

GUY CARPENTER FAIR PROCESSING NOTICE FOR EEA RESIDENTS

Last updated October 29, 2019

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 Data.

During the reinsurance lifecycle Guy Carpenter will receive Personal Data relating to representatives of its insurer clients and other insurance market participants, beneficiaries under a policy, claimants and other parties involved in a claim. Therefore references to "individuals" in this notice include any living person from the preceding list, whose Personal Data Guy Carpenter receives in connection with the services it provides under its engagements with its clients. This notice sets out Guy Carpenter's uses of this personal data and the disclosures it makes to other insurance market participants and other third parties.

United Kingdom residents: For an overview of how and why the insurance and reinsurance industry in the United Kingdom is required to use and share Personal Data, please see the Insurance Market Core Uses Information Notice which you can find on the website of the London Market Group at <https://www.londonmarketgroup.co.uk/gdpr> ("the **London Market Notice**"). Guy Carpenter's use of Personal Data in the United Kingdom is consistent with the London Market Notice.

IDENTITY OF CONTROLLER AND CONTACT DETAILS

Guy Carpenter & Company LLC of 1166 Avenue of the Americas, New York, NY 10036 is the controller 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 controller in respect of the Personal Data. The name and contact details of the Guy Carpenter entities are listed at Appendix 2.

PERSONAL INFORMATION THAT WE PROCESS

We collect and process the following **Personal Data**:

Individual details ► name, address (and proof of address), other contact details (e.g., email and telephone details), gender, date and place of birth, employer, job title and employment history, relationship to the policyholder, insured, beneficiary or claimant.

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 license 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 contains Personal Data and may include, only to the extent relevant to the risk being insured:

- **Health data** ► current or former physical or mental medical conditions, 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; and

- **Other Special Categories of Personal Data** ► in very limited circumstances, 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 insurance policy that individuals have obtained and that are subject to the proposed or actual reinsurance.

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, or 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 Data (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 Data (as described in the Insured Risk definition above).

Marketing data ► whether or not the individual has consented to receive marketing from us and from third parties.

Website and communication usage ► details of your visits to our website and information collected through cookies and other tracking technologies, including, but not limited to, your IP address and domain name, your browser 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, 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):

- In the event of a claim, third parties including the other party to the claim (claimant/ defendant), witnesses, experts (including medical experts), loss adjustors, lawyers and claims handlers.
- Other insurance market participants, such as insurers, reinsurers and other intermediaries.
- Credit reference agencies (to the extent Guy Carpenter is taking any credit risk).
- 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.
- Third parties who introduce business to us.
- 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, explain how we share the information, and identify the “legal grounds” on which we rely to process the information.

These “legal grounds” are set out in the General Data Protection Regulation (the **GDPR**), which allows companies to process Personal Data only when the processing is permitted by the specific “legal grounds” set out in the GDPR (the full description of each of the grounds can be found at Appendix 1). In some countries, our use of certain Special Categories of Personal Data and Criminal Records Data may be subject to additional restrictions, meaning that the grounds stated below may not always all be applicable or that we do not process that category of Personal Data in that country.

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.

Purpose of Processing	Legal grounds	Disclosures
Quotation/ Inception		
Establishing a client relationship with an insurer, including fraud, anti-money laundering and sanctions checks	<ul style="list-style-type: none"> • Compliance with a legal obligation • Legitimate interests of Guy Carpenter (to ensure that the client is within our acceptable risk profile and to assist with the prevention of crime and fraud) <p>For processing Special Categories of Personal Data (e.g. health information) and Criminal Records Data:</p> <ul style="list-style-type: none"> • Consent • Substantial public interest (insurance purposes) 	<ul style="list-style-type: none"> • Anti-fraud databases

Purpose of Processing	Legal grounds	Disclosures
Checking credit where we are taking any credit risk	<ul style="list-style-type: none"> • Legitimate interests of Guy Carpenter (to ensure that the client is within our acceptable risk profile and to assist with the prevention of crime and fraud) 	<ul style="list-style-type: none"> • Credit reference agencies
Evaluating the risks to be covered and matching to appropriate reinsurer, policy and premium	<ul style="list-style-type: none"> • Legitimate interests of Guy Carpenter (to determine the likely risk profile and appropriate insurer and insurance product) <p>For processing Special Categories of Personal Data (e.g. health information) and Criminal Records Data:</p> <ul style="list-style-type: none"> • Consent • Substantial public interest (insurance purposes) 	<ul style="list-style-type: none"> • Reinsurers • Reinsurance intermediaries such as brokers and aggregators • Reinsurance broking platform providers
Policy Administration		
General client care, including communicating with clients	<ul style="list-style-type: none"> • Legitimate interests of Guy Carpenter (to correspond with clients, beneficiaries and claimants in order to facilitate the placing of and claims under reinsurance policies) <p>For processing Special Categories of Personal Data (e.g. health information) and Criminal Records Data:</p> <ul style="list-style-type: none"> • Consent • Substantial public interest (insurance purposes) 	<ul style="list-style-type: none"> • Reinsurers
Collection or refunding of premiums, paying on claims, and processing and facilitating other payments	<ul style="list-style-type: none"> • Legitimate interests of Guy Carpenter (to perform our contract with our insurance clients, in the case of paying on claims) • Legitimate interests of Guy Carpenter (to recover debts due to us) 	<ul style="list-style-type: none"> • Reinsurers • Banks • Debt recovery providers
Claims processing		
Managing reinsurance claims	<ul style="list-style-type: none"> • Legitimate interests of Guy Carpenter (to assist our clients in assessing and making claims) <p>For processing Special Categories of Personal Data (e.g. health information) and Criminal Records Data:</p> <ul style="list-style-type: none"> • Consent • Substantial public interest (insurance purposes) 	<ul style="list-style-type: none"> • Reinsurers • Claims handlers • Lawyers • Loss adjustors • Experts • Third parties involved in handling or otherwise addressing the claim, such as health care professionals
Defending or prosecuting legal claims	<ul style="list-style-type: none"> • Legitimate interests of Guy Carpenter (to assist our client in assessing and making claims) <p>For processing Special Categories of Personal Data (e.g. health information) and Criminal Records Data:</p> <ul style="list-style-type: none"> • To establish, defend or prosecute legal claims 	<ul style="list-style-type: none"> • Reinsurers • Claims handlers • Lawyers • Loss adjustors • Experts • Third parties involved in handling or otherwise addressing the claim, such as health care professionals
Investigating & prosecuting fraud	<ul style="list-style-type: none"> • Legitimate interests of Guy Carpenter (to assist with the prevention and detection of fraud) <p>For processing Special Categories of Personal Data (e.g. health information) and Criminal Records Data:</p>	<ul style="list-style-type: none"> • Reinsurers • Lawyers

Purpose of Processing	Legal grounds	Disclosures
	<ul style="list-style-type: none"> To establish, defend or prosecute legal claims Consent Substantial public interest (insurance purposes) 	<ul style="list-style-type: none"> Law Enforcement Authorities Experts Other insurers Anti-fraud databases Third parties involved in the investigation or prosecution, such as private investigators
Renewals		
Contacting individual representatives at our clients in order to arrange the renewal of the reinsurance policy	<ul style="list-style-type: none"> Legitimate interests of Guy Carpenter (to correspond with clients to facilitate the continuation of reinsurance cover) 	<ul style="list-style-type: none"> Reinsurers Reinsurance intermediaries such as brokers and aggregators
Throughout the insurance lifecycle		
Marketing and direct marketing, including data de-identification	<ul style="list-style-type: none"> Legitimate interests of Guy Carpenter (to bring clients relevant offers) Consent 	<ul style="list-style-type: none"> Insurers Group companies
Transferring books of business, company sales and reorganisations	<ul style="list-style-type: none"> Legitimate interests of Guy Carpenter (to structure our business appropriately) <p>For processing Special Categories of Personal Data (e.g. health information) and Criminal Records Data:</p> <ul style="list-style-type: none"> Consent Substantial public interests (insurance purposes) 	<ul style="list-style-type: none"> Group companies Courts Purchaser (potential and actual)
General risk modelling	<ul style="list-style-type: none"> Legitimate interests of Guy Carpenter (to build risk models that allow placing of risk with appropriate reinsurers) <p>For processing Special Categories of Personal Data (e.g. health information) and Criminal Records Data:</p> <ul style="list-style-type: none"> Consent Substantial public interests (insurance purposes) 	<ul style="list-style-type: none"> Insurers Group companies Clients and prospects
Analytics including the de-identification of personal data for the purposes of analytics	<ul style="list-style-type: none"> Legitimate interests of Guy Carpenter (to improve the way we run our business and to enhance our risk models) <p>For processing Special Categories of Personal Data (e.g. health information) and Criminal Records Data:</p> <ul style="list-style-type: none"> Consent Substantial public interests (insurance purposes) 	<ul style="list-style-type: none"> Insurers Group companies Clients and prospects
Complying with our legal or regulatory obligations	<ul style="list-style-type: none"> Compliance with a legal obligation Legitimate interests of Guy Carpenter (to take pre-emptive steps to ensure legal and regulatory compliance) <p>For processing Special Categories of Personal Data (e.g. health information) and Criminal Records Data:</p> <ul style="list-style-type: none"> To establish, defend or prosecute legal claims Consent 	<ul style="list-style-type: none"> Insurance, data protection and other regulators Law Enforcement Authorities Reinsurers Auditors
Website activities		
To communicate with you regarding any queries you raise via the website	<ul style="list-style-type: none"> Legitimate interests of Guy Carpenter (to correspond with website users) 	

<p>To monitor your interaction with the website to ensure service quality, compliance with procedures and to combat fraud</p>	<ul style="list-style-type: none"> • Compliance with a legal obligation • Legitimate interests of Guy Carpenter (to ensure the quality and legality of our online services) <p><i>For processing Special Categories of Personal Data and Criminal Records Data:</i></p> <ul style="list-style-type: none"> • Substantial public interests (insurance purposes) 	<ul style="list-style-type: none"> • Third parties undertaking online monitoring • Anti-fraud databases
<p>To ensure the website content is relevant and presented in the most effective manner for you and your device</p>	<ul style="list-style-type: none"> • Legitimate interests of Guy Carpenter (to provide clients and other website users with content and services on the website) 	

CONSENT

In order to facilitate the provision of insurance and reinsurance cover and to administer reinsurance claims, unless another legal ground applies, we rely on the data subject's consent to process Special Categories of Personal Data and Criminal Records Data, such as medical and criminal convictions records, as set out in the table above and for profiling as set out in the next section. This consent allows us to share the information with other Insurers, Intermediaries and Reinsurers that need to process the information in order to undertake their role in the reinsurance market (which in turn allows for the pooling and pricing of risk in a sustainable manner).

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 Data Protection 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.

PROFILING

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 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 European Economic Area (EEA). These countries' data protection laws do not always offer the same level of protection for Personal Data as offered in the EEA. We will, in all circumstances, safeguard Personal Data as set out in this Privacy Notice.

Certain countries outside the EEA have been approved by the European Commission as providing essentially equivalent protections as EEA data protection laws. EU data protection laws allow Guy Carpenter to freely transfer Personal Data to such countries.

If we transfer Personal Data to other countries outside the EEA, we will establish legal grounds justifying such transfer, such as MMC Binding Corporate Rules (which can be found at www.mmc.com/privacy), model contractual clauses, individuals' consent, or other legal grounds permitted by applicable legal requirements.

Individuals 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 should contact us at GC.GDPR.response@guycarp.com to update their information.

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

Under certain conditions, individuals 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 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 privacy rights; and
- object to direct marketing (including any profiling for such purposes) at any time.

These rights are subject to certain exemptions to safeguard the public interest (e.g., the prevention or detection of crime) and our interests (e.g., the maintenance of legal privilege). We will respond to most requests within 30 days.

If we are unable to resolve an inquiry or a complaint, individuals have the right to contact the data protection regulator where they are based. Details of the data protection regulators in the countries in which we are located are set out in Appendix 2.

QUESTIONS, REQUESTS OR COMPLAINTS

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

Guy Carpenter Privacy Team
Tower Place West
Tower Place
London EC3R 5BU
United Kingdom

Email: GC.GDPR.response@guycarp.com

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 October 29, 2019. 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 1

List of the legal grounds we rely on:

For processing personal data and special categories of personal data	
Legal ground	Details
Performance of our contract with you	Processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract.
Compliance with a legal obligation	Processing is necessary for compliance with a legal obligation to which we are subject.
For our legitimate business interests	Processing is necessary for the purposes of the legitimate interests pursued by us or by a third party, except where such interests are overridden by your interests or fundamental rights and freedoms which require protection of personal data, in particular where you are a child. These legitimate interests are set out next to each purpose.
For processing special categories of personal data	
You explicit consent	You have given your explicit consent to the processing of those personal data for one or more specified purposes. You are free to withdraw your consent, by contacting our Data Protection Contact. However withdrawal of this consent may impact our ability to provide the services. For more detail see the Consent section above.
For legal claims	Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.
Substantial public interest	Processing is necessary for reasons of substantial public interest, on the basis of EU or UK law.

Appendix 2

List of Guy Carpenter entities

Guy Carpenter entity name	Region	Registered address	Data protection regulator
Guy Carpenter & Company Ltd	United Kingdom	1 Tower Place West, Tower Place, London EC3R 5BU United Kingdom	Information Commissioner's Office
Guy Carpenter & Company SA	Belgium plus a branch in the Netherlands	Avenue Hermann-Debroux 2, 1160 Brussels, Belgium Dutch branch: Conradstraat 18, 3013 AP Rotterdam, Netherlands	Commission de la protection de la vie privéé Netherlands: Autoriteit Persoonsgegevens
Guy Carpenter & Company GmbH	Germany plus branches in Poland, Switzerland, Czech Republic and the United Kingdom	Muellerstrasse 3 80469 Munich, Germany Poland: Al. Jerozolimskie, Nimbus Building Warsaw, 00-807, Poland Czech Republic: Vinohradská 2828/151, Atrium Flora Prague, 13000, Czech Republic United Kingdom: 1 Tower Place West, Tower Place, London EC3R 5BU, United Kingdom	Germany: Der Bunderbeauftragte für den Datenschutz und die Informationsfreiheit Poland: The Bureau of the Inspector General for the Protection of Personal Data (GIODO) Czech Republic: Office for Personal Data Protection United Kingdom: Information Commissioner's Office
Guy Carpenter & Cia., S.A. (Spain)	Spain	Edificio Puerta de Europa Paseo de la Castellana, No. 216 - Planta 20 E-28046- Madrid, Spain	Agencia Español de Protección de Datos
Guy Carpenter & Company S.A.S	France	Tour Ariane, 5 place de la Pyramide 92088 Paris, France	Commission nationale de l'informatique et des libertés (CNIL)
Guy Carpenter & Company AB	Sweden	Rehmsgatan 11 SE-113 57 Stockholm, Sweden	Datainspektionen
Guy Carpenter & Company S.r.l	Italy	Corso Italia, 8 20122 Milano, Italy	Garante per la protezione dei dati personali
Marsh Insurance Brokers Limited trading as Guy Carpenter & Company	Ireland	25-28 Adelaide Road Dublin 2 (Representative Office), Dublin, Ireland	Data Protection Commissioner