

# People in Contact with Public and Responsible for Distribution Privacy Notice: Lloyd's Insurance Company S.A.

## 1 Introduction

**This Privacy Notice applies to People in Contact with Public ("PCPs") and Responsible for Distribution ("RDs") by the contractual relationship that they have in force with us.**

This Privacy Notice describes how **Lloyd's Insurance Company S.A. including its branch offices in the European Union (EU)/European Economic Area (EEA), and in the United Kingdom (UK) (collectively referred to as "Lloyd's Europe")**, as data a controller, collects, uses, shares, and retains the personal information you provide and informs you about your choices regarding use, access, and correction of your personal information.

Lloyd's Europe is committed to ensuring that any personal data it receives is protected and handled in accordance with applicable data protection laws.

For the purposes of this Privacy Notice, references to "we," "us" or "our" shall refer to Lloyd's Europe.

## 2 Who we are

Lloyd's Europe, the data controller, is **Lloyd's Insurance Company S.A.** (Lloyd's Europe) an insurance and reinsurance company authorized and regulated by the National Bank of Belgium (NBB) registered number 3094 and regulated by the Financial Services and Markets Authority (FSMA). Its registered office is at Place du Champ de Mars 5, Bastion Tower, 14th floor, 1050 Brussels, Belgium. Its company/VAT number is BE 0682.594.839, RPR/RPM Brussels.

## 3 Definitions

**PCP =Person in contact with the public** = all natural persons who are in contact with the public (i.e. the company's customers) in any way whatsoever in order to propose contracts to them or to provide them with information about them, are considered to be persons in contact with the public ("PCPs").

The question of whether someone is a PCP does not depend on their official job description or their appointment to that role; it is a question of fact. As soon as someone meets the definition of a PCP in practice, they must meet the Belgian legal requirements.

**RD = A person responsible for distribution** = is a natural person who is de facto responsible for the activities of credit intermediation or (re)insurance distribution or exercises supervision over this.

The person responsible for distribution must either be part of the effective management of the creditor, the credit intermediary, the (re)insurance company or the insurance, ancillary insurance and reinsurance intermediary or be employed by him as an employee. The person responsible for distribution supervises the persons in contact with the public.

## 4 What personal information we process about you

"Personal data" means any information relating to you. Lloyd's Europe will collect, process and use the following categories and types of personal data about you:

- **Identification data** includes your name, surname, passport number, driving license, national ID, citizenship, date of birth. DBS check<sup>1</sup>,
- **Contact details** include your home address, professional telephone number, and professional email address.
- **Education and work experience**, information about your educational background, certifications, (e.g.: proof of required professional knowledge and competence for a PCP or RD: a master's degree, a bachelor's degree with at least 11 credit points in insurance knowledge, examination certificates – successfully achieved with a Belgian accredited training provider approved by the FSMA), and other experience.
- **Proof of expertise appropriate to the exercise of your duties**. For PCPs: at least 6 months of practical experience in insurance distribution. For RDs: at least 6 years of experience in insurance distribution.
- **Training and learning management information – CPD**: after the appointment, proof of continuous professional development (CPD) points needs to be kept on file for each RD and PCP. RDs: 15 hours per year of training with an FSMA accredited training provider. PCPs: 15 hours of training that is relevant to the performance of their specific job role.
- **Information about your role**, includes your position, business title (percentage of time spent underwriting business on behalf of LIC).
- **Performance and disciplinary information**, such as performance reviews and ratings. Any information relating to any disciplinary action within the secondee's Managing Agency.
- **Absence information**, such as dates of leave or absence/vacation, maternity/paternity/shared parental/sabbatical leave.
- **Organisational data** including IDs for IT systems, company details, and organisation.
- **Criminal records data**: Proof that the PCP and the RD are not in one of the cases referred to in Article 20 of the Belgian Act of 25 April 2014. This is done by assembling and keeping on file a copy of the DBS check<sup>1</sup> for these specific individuals. Criminal records check will be reviewed every 4 years. This will be stored if the relationship is in force and according to legal data retention periods.

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<sup>1</sup> Criminal records check

## 5 Why we collect your personal information and the lawful basis for processing

We collect and use personal data for a variety of reasons linked to managing your relationship with us (the **"Processing Purposes"**).

However, we can only collect and use this data if we have a valid legal basis for doing so, and we have to explain the various legal bases that we rely on to you.

Please note that we will use your personal data for the purposes of processing for which they were collected unless we consider that they are needed for another purpose which will always be compatible with the original purpose of processing and on a legal basis for further processing. Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we use your information. Please contact us if you need details about the specific legal ground, we rely on to process your personal data where more than one ground has been set out in the following table:

Below are the Processing Purposes and corresponding Legal Bases for Personal data:

Processing Purpose	Legal Basis
<b>1. Administering and managing the relationship.</b> This purpose including administering tasks such as registrations (including LIMOSA <sup>2</sup> declaration), performance review, managing business, providing IT systems and support.	<ul style="list-style-type: none"> <li>• Necessary for performing an agreement with you as data subject.</li> <li>• Compliance with legal obligations which Lloyd's Europe is subject to.</li> </ul>
<b>2. Training and learning management</b> , the purpose is to ensure that all Lloyd's Europe RDs and PCPs complete mandatory training and 15 hours CPD requirements.	<ul style="list-style-type: none"> <li>• Compliance with legal obligations which Lloyd's Europe is subject to.</li> </ul>
<b>3. Talent and leadership development programmes</b> , which involve name, email, address, phone, secondee performance.	<ul style="list-style-type: none"> <li>• Legitimate interests of Lloyd's Europe. (See below).</li> </ul>
<b>4. Fit and proper. DBS check</b> will be done every four years in the framework of Fit& Proper, where appropriate.	<ul style="list-style-type: none"> <li>• Necessary to comply with a legal obligation to which Lloyd's Europe is subject to.</li> </ul>

We rely on the legitimate interest of Lloyd's Europe as one of the legal grounds to process your data. This includes:

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<sup>2</sup> Cross-border information system for migration research at the social administration) to the Belgium National Social Security Office

- Implementation and operation of a group-wide organizational structure and group-wide information sharing
- Effective business/organizational management and the structuring thereof
- Right to freedom of expression or information, including in the media and the arts
- Prevention of fraud, misuse of company IT systems, or money laundering
- Operation of a whistleblowing scheme
- Physical security, IT, and network security
- Internal Investigations
- The establishment of exercise of and/or defense of legal claims
- Compliance with company policies and procedures
- Proposed mergers and acquisitions.

When relying on the legitimate interest's basis for processing your personal data, we will balance the legitimate interest pursued by us and any relevant third party with your interest and fundamental rights and freedoms in relation to the protection of your personal data to ensure it is appropriate for us to rely on legitimate interests and to identify any additional steps we need to take to achieve the right balance.

## 6 Who we share your data with

- **Regulators, authorities, and other third parties.** As necessary for the processing purposes described above, personal information may be transferred to regulators (e.g., Belgian regulator FSMA), courts, and other authorities (e.g., tax and law enforcement authorities), independent external advisors (e.g., auditors), insurance providers, internal compliance and investigation teams (including external advisers appointed to conduct internal investigations).
- **Data processors.** As necessary for the Processing Purposes described above, personal data may be shared with one or more third parties, whether affiliated or unaffiliated, to process Personal information under appropriate instructions ("Data Processors"). The Data Processors may carry out instructions related to, training, compliance, and other activities, and will be subject to contractual obligations to implement appropriate technical and organizational security measures to safeguard personal information, and to process personal information only as instructed.
- To enable adequate administration of the Lloyd's Market. The personal data are shared with the third-party service provider Envision in the UK, who assist us in assembling the necessary documentation for the files.

## 7 How long we keep your data

We will retain your personal information no longer than necessary to fulfil the relevant purposes set out in this Privacy Notice. The retention period will primarily be determined by relevant legal and regulatory obligations and/or duration of our business relationship with you. We shall keep the files related to the PCPs and RDs at the disposal of the FSMA for 5 years and will guarantee the confidentiality of this information. For the remainder of the documentation supporting your role as PCP or RD, the data retention period will be 7 years, and it will start on the date of termination of the PCP or RD mandate. We maintain and regularly update our Data Retention Policy with a detailed Data retention schedule. We will securely delete or erase your personal information if

there is no valid business reason for retaining your data. If you need more information, we remind you that you have the right to be informed which can be exercised at [lloydseurope.dataprotection@lloyds.com](mailto:lloydseurope.dataprotection@lloyds.com).

## 8 International transfers

From time to time, we may need to share your personal information from LIC UK Branch with Lloyd's Europe in the EEA and at the same time we may need to share your personal information from Lloyd's Europe in the EEA to LIC UK Branch based in the UK. We may also allow our service providers, located in the UK or in the EEA, access to your personal information such as our training administrator in the UK and/or the Belgian conduct regulator FSMA (if requested).

We will always take steps to ensure that any international transfer of information is carefully managed to protect your rights and interests:

- We will only transfer your personal information to countries which are recognized as providing An adequate level of legal protection or where we can be satisfied with alternative arrangements are in place to protect your privacy rights.
- Transfers to service providers and other third parties will always be protected by contractual commitments and where appropriate further assurances.
- Any requests for information we receive from law enforcement or regulators will be carefully checked before personal information is disclosed.

If you need more information, we remind you that you have the right to be informed which can be exercised at [lloydseurope.dataprotection@lloyds.com](mailto:lloydseurope.dataprotection@lloyds.com)

## 9 Your rights

You have certain rights as an individual which you can exercise in relation to the information we hold about you. If you make a request to exercise any of your rights, we reserve the right to ask you for proof of your identity. We aim to acknowledge your request as soon as possible. You have the following rights:

### **9.1 The right to access**

You are entitled to confirmation whether we are processing your data, a copy of your data, and information about purposes of processing, who do we disclose it to, whether we transfer it abroad and how we protect it, how long we keep it for, what rights you have, where we got your data from and how you can make a complaint.

### **9.2 The right to rectification**

If you believe the personal information, we hold about you is inaccurate or incomplete you can request for it to be rectified.

### **9.3 The right to erasure**

You have the right to obtain erasure of your personal data without undue delay when the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; you withdraw your consent on which the processing is based and there is no other legal ground for the processing; you object to the processing pursuant and there are no overriding legitimate grounds for the processing, or you object to the processing for direct marketing

purposes; your personal data has been unlawfully processed; your personal data has to be erased to comply with a legal obligation in Union or Member State law to which the controller is subject

#### **9.4 The right to restriction of processing**

You can ask us to restrict (i.e., keep but not use) your personal data, but only where:

- Its accuracy is contested, to allow us to verify its accuracy; or
- The processing is unlawful, but you do not want it erased; or
- It is no longer needed for the purposes for which it was collected, but we still need it to establish, exercise, or defend legal claims; or
- You have exercised the right to object, and verification of overriding grounds is pending.

We can continue to use your personal data following a request for restriction, where we have your consent; to establish, exercise or defend legal claims; or to protect the rights of another natural or legal person.

#### **9.5 The right to data portability**

If we collected your information under a contract or your consent, you could request us to transfer your personal information to another third party or to you of your choice.

#### **9.6 The right to object**

You have the right to object to processing of your personal data which is based on legitimate interest. We shall no longer process the personal data unless there are compelling legitimate grounds for the processing which override your interests, rights, and freedoms or which relate to the establishment, exercise, or defence of legal claims. You also have the right to object against processing of your personal data for direct marketing purposes.

#### **9.7 The right to withdraw consent**

If we process your personal information with your consent, you may withdraw it at any time.

Your right to revoke your consent is only applicable when the processing of your data is based on consent. When the processing is based on it being necessary to perform a contract or to meet a legal requirement this right of withdrawal does not apply.

The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal. If you make a request to exercise any of your rights by sending an email to, [LloydsEurope.DataProtection@lloyds.com](mailto:LloydsEurope.DataProtection@lloyds.com), we may ask you for proof of your identity. We aim to acknowledge your request as soon as possible and usually we will be able to address your query within one (1) month of your request. If we cannot answer to your request within one (1) month, in any case we will acknowledge receipt of your request within one (1) month.

### **10. Contact details of the Data Protection Officer**

If you have any questions relating to data protection that you believe we will be able to answer, please contact our Data Protection Officer:

#### **Data Protection Officer**

Lloyds Insurance Corporation S.A.  
Bastion Tower  
Place du Champ de Mars 5  
1050 Bruxelles  
Belgium

Email: [LloydsEurope.DataProtection@lloyds.com](mailto:LloydsEurope.DataProtection@lloyds.com)

## 11. Making a complaint to the relevant data protection Authority

If you are dissatisfied with how we process your personal data, you can make a complaint to a supervisory authority. The supervisory authority that supervises Lloyd's Europe is the Belgian Data Protection Authority (Autorité de protection des données/Gegevensbeschermingsautoriteit). Details of how to submit a complaint to it are on its website <https://www.dataprotectionauthority.be/>.

If you live in a European Economic Area (EEA) member state, you may complain to the supervisory authority in that country. You can find the contact details of your national supervisory authority on this website <https://edpb.europa.eu/aboutedpb/> board/members\_en.

If you live in the United Kingdom, you may send your complaint to the Information Commissioner's Office (ICO). You can find the contact details of the supervisory authority on this website [Home | ICO](#).

For the Principality of Monaco, you may complain to the Commission of Control of Nominate Information (la Commission de Contrôle des Informations Nominaives). You can find the contact details of the supervisory authority on this website <https://www.ccin.mc/en/>.

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