

Annex II

Privacy Statement

Thank you for choosing Nacora (Luxembourg) S.à r.l.

We value you as a customer and we respect your privacy. We will inform you of our policies for collecting, using, securing, and sharing customer information the first time we do business with you and (on your request) every year you are a customer of Nacora (Luxembourg) S.à r.l.

This statement explains what the data we do process, how and why we do process them and what are your rights to your data processing.

1. Who we are?

Nacora is an independent commercial insurance broker specializing in the provision of risk consulting and commercial (marine and non-marine) insurance solutions, products and services. Our parent company is NACORA International Insurance Brokers, headquartered in Schindellegi, Switzerland and we belong to the Kuehne + Nagel Group also headquartered in Schindellegi, Switzerland.

On our contact pages (www.nacora.com/global-contacts/) you can find all the contact and identification details of the different Nacora companies.

In Luxembourg, Nacora is a licensed broker, authorized by the Commissariat aux Assurances to exercise under accreditation No. 2014CM006

2. What personal data do we process?

During the quoting, contractual phase or claim handling process, we may require – depending on the type of business intended to be performed and only if necessary – information from you such as:

- Identity and contact details: name, address, phone number, email address, etc...
- Age, sex, marital status
- Identity document such as passport, driver's license, etc...
- Data on employment, income, employer's details
- Financial situation, assets, debts
- Financial products, bank accounts or insurance
- Health data

Also we may ask for records that include, but are not limited to, policy coverage, premium and payment history. We may also collect information from other sources that may include, but is not limited to, your claims history, your credit information or other financial data. We process this personal data solely for one of the reasons listed under point 3.

3. Why do we process your personal data

- **Because of legal requirements**

Certain personal data are required to sign or renew contracts with you, or to carry financial transaction. The legal provisions that serve basis to process personal data are:

- The anti-money laundering rules in particular the 4th AML Directive and the Amending Law of 13 February 2018
- The law of 6 December 1991 on the insurance industry that requires financial sector companies and their employees to respect the rule of professional discretion with regard to confidential information
- The anti-terrorism measures, in particular the European Regulation (EC) No 2580/2001 that imposes financial sanctions
- Accounting and tax principles

- **Because of the services we are offering to you**

Our services mainly consist of providing advice, recommendation and conclusion of insurance contracts. We will also assist you with any claim you may have under such insurance contracts and will, as necessary, appoint surveyors, lawyers or other affected parties and provide them with your personal data.

- **Because of our legitimate interests**

Processing for this reason includes, among other things:

- Customer management
- Risk management, combating fraud and compliance
- Legal support and defense of our rights
- Quality control and improvement of our services
- Internal audit
- IT support for other purposes (such as use of pseudo-anonymized data for testing programs, searching for the causes of and solutions for IT problems, etc.)
- Network and information security, including access controls
- Studies and statistics
- Analysis and use of the website, apps, etc. with a view to improving our products and services
- Direct marketing to existing customers (commercial mailings, invitations to events and seminars, sending out surveys, etc.)

For this processing, Nacora will always balance its own interests against your rights and reasonable expectations. If you do not agree with one of the above forms of processing, you may lodge an objection as described in point 7.

- **Because of your consent**

Certain personal data are processed because you have provided us with your consent to do so. You can however remove your consent at any time without justification.

4. How do we receive your personal data?

- We received it directly from you, initially or in the course of our collaboration;
- We found said personal data in a public source (e.g. LinkedIn, Journal Officiel, etc.);
- Someone else provided your personal data to Nacora as part of the implementation of an insurance contract, or the management of a claim;
- Indirectly (for example from surfing your website).

In case you shall provide Nacora with someone else's personal data, it is important that this person is informed about it and referred to this privacy statement.

5. How do we share your personal data?

- **Internally**

Your personal data can be transferred to the other entities of the NACORA International Insurance Brokers, only if such transfer is necessary for business purposes (e.g. in the case of co-brokering contracts).

Within Nacora (Luxembourg) S.à r.l., only the employees who need your information for daily handling of your business (insurance or claims related) will have access to your personal data. The data they can access will depend on the reason why they need this access.

Being part of the Kuehne + Nagel Group and sharing our offices with them in Luxembourg does not allow us to share any of your personal data and information with them. We are strictly independent and neutral in our processes with third parties and no personal data else than the ones already collected by Kuehne + Nagel S.à r.l. (Luxembourg branch) and/or any else Kuehne + Nagel entity worldwide with your consent will ever be shared with or by us.

- **Externally**

Nacora may provide your personal data to parties who are involved in implementing a contract or policy. This may be, for example, (potential) insurers, surveyors / experts and consultants, lawyers, etc...

If we share your data with such third party, this is only in the context of implementing a contract or paying for a claim.

Nacora may also provide your personal data to parties who are involved in handling a claim. These may be, for example, the other party (or their insurers), their surveyors /experts and consultants, their lawyers, etc...

In order to provide its services as smoothly as possible, Nacora uses a number of suppliers and subcontractors. In order to perform their tasks correctly, it may be that they are given access to your personal data. By signing a data processor contract with them, Nacora defines some very clear limits about what your personal data may be processed for, and where. In addition, Nacora imposes the necessary security standards.

If Nacora is legally required to do so, it will share your personal data with the public authorities.

Important: Nacora will never sell your personal data.

Nacora endeavors to process your personal data within the European Economic Area as far as possible, unless otherwise required to implement a contract (e.g. contact with a local expert for a claim abroad).

6. How long do we keep your personal data?

We retain your personal data as long as we need such data for implementation, running, or closing of the business. Personal data will need to be retained for longer in some cases than in others. The length of time personal data is retained for must be based on business needs. We aim to delete your personal data from our active systems once the legal period of potential claims and/or complaints are closed or the normal course of business is over.

At the end of the retention period, the personal data will be deleted irretrievably or simply deactivated or archived, while taking all steps to anonymized your personal data.

7. What rights do you have to your data?

- **The right to access your personal data**

We will provide you with a most possible complete list including: copy of your personal data; other supplementary information such as purposes of our processing, categories of personal data concerned, retention period, etc...

- **The right to correct your personal data**

If your personal data appears to be incorrect or incomplete, we will take all reasonable steps to make sure that your data is accurate and to rectify the data if necessary, taking into account the arguments and evidence you will provide to us.

- **The right to erase your personal data**

Your personal data is automatically deleted over the course of time. You will find a more detailed explanation of this in point 6. If you believe that your personal data should not be processed, you can ask Nacora to delete your data sooner. You may note that this right is not absolute and only applies in certain circumstances.

- **The right to object or oppose certain uses of your personal data**

You have the right to not agree of processing of your personal data on the basis of Nacora's legitimate interests. If you raise such an objection, we will end all processing of your personal data for this purpose. We will only continue to process your personal data if we have legitimate reasons (e.g. combating fraud or legal action).

You can also ask Nacora to restrict the processing of your personal data when you have a particular reason for it. This may be because you have issues with the content of the information we hold or how we have processed your data (e.g. accuracy of data are being checked). We will then limit the way we use your personal data.

- **The right to transfer your personal data to another party (data portability)**

Personal data that have been provided to Nacora and data that was obtained with your consent or on the basis of a contract and that are in machine readable format can be transferred to you or someone else.

- **The right to reject decisions taken by automated process**

Nacora may have processes in place where decisions are taken without any human intervention. If such process is necessary for the performance of a contract or authorized by law or based on your explicit consent, we will still give you information about the processing and make sure that such processing is working as intended. You are able to request human intervention in these automated decision-making processes by simply getting in touch with your contact person at Nacora.

- **The right to withdraw your consent**

You can withdraw your consent at any time for the personal data processed by Nacora on the basis of your consent. If you withdraw your consent, Nacora may no longer be able to provide certain services.

- **How to exercise those rights?**

If you wish to exercise one of these rights, it is important for you to:

- formulate your question to Nacora clearly (including which information or activity your request relates to, which type of insurance, your policy number if applicable, etc...);

- identify yourself (we may request more information to confirm your identity)

Depending on the scope and impact of your request, Nacora may ask for additional information.

[Questions or complaints regarding your privacy or the use of your personal data:](#)

The best idea is to send your request to your contact at Nacora or alternatively you can send an email to: claims.luxembourg@nacora.com

For questions or complaints about exercising your rights, you can also address our local Data Protection Officer:

Alexis van Cutsem
Phone: +32 32 12 11 36
E-mail: alexis.vancutsem@kuehne-nagel.com

A complaint can also be registered to the Insurance Ombudsman. You can download an online application form (<https://www.aca.lu/en/insurance-obudsman>) and send it back via email (mediateur@aca.lu) or by post to:

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