

## GUY CARPENTER PROTECTION OF PERSONAL INFORMATION FOR SOUTH AFRICAN RESIDENTS

Last updated 19 May 2021

### INTRODUCTION

Guy Carpenter (which includes each of the Guy Carpenter entities listed at Appendix 2) (**Guy Carpenter** or **we**) strives to protect the privacy and the confidentiality of Personal Data that the company processes in connection with the services it provides to clients and individuals' use of the Guy Carpenter website. Guy Carpenter's services consist primarily of risk consulting and reinsurance broking, which enable the consideration of, access to, administration of, and making of claims on reinsurance.

To arrange reinsurance cover and handle reinsurance claims, Guy Carpenter and other participants in the insurance and reinsurance industry are required to use and share Personal Information and Special Personal Information (referred to as "Personal Data" throughout this document). This notice sets out how Guy Carpenter collects, use, share and protect your Personal and Special Information, as required by the Protection of Personal Information Act 4 of 2013 ("POPIA").

During the reinsurance lifecycle Guy Carpenter will receive Personal Data relating to representatives of its insurer clients and other insurance market participants, beneficiaries or cedents under a policy, their family members, claimants and other parties involved in a claim. This notice sets out Guy Carpenter's use of this Personal and Special Personal Information and the disclosures it makes to other reinsurance market participants and other third parties.

### IDENTITY OF RESPONSIBLE PARTY AND CONTACT DETAILS

Guy Carpenter & Company LLC of 1166 Avenue of the Americas, New York, NY 10036 is the responsible party in respect of the Personal Data we receive in connection with your use of the Guy Carpenter website. Where your Personal Data is processed in connection with the services provided by Guy Carpenter under an engagement with a client, the relevant Guy Carpenter entity that has entered into such engagement with the relevant client shall be the responsible party in respect of the Personal Data. The name and contact details of the Guy Carpenter entities that would typically hold data relating to South African entities and individuals are listed at Appendix 2.

### PERSONAL DATA THAT WE PROCESS

We collect and process the following **Personal Data** from individuals and/or juristic persons:

- **Individual / Juristic Person details:** name, address (and proof of address), other contact details (e.g. email and telephone details), gender, sex, pregnancy, marital status, family details, date and place of birth, employer, job title and employment history, relationship to the policyholder, insured, beneficiary or claimant, images;
- **Identification details:** identification numbers issued by government bodies or agencies (e.g. depending on the country you are in, social security or national insurance number, passport number, ID number, tax identification number, driver's licence number);
- **Financial information:** payment card number, bank account number and account details, income and other financial information;
- **Insured risk:** information about the insured risk, which may contain Personal Information and Special Personal Information, but only to the extent relevant to the risk being insured;
- **Health data:** current or former physical or mental medical information, health status, injury or disability information, medical procedures performed, relevant personal habits (e.g. smoking or consumption of alcohol), prescription information, medical history;
- **Criminal records data:** criminal convictions, including driving offences;
- **Other special categories of Personal Information:** racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, data concerning an individual's sex life or sexual orientation;
- **Policy information:** information about the quotes individuals receive and the policies they obtain;
- **Credit and anti-fraud data:** credit history and credit score, information about fraud convictions, allegations of crimes and sanctions details received from various anti-fraud and sanctions databases, regulators or law enforcement agencies;
- **Previous claims:** information about previous claims, which may include health data, criminal records data and other special categories of Personal Information and Special Personal Information (as described in the Insured Risk definition above);
- **Current claims:** information about current claims, which may include health data, criminal records data and other special categories of Personal Information and Special Personal Information (as described in the Insured Risk definition above);
- **Marketing data:** whether or not the individual has consented to receive marketing from us and/or from third parties and/or their marketing preferences; and
- **Website and communication usage:** details of your visits to our websites and information collected through cookies and other tracking technologies, including, but not limited to, your IP address and domain name, your browser version and operating system, traffic data, location data, web logs and other communication data, and the resources that you access.

Where we collect such information directly from individuals and/or juristic persons, we will inform them of whether the information is required and the consequences of not providing it on the relevant form.

## SOURCES OF PERSONAL DATA

We collect and receive Personal Data from various sources, including (depending on the services we are providing and the country you are in) but not limited to:

- Individuals and/or juristic persons and their family members, online, face to face, or by telephone, or in written correspondence;
- Individuals' and/or juristic persons' employers or trade or professional associations of which they are a member;
- In the event of a claim, third parties including the other party to the claim (claimant/defendant), witnesses, experts (including medical experts), loss adjusters, lawyers and claims handlers;
- Other insurance market participants, such as insurers, reinsurers and other intermediaries;
- Credit reference agencies;
- Anti-fraud databases and other third party databases, including sanctions lists;
- Government agencies, such as vehicle registration authorities and tax authorities;
- Claim forms;
- Open electoral registers and other publicly available information;
- Business information and research tools;
- Selected third parties who provide us with details of potential customers;
- Third parties who introduce business to us; and
- Forms on our website and your interactions with our website (please also see the Cookie Notices on our website).

## HOW WE USE AND DISCLOSE YOUR PERSONAL DATA

In this section, we set out the purposes for which we use Personal Data, and explain how we share the information.

Please note that in addition to the disclosures we have identified in the table below, we will disclose Personal Data for the purposes we explain in this notice to service providers, contractors, advisers, agents and Marsh & McLennan Companies, Inc. ("MMC") group companies that perform activities on our behalf.

| <i>Purpose of Processing</i>  | <i>Disclosures</i>   |
|---|--|
| <b>Quotation/ Inception</b>   |  |
| Establishing a client relationship with an insurer, including fraud, anti-money laundering and sanctions checks | <ul style="list-style-type: none"> <li>• Anti-fraud databases</li> </ul>   |
| Checking credit where we are taking any credit risk   | <ul style="list-style-type: none"> <li>• Credit reference agencies</li> </ul>  |
| Evaluating the risks to be covered and matching to appropriate reinsurer, policy and premium                    | <ul style="list-style-type: none"> <li>• Reinsurers</li> <li>• Reinsurance intermediaries such as brokers and aggregators</li> <li>• Reinsurance broking platform providers</li> </ul> |

|  |  |
|--|--|
| <b>Policy Administration</b>   |  |
| General client care, including communicating with clients  | <ul style="list-style-type: none"> <li>• Reinsurers</li> </ul>   |
| Collection or refunding of premiums, paying on claims, and processing and facilitating other payments          | <ul style="list-style-type: none"> <li>• Reinsurers</li> <li>• Banks</li> <li>• Debt recovery providers</li> </ul>   |
| <b>Claims processing</b>   |  |
| Managing reinsurance claims  | <ul style="list-style-type: none"> <li>• Reinsurers</li> <li>• Claims handlers</li> <li>• Lawyers</li> <li>• Loss adjustors</li> <li>• Experts</li> <li>• Third parties involved in handling or otherwise addressing the claim, such as health care professionals</li> </ul>                               |
| Defending or prosecuting legal claims  | <ul style="list-style-type: none"> <li>• Reinsurers</li> <li>• Claims handlers</li> <li>• Lawyers</li> <li>• Loss adjustors</li> <li>• Experts</li> <li>• Third parties involved in handling or otherwise addressing the claim, such as health care professionals</li> </ul>                               |
| Investigating & prosecuting fraud or possible criminal offences  | <ul style="list-style-type: none"> <li>• Reinsurers</li> <li>• Lawyers</li> <li>• Law Enforcement Authorities</li> <li>• Experts</li> <li>• Other insurers</li> <li>• Anti-fraud databases</li> <li>• Third parties involved in the investigation or prosecution, such as private investigators</li> </ul> |
| <b>Renewals</b>  |  |
| Contacting individual representatives at our clients in order to arrange the renewal of the reinsurance policy | <ul style="list-style-type: none"> <li>• Reinsurers</li> <li>• Reinsurance intermediaries such as brokers and aggregators</li> </ul>   |

| Throughout the insurance lifecycle  |  |
|---|--|
| Marketing analytics, sending marketing materials and communications including data de-identification and/or aggregation | <ul style="list-style-type: none"> <li>• Insurers</li> <li>• Group companies</li> </ul>  |
| Transferring books of business, company sales and reorganisations   | <ul style="list-style-type: none"> <li>• Group companies</li> <li>• Courts</li> <li>• Purchaser (potential and actual)</li> </ul>  |
| General risk modelling  | <ul style="list-style-type: none"> <li>• Insurers</li> <li>• Group companies</li> <li>• Clients and prospects</li> </ul>   |
| Analytics including the de-identification of personal data for the purposes of analytics                                | <ul style="list-style-type: none"> <li>• Insurers</li> <li>• Group companies</li> <li>• Clients and prospects</li> </ul>   |
| Complying with our legal or regulatory obligations  | <ul style="list-style-type: none"> <li>• Insurance, data protection and other regulators</li> <li>• Law Enforcement Authorities</li> <li>• Reinsurers</li> <li>• Auditors</li> </ul>                                   |
| Website activities  |  |
| To communicate with you regarding any queries you raise via the website   | <ul style="list-style-type: none"> <li>• Third parties undertaking online monitoring</li> <li>• Anti-fraud databases</li> <li>• Third parties undertaking online monitoring</li> <li>• Anti-fraud databases</li> </ul> |
| To monitor your interaction with the website to ensure service quality, compliance with procedures and to combat fraud  |  |
| To ensure the website content is relevant and presented in the most effective manner for you and your device            |  |

## SHARING OF PERSONAL DATA AND CONSENT

In order for us to provide our services to you, we may disclose your Personal Data to insurers, reinsurers, intermediaries, industry bodies, credit agencies and service providers. We will disclose this information if we are required to do so by legislation or any legal process, to protect and defend our rights and property, including intellectual property and when you have given us permission to do so.

The affected individual's consent to this processing of Special Categories of Personal Data and Criminal Records Data may be necessary for Guy Carpenter to be able to provide the services an insurer client requests. Where you are providing us with information about a person other than yourself, you agree to notify them of our use of their Personal Data and to obtain such consent for us.

Individuals may withdraw their consent to such processing at any time by contacting the Guy Carpenter Information Officer using the contact details at the Questions, Requests or Complaints section below. However, doing so may prevent Guy Carpenter from continuing to provide the services to the relevant insurer client. In addition, if an individual withdraws consent to an Insurer's or Reinsurer's processing of their Special Categories of Personal Data and Criminal Records Data, it may not be possible for the insurance and reinsurance cover to continue.

## AUTOMATED DECISION MAKING

Guy Carpenter and other reinsurance market participants analyse and compile information received from insureds, beneficiaries or claimants to model the propensities for insured events to occur. Guy Carpenter uses this to help calculate reinsurance premiums, which feed into the cost of insurance premiums across the insurance market. It also uses the output of this exercise to assist in its risk consultancy activities. Accordingly, Guy Carpenter may use Personal Data to both match against the information in existing models and to create new models to assist in determining the premium pricing in general and for other insureds. Guy Carpenter and other reinsurance market participants may use Special Categories of Personal Data and Criminal Records Data for such modelling to the extent it is relevant, such as medical history for "life and injury" lines.

Guy Carpenter and other reinsurance market participants use similar predictive techniques to assess information that clients and individuals provide to understand fraud patterns and the probability of future losses actually occurring in claims scenarios.

We use these models only for the purposes listed in this Privacy Notice, and, in most cases, our staff make decisions based on the models.

## SAFEGUARDS

We have in place physical, electronic, and procedural safeguards appropriate to the sensitivity of the information we maintain. These safeguards will vary depending on the sensitivity, format, location, amount, distribution and storage of the Personal Data, and include measures designed to keep Personal Data protected from unauthorized access. If appropriate, the safeguards include the encryption of communications via Secure Sockets Layer ("SSL"), encryption of information during storage, firewalls, access controls, separation of duties, and similar security protocols. We restrict access to Personal Data to personnel and third parties that require access to such information for legitimate, relevant business purposes.

## LIMITING COLLECTION AND RETENTION OF PERSONAL INFORMATION

We collect, use, disclose and otherwise process Personal Data that is necessary for the purposes identified in this Privacy Notice or as permitted by law. If we require Personal Data for a purpose inconsistent with the purposes we identified in this Privacy Notice, we will notify clients of the new purpose and, where required, ask juristic entities' consent and/or that they obtain individuals' consent to process Personal Data for the new purposes.

Our retention periods for Personal Data are based on business needs and legal requirements. We retain Personal Data for as long as is necessary for the processing purpose(s) for which the information was collected, and any other permissible, related purpose. For example, we retain certain transaction details and correspondence until the time limit for claims arising from the transaction has expired, or to comply with regulatory requirements regarding the retention of such data. When Personal Data is no longer needed, we either irreversibly anonymise the data (in which case we may further retain and use the anonymised information) or securely destroy the data.

## CROSS-BORDER TRANSFER OF PERSONAL INFORMATION

Guy Carpenter transfers Personal Data to, or permits access to Personal Data from countries outside the Republic of South Africa. These countries' data protection laws do not always offer the same level of protection for Personal Data as offered in the Republic of South Africa. We will, in all circumstances, safeguard Personal Data as set out in this Privacy Notice.

If we transfer Personal Data to other countries outside the Republic of South Africa, we will establish legal grounds justifying such transfer, such as Binding Corporate Rules, model contractual clauses, individuals' consent, or other legal grounds permitted by applicable legal requirements.

Individuals and/or juristic persons can request additional information about the specific safeguards applied to the export of their Personal Data.

## ACCURACY, ACCOUNTABILITY, OPENNESS AND YOUR RIGHTS

We strive to maintain Personal Data that is accurate, complete and current. Individuals and/or juristic persons should contact us at [GC.POPIA.Response@GuyCarp.com](mailto:GC.POPIA.Response@GuyCarp.com) to update their information.

Questions regarding Guy Carpenter's privacy practices should be directed to our Information Officer using the contact details at the Questions, Requests or Complaints section

below. Under certain conditions, individuals and/or juristic persons have the right to request Guy Carpenter to:

- provide further details on how we use and process their Personal Data;
- provide a copy of the Personal Data we maintain about the individual;
- update any inaccuracies in the Personal Data we hold;
- delete Personal Data that we no longer have a legal ground to process; and
- restrict how we process the Personal Data while we consider the individual's inquiry.

In addition, under certain conditions, individuals and/or juristic entities have the right to:

- where processing is based on consent, withdraw the consent;
- object to any processing of Personal Data that Guy Carpenter justifies on the "legitimate interests" legal grounds, unless our reasons for undertaking that processing outweigh any prejudice to the individual's and/or juristic person's privacy rights; and
- object to direct marketing (including any profiling for such purposes) at any time.

If we are unable to resolve an enquiry or a complaint, individuals have the right to contact the Information Regulator of South Africa.

The Information Regulator of South Africa can be contacted by email at [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za) / [complaints@IR@justice.gov.za](mailto:complaints@IR@justice.gov.za)

## QUESTIONS, REQUESTS OR COMPLAINTS

To submit questions or requests regarding this Privacy Notice or Guy Carpenter's privacy practices, please write to the Information Officer at the following address:

Attn: Information Officer  
Guy Carpenter & Company (Pty) Limited  
Corner 5th Street and Fredman Drive Entrance 1, Building 1, Alice Lane, Sandton 2196

Email: [GC.POPIA.Response@GuyCarp.com](mailto:GC.POPIA.Response@GuyCarp.com)

If we are unable to resolve an enquiry or a complaint, individuals have the right to contact the Information Regulator of South Africa.

## LINKS TO THIRD PARTY WEBSITES

Our website may contain links to other third party websites. If you follow a link to any of those third party websites, please note that they have their own privacy policies and that we do not accept any responsibility or liability for their policies or processing of your personal information. Please check these policies before you submit any personal information to such third party websites.

## CHANGES TO THIS PRIVACY NOTICE

This Privacy Notice is subject to change at any time. It was last changed on 19 May 2021. If we make changes to this Privacy Notice, we will update the date it was last changed and publish the revised Privacy Notice on our website.

**Appendix 2****List of Guy Carpenter entities**

| <b>Guy Carpenter entity name</b>                 | <b>Region</b>            | <b>Registered address</b>   |
|--|--------------------------|---|
| <b>Guy Carpenter &amp; Company (Pty) Limited</b> | South Africa             | Corner 5th Str & Fredman Drive, Entrance 1, Building 1<br>Alice Lane, Sandton, 2196<br>South Africa |
| <b>Guy Carpenter &amp; Company Ltd</b>           | United Kingdom           | 1 Tower Place West, Tower Place, London EC3R 5BU<br>United Kingdom                                  |
| <b>Guy Carpenter &amp; Company LLC</b>           | United States of America | 1166 Avenue of the Americas, New York, NY 10036, USA  |