personal Information is obtained from a variety of sources, including:

- application, proposal and claim forms, and other forms;
- telephone calls, emails, meetings and other communications;
- service providers, medical professionals and other third parties;
- this website (the **Site**);

Personal Information may be provided to us by you directly or by a third party. For example, an insurance policyholder may provide Personal Information about you so that you can benefit under their insurance policy.

### Please note:

Before providing us with Personal Information about another individual you must (unless we agree otherwise): (a) inform the individual about the content of this Privacy Policy and any other applicable privacy notices provided to you; and (b) obtain their permission (where possible) to share their Personal Information with us in accordance with this Privacy Policy and other applicable privacy notices.

## What Personal Information do we collect and hold?

### Summary:

The Personal Information we collect and hold depends on our relationship with you.

It will often include information relating to:

- contact details
- identification
- administration of your insurance policy or claim (which may include medical or health information)
- finance and banking

### In detail:

The Personal Information we collect and hold about you and other individuals will differ depending on our relationship, including the type of communications between us and the products and services we provide. Different types of Personal Information will be held if you are a consumer insurance policyholder or claimant, or you have enquired about our services, compared to where you benefit from insurance coverage under an insurance policy taken out by another policyholder (for example, you are insured under a corporate policy taken out by your employer).

Likewise, we will hold different Personal Information if you are an appointed representative or another individual with whom we have a relationship.

As we are in the business of providing insurance, claims handling, assistance and related services, the Personal Information we hold and process, depending on our relationship, includes:

Type of Personal Information	Examples
<b>1. Contact information</b>	Name, address, email and telephone number
<b>2. General information</b>	Gender, marital and family status, date and place of birth, and physical characteristics (appropriate to the circumstances)
<b>3. Education and employment information</b>	Educational background, employer details and employment history, skills and experience, professional licences, memberships and affiliations
<b>4. Insurance and claim information</b>	Policy and claim numbers, relationship to policyholder, insured, claimant or other relevant individual, date and cause of disability or death, and other information relevant to insurance policy issuance, and claim assessment and settlement.
<b>5. Government and other official identification numbers</b>	Social security or national insurance number, passport number, tax identification number, or other government issued identification number
<b>6. Financial information and account details</b>	Payment card number (credit or debit card), bank account number, or other financial account number and account details.

<b>7. Medical condition and health status</b>	<p>Current or previous physical, mental or medical condition, health status, injury or disability information, medical diagnosis, medical procedures performed and treatment given, personal habits (for example, smoking or consumption of alcohol), prescription information, and medical history</p>
<b>8. Other sensitive information</b>	<p>We may obtain information about criminal records or civil litigation history (for example, for preventing, detecting and investigating fraud).</p> <p>Information provided voluntarily to us.</p>
<b>9. Photographs</b>	<p>Images (including photographs and pictures) created in connection with our insurance or other business activities, including for claims assessment, administration and settlement, claim disputes, or for other relevant purposes as permitted by law.</p>
<b>10. Information to detect, investigate or prevent crime, including fraud and money laundering</b>	<p>Insurers commonly collect, hold and share information about their previous dealings with policyholders and claimants with the intention of the detection, investigation and prevention of fraud, money laundering and other criminal activities</p>
<b>11. Information enabling us to provide products and services</b>	<p>Age categories of individuals to be insured, details of the risks to be insured, status as company officer or director, or partner, or other ownership or management interest in an organisation, and information about other insurance held</p>
<b>12. Supplemental information from other sources</b>	<p>We and our service providers may supplement the Personal Information we collect with information obtained from other sources (for example, publicly available information from online social media services and other information resources, third party commercial information sources, and information from our group companies and business partners). We will use any such supplemental information in accordance with applicable law (including obtaining your consent where required)</p>

## How do we use Personal Information?

### Summary:

We use Personal Information for different purposes depending on our relationship with you.

### The main purposes are to:

- provide insurance and other services and make related assessments and decisions
- manage claims
- communicate with you
- obtain feedback and manage complaints
- detect, investigate and prevent crime
- manage, develop and improve our business, products and services

### In detail:

We use Personal Information to carry out our business activities. The purposes for which we use your Personal Information will differ based on our relationship, including the type of communications between us and the services we provide. Personal Information will be used for different purposes if you are a policyholder, insured or claimant under an insurance policy, an appointed representative or another individual with whom we have a relationship.

The main purposes for which we use Personal Information are to:

- A. Communicate** with you and other individuals.
- B. Make assessments and decisions** about: (i) the provision and terms of insurance and (ii) settlement of claims and provision of assistance and other services.
- C. Provide insurance, claims and assistance services, and other products and services** which we offer, including claim assessment, administration, settlement and dispute resolution.
- D. Assess your eligibility** for payment plans, and process your premium and other payments.
- E. Improve the quality of our products and services, provide staff training and maintain information security.**
- F. Prevent, detect and investigate crime**, including fraud and money laundering, and analyse and manage other commercial risks.
- G. Manage our business operations and IT infrastructure**, in line with our internal policies and procedures, including those relating to finance and accounting; billing and collections; IT systems operation; data and website hosting; data analytics; business continuity; records management; document and print management; and auditing.
- H. Manage complaints, feedback and queries**, and handle requests for data access or correction, or the exercise of other rights relating to Personal Information.
- I. Comply with applicable laws and regulatory obligations** (including laws and regulations outside your country of residence), for example, laws and regulations relating to anti-money laundering, sanctions and anti-terrorism; comply with legal process and court orders; and respond to requests from public and government authorities (including those outside your country of residence).
- J. Establish, enforce and defend legal rights** to protect our business operations, and those of our group companies or business partners, and secure our rights, privacy, safety or property, and that of our group companies or business partners, you, or other individuals or third parties; to enforce our terms and conditions; and pursue available remedies and limit our damages.

**The table below is a summary of the types of Personal Information used where necessary in connection with each main purpose described above. Personal Information will only be processed for these purposes where permitted under applicable law.**





## How do we use Personal Information to detect, investigate and prevent fraud?

### Summary:

We may use Personal Information to detect, investigate and prevent fraud, and this may include sharing Personal Information with law enforcement agencies.

### In detail:

We are committed to detecting and preventing fraud, and other financial crime. We take this commitment very seriously and use Personal Information in a number of ways for this purpose.

For example, if relevant to our relationship with you we will (where permitted by applicable law): share your Personal Information with law enforcement agencies.

For further details, please see the section below '**Who is Personal Information shared with?**' or please contact us using the details provided below (see section below '**Who to contact about your Personal Information?**').

## Who is responsible for Personal Information?

### Summary:

SIEP group companies are responsible for looking after the Personal Information we collect, hold and use.

### In detail:

The Swiss Insurevolution Partners-Gruppe (SIEP) comprises a number of companies.

Each SIEP group company that processes your Personal Information is responsible for looking after it in accordance with this Privacy Policy, our internal standards and procedures, and the requirements of data protection law.

Your relationship with us will determine which of our group companies has access to and processes your Personal Information, and which of our group companies are the data controller(s) responsible for your Personal Information. Usually, if you are an individual policyholder, the SIEP group company that underwrites your insurance policy will be the main company responsible for your Personal Information, the controller. Depending on our relationship with you, we will provide further information in a supplemental privacy notice tailored to our relationship.

For more precise information about the specific company or companies in the SIEP group that have access to and are responsible for your Personal Information (including the identity of the relevant SIEP companies that are the data controller(s) for your Personal Information), please contact us using the details provided below (see section below '**Who to contact about your Personal Information?**').

We may also share your information with third parties (see section below '**Who is Personal Information shared with?**'). Those third parties will assume certain responsibilities under data protection law for looking after the Personal Information that they receive from us.

## Who is Personal Information shared with?

### Summary:

Personal Information may be shared between SIEP group companies and other third parties, including:

- other insurance and insurance distribution parties
- service providers
- recipients of your social media sharing activities
- government authorities
- third parties involved in legal proceedings.

### In detail:

In connection with the purposes described above (see section above 'How do we use Personal Information?'), we sometimes need to share your Personal Information with third parties (this can involve third parties disclosing Personal Information to us and us disclosing Personal Information to them).

These third parties may include:

Type of third party	Examples
<b>Our group companies</b>	We belong to Swiss Insurevolution Partners group. We may share your Personal Information with other group companies (including for administrative accounting purposes).
<b>Reinsurers</b>	Where permitted by applicable law, SIEP may share Personal Information with other third parties, for example reinsurers.
<b>Our service providers</b>	External third party service providers, such as medical and security professionals, accountants, actuaries, auditors, experts, lawyers and other professional advisors; IT systems, support and hosting service providers; banks and financial institutions that service our accounts; third party claim administrators; document and records management providers; claim investigators and adjusters; translators; and other third party vendors and outsourced service providers that assist us in carrying out business activities.
<b>Government authorities and third parties involved in legal proceedings</b>	We may also share Personal Information with: (a) government or other public authorities (including, but not limited to, workers' compensation boards, courts, regulatory bodies, law enforcement agencies, tax authorities and criminal investigations agencies); and (b) third party participants in legal proceedings and their accountants, auditors, lawyers, and other advisors and representatives, as we believe to be necessary or appropriate.



<p><b>Other third parties</b></p>	<p>We may share Personal Information with purchasers and prospective purchasers or other parties in any actual or proposed reorganisation, merger, sale, joint venture, assignment, transfer or other transaction relating to all or any portion of our businesses, assets, companies or stock (i.e. company shares).</p> <p>If you benefit from another party's insurance policy or service arrangement with SIEP (for example, a policy taken out by your employer), Personal Information relating to the administration of that insurance policy or service may be shared with that other party.</p>
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## Where do we process Personal Information?

### Summary:

We may process Personal Information both nationally and internationally.

This may include transferring Personal Information outside the European Economic Area (EEA) and Switzerland.

We take additional steps to ensure the security of Personal Information when we transfer it outside the EEA.

### In detail:

Due to the global nature of our business activities, for the purposes set out above (see section entitled '**How do we use Personal Information?**'), depending on the nature of our relationship with you, we will transfer Personal Information to parties located in other countries (including the USA and other countries that have data protection regimes which are different to those in the country where you are based, including countries which have not been found to provide adequate protection for Personal Information by the European Commission).

When making these transfers, we will take steps to ensure that your Personal Information is adequately protected and transferred in accordance with the requirements of data protection law.

This typically involves the use of data transfer agreements in the form approved by the European Commission. If there is no data transfer agreement in place, we may use other recognised mechanisms as ensuring an adequate level of protection for Personal Information transferred outside the EEA (for example, the US Privacy Shield framework or any framework that replaces it).

For further information about these transfers and to request details of the safeguards in place, please contact us using the details below (see section below '**Who to contact about your Personal Information?**').

## How do we keep Personal Information secure?

### Summary:

Information security is extremely important to us.

We put in place technical and physical security measures to keep Personal Information safe and secure.

If, despite our efforts, you believe that Personal Information is no longer secure, please tell us so that we can resolve any security issue.

### In detail:

Malbun Insurance AG uses appropriate technical, physical, legal and organisational measures, which comply with data protection laws to keep Personal Information secure.

As most of the Personal Information we hold is stored electronically we have implemented appropriate IT security measures to ensure this Personal Information is kept secure. For example, we may use anti-virus protection systems, firewalls, and data encryption technologies. We have procedures in place at our premises to keep any hard copy records physically secure. We also train our staff regularly on data protection and information security.

When SIEP engages a third party (including our service providers) to collect or otherwise process Personal Information on our behalf, the third party will be selected carefully and required to use appropriate security measures to protect the confidentiality and security of Personal Information.

Unfortunately, no data transmission over the Internet or electronic data storage system can be guaranteed to be 100% secure. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any Personal Information you might have sent to us has been compromised), please immediately notify us (see section below '**Who to contact about your Personal Information?**').

## What is the legal justification for our use of Personal Information?

### Summary:

To comply with the law, we need to tell you the legal justification we rely on for using your Personal Information. The legal justification depends on the purpose for using your Personal Information, but it will usually be considered to be in our legitimate interests or involve your consent.

### In detail:

Data protection law seeks to ensure that the way Personal Information is used is fair.

To comply with the law, we need to tell you the legal justification we rely on for using your Personal Information.

While the law provides several legal justifications, the table below describes the main legal justifications that apply to our purposes for using Personal Information.

We may be required to obtain Personal Information from you to comply with applicable legal requirements, and certain Personal Information may be needed to enable us to fulfil the terms of our contract with you (or someone else), or in preparation of entering into a contract with you (or someone else). We may inform you of this at the time that we are obtaining the Personal Information from you. In these circumstances, if you do not provide the relevant Personal Information to us, we may not be able

to provide our products or services to you. If you would like further information, please contact us using the details below (see section below '**Who to contact about your Personal Information?**').

### ***Sensitive Special Categories of Personal Information***

For more sensitive special categories of Personal Information we will rely on either:

- your consent; or
- one or more of the other legal justifications set out in the table below and typically one of the following two additional justifications (however other legal justifications may be available):
  - the use is necessary for the establishment, exercise or defence of legal claims, or whenever courts are acting in their judicial capacity (for example, when a court issues a court order requiring the processing of Personal Information); or
  - the use is necessary for the purposes of preventive or occupational medicine, medical diagnosis or the provision of health or social care or treatment.

These more sensitive special categories of Personal Information include Personal Information revealing 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 an individual's sex life or sexual orientation.

Additional legal justifications may also be available in the country in which you are based and we may also rely on these justifications from time to time.

Processing of Personal Information relating to criminal convictions and offences is subject to the requirements of applicable law.

Purpose for use of Personal Information	Legal Justifications for use of Personal Information			
	You have provided consent	Needed to perform a contract with you or prepare to enter into a contract with you	Needed to comply with legal requirements	It is in our legitimate interests or those of a relevant third party
To communicate with you		✓	✓	✓
To make assessments and decisions about you	✓	✓	✓	✓
To provide insurance, claims and assistance services, and other products and services		✓		✓
To assess your eligibility for payment plans and to process payments		✓	✓	✓
To improve the quality of our products and services, for training, and to maintain information security			✓	✓
To prevent, detect and investigate crime, and manage commercial risks			✓	✓

To manage our business operations and IT infrastructure		✓	✓	✓
To manage complaints, feedback and queries		✓	✓	✓
To comply with applicable laws and regulations			✓	✓
To establish and defend legal rights		✓	✓	✓

Where we rely on our legitimate business interests or the legitimate interests of a third party to justify the purposes for using your Personal Information, those legitimate interests will be set out in a supplemental privacy notice (which is tailored to our relationship with you where this is useful to provide you with a full picture of how we collect and use Personal Information), but in any event our legitimate interests will usually be:

- pursuit of our commercial activities and objectives, or those of a third party;
- compliance with applicable legal and regulatory obligations, and any guidelines, standards and codes of conduct (for example, by carrying out background checks or otherwise preventing, detecting or investigating fraud or money laundering);
- improvement and development of our business operations and service offering, or those of a third party;
- protection of our business, shareholders, employees and customers, or those of a third party (for example, ensuring IT network and information security, enforcing claims, including debt collection); and
- analysing competition in the market for our services.

We may need to collect, use and disclose Personal Information in connection with matters of important public interest, for instance when complying with our obligations under anti-money laundering and terrorist financing laws and regulations, and other laws and regulations aimed at preventing financial crime. In these cases, the legal justification for our use of Personal Information is that the use is necessary for matters of public interest. Additional justifications may also apply depending on the circumstances.

## How long do we keep Personal Information for?

### Summary:

We will keep your Personal Information only as long as necessary for the purposes for which we collected it and to comply with applicable law.

Depending on our relationship with you, we may keep your Personal Information for a number of years after our relationship ends.

### In detail:

We will keep Personal Information for as long as is necessary for the purposes for which we collect it. The precise period will depend on the purpose for which we hold your information. In addition, as a regulated financial services institution, there are laws and regulations that apply to us which set minimum periods for retention of Personal Information. We will provide you with further information if appropriate to give you a full picture of how we collect and use your Personal Information.

For example:

- Where we hold Personal Information to comply with a legal or regulatory obligation, we will keep the information for at least as long as is required to comply with that obligation.
- Where we hold Personal Information in order to provide a product or service (such as an insurance policy and claims handling), we will keep the information for at least as long as we provide the product or service, and for a number of years after expiry of the policy and the handling of any related claim.

The number of years varies depending on the nature of the product or service provided – for example, for certain insurance policies it may be necessary to keep the Personal Information for several years after the expiry of the policy. Among other reasons, we retain the information in order to respond to any queries or concerns that may be raised at a later date with respect to the policy or the handling of a claim.

For further information about the period of time for which we retain your Personal Information, please contact us using the details below (see section below '**Who to contact about your Personal Information?**').

# What are your Personal Information rights?

## Summary:

Individuals have a number of rights in connection with their Personal Information. These rights only apply in certain circumstances and are subject to certain exemptions. These rights include a right to request a copy of the Personal Information we hold about you.

If you wish to exercise these rights, please contact us using the details below (see section below 'Who to contact about your Personal Information?')

## In detail:

The following is a summary of the data protection rights available to individuals in connection with their Personal Information. These rights may only apply in certain circumstances and are subject to certain legal exemptions.

If you wish to exercise your rights, please contact us using the details below (see section below 'Who to contact about your Personal Information?').

Description	When is this right applicable?
<p><b>Right of access to Personal Information</b></p> <p>You have the right to receive a copy of the Personal Information we hold about you and information about how we use it.</p>	<p>This right is applicable at all times when we hold your Personal Information (subject to certain exemptions).</p>
<p><b>Right to rectification of Personal Information</b></p> <p>You have the right to ask us to correct Personal Information we hold about you where it is incorrect or incomplete.</p>	<p>This right is applicable at all times when we hold your Personal Information (subject to certain exemptions).</p>
<p><b>Right to erasure of Personal Information</b></p> <p>This right is sometimes referred to as 'the right to be forgotten'. This right entitles you to request that your Personal Information be deleted or removed from our systems and records. However, this right only applies in certain circumstances.</p>	<p>Examples of when this right applies to Personal Information we hold include (subject to certain exemptions):</p> <ul style="list-style-type: none"> <li>• when we no longer need the Personal Information for the purpose we collected it;</li> <li>• if you withdraw consent to our use of your information and no other legal justification supports our continued use of your information;</li> <li>• if you object to the way we use your information and we have no overriding grounds to continue using it;</li> <li>• if we have used your Personal Information unlawfully; and</li> <li>• if the Personal Information needs to be erased for compliance with law.</li> </ul>
<p><b>Right to restrict processing of Personal Information</b></p> <p>You have the right to request that we suspend our use of your</p>	<p>You can exercise this right if:</p> <ul style="list-style-type: none"> <li>• you think that the Personal Information we hold about you is not accurate, but this only applies for</li> </ul>

<p>Personal Information. However, this right only applies in certain circumstances.</p> <p>Where we suspend our use of your Personal Information we will still be permitted to store your Personal Information, but any other use of this information while our use is suspended will require your consent, subject to certain exemptions.</p>	<p>a period of time that allows us to consider if your Personal Information is in fact inaccurate;</p> <ul style="list-style-type: none"> <li>• the processing is unlawful and you oppose the erasure of your Personal Information and request the restriction of its use instead;</li> <li>• we no longer need the Personal Information for the purposes we have used it to date, but the Personal Information is required by you in connection with legal claims; or</li> <li>• you have objected to our processing of the Personal Information and we are considering whether our reasons for processing override your objection.</li> </ul>
<p><b>Right to data portability</b></p> <p>This right allows you to obtain your Personal Information in a format which enables you to transfer that Personal Information to another organisation. However, this right only applies in certain circumstances.</p> <p>You may have the right to have your Personal Information transferred by us directly to the other organisation, if this is technically feasible.</p>	<p>This right will only apply:</p> <ul style="list-style-type: none"> <li>• to Personal Information you provided to us;</li> <li>• where we have justified our use of your Personal Information based on: <ul style="list-style-type: none"> <li>○ your consent; or</li> <li>○ the fulfilment by us of a contract with you; and</li> </ul> </li> <li>• if our use of your Personal Information is by electronic means.</li> </ul>
<p><b>Right to object to processing of Personal Information</b></p> <p>You have the right to object to our use of your Personal Information in certain circumstances.</p>	<p>You can object to our use of your Personal Information where you have grounds relating to your particular situation <u>and</u> the legal justification we rely on for using your Personal Information is our (or a third party's) legitimate interests.</p> <p>However, we may continue to use your Personal Information, despite your objection, where there are compelling legitimate grounds to do so or we need to use your Personal Information in connection with any legal claims.</p>



<p>This right is different where it relates to direct marketing and you can read about how to exercise your right to opt-out of receiving any direct marketing in the '<b>How can you tell us about your marketing preferences?</b>' section of this Privacy Policy.</p>	<p>You can also object to the use of your Personal Information for direct marketing purposes at any time (including if we are carrying out profiling related to direct marketing).</p>
<p><b>Rights relating to automated decision making and profiling</b></p> <p>You have the right not to be subject to a decision which is based solely on automated processing (without human involvement) where that decision produces a legal effect or otherwise significantly affects you. However, this right only applies in certain circumstances.</p>	<p>This right is not applicable if:</p> <ul style="list-style-type: none"> <li>• we need to make the automated decision in order to enter into or fulfil a contract with you;</li> <li>• we are authorised by law to take the automated decision; or</li> <li>• you have provided your explicit consent to the decision being taken in this way using your Personal Information.</li> </ul>
<p><b>Right to withdraw consent to processing of Personal Information</b></p> <p>Where we have relied upon your consent to process your Personal Information, you have the right to withdraw that consent.</p>	<p>This right only applies where we process Personal Information based upon your consent.</p>
<p><b>Right to complain to the relevant data protection authority</b></p> <p>If you think that we have processed your Personal Information in a manner that is not in accordance with data protection law, you can make a complaint to the data protection regulator. If you live or work in an EEA member state, you may complain to the regulator in that state.</p>	<p>This right applies at any time.</p>
<p><b>Right to provide instructions regarding the management of your Personal Information after your death (only where such right applies under applicable law)</b></p> <p>You may have the right to inform us of instructions on how we manage the Personal Information we hold about you after your death.</p>	<p>This right is applicable at all times when we hold your Personal Information (only where such right applies under applicable law).</p>

## Who to contact about your Personal Information?

### Summary:

If you have any questions or concerns about the way your Personal Information is used by us, you can contact us by email or post.

### In detail:

If you have any questions, concerns or complaints about the way your Personal Information is used by us, you can contact us by email or post using the details below.

email: [info@malbun-insurance.ch](mailto:info@malbun-insurance.ch)

post: Malbun Insurance AG, Data Protection, Via Camara 19, 6932 Breganzona (CH)

## When was this Privacy Policy last updated?

### Summary:

This Privacy Policy was last updated on 1.10.2020. We may review this policy and make changes from time to time.

### In detail:

This Privacy Policy was last updated on 1.10.2020.

We review this Privacy Policy regularly and reserve the right to make changes at any time to take account of changes in our business activities, legal requirements, and the manner in which we process Personal Information. We will place updates on this website and where appropriate we will give reasonable notice of any changes.