

## **PRIVACY NOTICE**

This privacy notice was last updated on September 1, 2021.

The purpose of this privacy notice is to explain how and why personal information is collected and used by Calpe. If you have any questions or would like more information, please contact us using the details provided in section 13 below. Calpe is a wholly owned subsidiary of Transatlantic Reinsurance Company ("TransRe").

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### **1. Introduction**

Calpe Insurance Company Limited (Calpe) is the controller of your personal information.

Calpe does not sell insurance products directly to customers and does not directly handle customers' claims. All of Calpe's insurance products are underwritten and administered on our behalf by trading partners, either managing general agents (MGAs) or other insurance companies on a co-insurance basis (co-insurers). In this privacy notice, we refer to the MGAs and co-insurers as our trading partners.

MGAs and co-insurers as trading partners are also data controllers in their own right responsible for their own handling of your personal information. Our trading partners each have their own privacy notices, which explain how they use your personal information. If you need to identify which of our trading partners is managing your policy and/or processing your personal information, you can ask us by using the contact details in section 13 below.

Calpe is responsible for the proper management of any personal information held by us, both where we collect it directly and where it is provided to us by our trading partners. We have procedures designed to keep your personal information secure and to only use it in accordance with applicable privacy and data protection laws and this privacy notice.

### **2. Personal information we collect and where we collect it from**

So that we can operate our business, provide insurance quotes, issue insurance policies and deal with claims or complaints, we collect and process personal information.

The types of personal information that we collect and process may include:

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<b>Category</b>	<b>Types of Information Collected</b>
Individual details	Name, address, gender, marital status, date of birth, nationality, marketing preferences, bank account details or payment card details, vehicle details, penalty points, employer, job title and family details, including their relationship to you.
Identification details	Identification numbers issued by government bodies or agencies, including your driving license number.
Credit, anti-fraud and sanctions related information	Credit and anti-fraud information such as credit history, credit score, criminal offences, bank account information, information from various relevant anti-fraud databases and information from sanctions lists.
Special categories of personal information	Certain categories of personal information which have additional protection under applicable data protection laws. This is information relating to your health (including physical and mental health conditions), genetic or biometric data, sex life, sexual orientation, racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, as well as information relating to criminal convictions including data about offences, court sentences or unspent criminal convictions.
Claims information	Information about previous and current claims, (including other unrelated insurances), which may include information relating to your health (e.g., injuries and relevant pre-existing conditions), relevant social networks activity, relevant criminal convictions, or other special categories of personal information.
Risk details	Information about you which we need to collect in order to assess the risk to be insured and provide a quote. This may include information relating to your health, relevant criminal convictions, or other special categories of personal information.
Communications with us	Information that you provide or that we collect when you communicate with us.
Surveys	Information that you provide in connection with surveys you participate in.
Conferences, trade shows, and other events	Information that you provide to us or that we collect when we attend conferences, trade shows, and other events.
Business development and strategic partnerships	Information we collect from individuals and third parties to assess and pursue potential business opportunities.
Children's information	Although we do not routinely collect information about children, we may collect personal information about children in some circumstances, for example where a young person under 18 takes out a policy with us or is a named insured on an adult's policy, or where a child is a claimant or beneficiary under a policy.

We obtain personal information from our trading partners who, in turn, obtain personal information from insurance brokers or other business partners, when you purchase a policy through them.

We may also obtain personal information directly from you, including communications between us. Calpe does not currently operate its own website, app or telematics device, but if we were to introduce any of those, or any similar means of communication, we may obtain personal information through those

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means of communication, as well as details from the devices that you use to access those means of communication.

If you are a joint policyholder, named driver or otherwise a beneficiary or claimant under a policy, we and our trading partners and their business partners may also obtain your personal information from the policyholder.

We and our trading partners may also obtain personal information from other third parties, including the following:

- comparison websites or other similar companies where you have used these companies to obtain quotes for motor insurance;
- third parties who provide services relating to your policy such as roadside assistance providers;
- third parties who provide insurance related services, for example loss adjusters, claims handlers, legal advisers, assistance providers, experts and, in limited circumstances, private investigators or fraud investigators;
- third parties also involved in your product or claim, for example other insurers, brokers, claimants, defendants and witnesses to an incident;
- credit reference agencies;
- financial crime, fraud or uninsured detection agencies, databases and sanctions lists, including the Motor Insurers' Bureau (MIB) who are the data controller for the UK Motor Insurance Database (MID), the Claims Underwriting Exchange (CUE), Motor Insurance Anti-Fraud Theft Register, No Claims Discount Database, MyLicence, Whiplash Reforms Programme and Insurance Fraud Bureau (IFB);
- government agencies and regulatory bodies including the police, the courts, the Driver and Vehicle Licensing Agency (DVLA), Driver and Vehicle Agency Northern Ireland (DVA), Driver and Vehicle Standards Agency (DVSA) and Irish National Driver Licence Service (NDLS);
- Regulators who regulate how we operate including the Gibraltar Financial Services Commission (GFSC), Gibraltar Regulatory Authority (GRA), UK Financial Conduct Authority (FCA), UK Information Commissioner's Office (ICO) and the UK Financial Ombudsman Service (FOS); third party business related service providers including actuaries, auditors, legal advisers and other professional advisers and sanctions checking service providers;
- publicly available third-party sources including internet searches, news articles and social media sites; and
- third parties in connection with any acquisition of a business by us.

### **3. How we use your personal information and our legal basis for doing so**

We use your personal information in the following circumstances:

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Basis	Description
Performance of a contract	<p>Calpe processes Personal Data for the purposes of underwriting, evaluating risk, and servicing claims pursuant to contracts with our trading partners where it is necessary to provide you with insurance coverage in accordance with our contract and to take steps at your request prior to entering into a contract. This includes using your personal information for:</p> <ul style="list-style-type: none"> <li>• quotation and inception;</li> <li>• policy issuance and administration;</li> <li>• claims processing and risk modelling and analytics; and</li> <li>• renewals; and</li> <li>• enforcing our agreements and policies.</li> </ul>
Compliance with legal and regulatory obligations	<p>Calpe processes Personal Data where it is necessary to comply with our legal and regulatory obligations (for example, complying with reporting obligations to the GFSC, the GRA, the FCA, or other applicable regulatory authorities for anti-money laundering and other compliance purposes).</p>
Legitimate interests	<ul style="list-style-type: none"> <li>• <b>Interest in Managing Our Business.</b> Calpe processes personal data to improve its products and services, to carry out market research, to perform data analytics, for general risk modelling purposes and for statistical analyses. The processing is necessary to support our legitimate interests in managing our business (or those of a third party) provided such interests are not overridden by your interests and rights.</li> <li>• <b>Disclosing Personal Information with Affiliated Organizations.</b> Calpe processes Personal Data for the purposes of reinsurance and disclosing business, reporting, financial and audit information with its parent TransRe and other affiliated organizations. This processing is necessary to support our legitimate interests in managing our business (or those of our family of affiliated organizations) provided such interests are not overridden by your interests and rights.</li> <li>• <b>Direct Marketing and Advertisement.</b> Calpe processes Personal Data for the purposes of responding to inquiries, conventional direct marketing and other forms of marketing or advertisement to market to and contact customers. It is in our legitimate interest to process your personal information to provide you with relevant information or advice, respond to your inquiries and conduct sales and marketing information.</li> <li>• <b>Physical Security, IT and Network Security.</b> Calpe processes Personal Data for the purposes of physical security, IT and network security. It is in our legitimate interest to process your personal information for appropriate administration, maintenance and security of our systems and information.</li> </ul> <p>Where we rely on legitimate interests as our lawful basis, we are required to carry out a balancing test to ensure that our interests, or those of a third party, do not override the rights and freedoms that you have as an individual. We have considered the purposes for which we use your personal information and the necessity of doing so, as well as the nature of the personal information we use, your reasonable</p>

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Basis	Description
	<p>expectations of us and the likely impact that our use, and non-use, of that information could have.</p> <p>We may generate de-identified and/or aggregated information based on your personal information.</p>
Consent	Where you have consented to us processing your information. You may withdraw your consent to such processing at any time. There may be consequences if you withdraw your consent, as described in section 9 below.
Otherwise permitted by law	Where we are otherwise permitted by applicable law.

We receive and use personal information relating to **criminal convictions and offences** where it is necessary to comply with our legal and regulatory obligations, or where necessary to support our legitimate interests. We will only carry out such processing where it is authorised by applicable law.

We process **special categories of personal information** (for example your health information) where:

- it is necessary for reasons of substantial public interest on the basis of law;
- for insurance purposes where it is permitted under UK law, including advising on, arranging, underwriting or administering an insurance contract, administering a claim under an insurance contract, or exercising a right, or complying with an obligation, arising in connection with an insurance contract, including a right or obligation arising under an enactment or rule of law;
- you have given us or our trading partners your explicit consent (you may withdraw your consent to such processing at any time but there may be consequences if you withdraw your consent, as described in section 9 below);
- the processing is necessary to protect your, or another's, vital interest;
- the processing is necessary for the establishment, exercise or defence of legal claims;
- you have manifestly made your personal information publicly available; or
- it is otherwise permitted by applicable law.

#### 4. Who we share personal information with

So that we can effectively operate our business and comply with legal obligations imposed on us, we may from time to time disclose your personal information to third parties, including without limitation to the following:

- with our trading partners to help us administer our products and services;
- within the TransRe group of companies, of which Calpe is part, and on limited occasions with our ultimate corporate parent controller the Alleghany Corporation, to assist us in the administration of our products and services and for related reinsurance, risk management and reporting purposes;
- with our agents and third parties who provide services to us, including legal, financial, medical and other professional advisors, to help us administer our products and services; and with our technology services providers;
- with your insurance broker or other advisers;
- with regulatory bodies and law enforcement bodies (where we are required to do so to comply with a relevant legal and regulatory obligation), for example the regulators, government agencies and regulatory bodies listed in section 2 above;
- with the insurance ombudsman (where we are required to do so to respond to any complaint made in connection with your insurance);

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- with industry databases for the purposes of preventing fraud and other financial crime, for example the agencies, databases and sanctions lists listed in section 2 above;
- with external third parties if we, in good faith, believe doing so is required or appropriate to: (i) comply with legal process such as a court order or subpoena, (ii) protect your, our, or others' rights, property, or safety, (iii) enforce our policies or contracts, (iv) collect amounts owed to us, or (v) assist with an investigation or prosecution of suspected or actual illegal activity;
- with our reinsurers, who may require your personal information to decide whether to provide us with reinsurance cover, to assess and deal with reinsurance claims and to meet legal obligations. Our reinsurers will keep your personal information for the period necessary for these purposes and may need to disclose it to other companies within their group, their agents and third party service providers, law enforcement and regulatory bodies; and
- with third parties to the extent it is required in connection with a reorganisation, sale, transfer or disposal of our business, or other similar event.

Our uses and disclosures of personal information are consistent with the [London Market Core Uses Information Notice](#), which provides additional information on the relationships between different companies in the insurance distribution and administration chain. We also have technical and organization safeguards that are designed to secure and protect the personal information we collect from or about you.

### 5. Transfers of personal information outside Gibraltar, the UK and/or the EEA

The personal information we collect from or about you may be transferred to, and stored at a destination outside of, Gibraltar, the United Kingdom and/or the European Economic Area (EEA) for purposes described in this privacy notice. The law of those countries may not provide an adequate level of protection in relation to processing your personal information, as determined by the relevant authority in your territory. Your personal information may be disclosed, for example, to members of Calpe's group outside of the EEA, including the United States of America.

We endeavor to ensure that your personal information is safeguarded in accordance with applicable laws. Where necessary, we have put in place the appropriate legal measures which are designed to ensure that an adequate level of data protection is afforded to such personal information:

- **Model Clauses:** standard clauses in our contracts with our group companies and any third parties to ensure that any personal information leaving Gibraltar, the UK and/or the EEA will be transferred consistent with the requirements of applicable data protection laws. Copies of our current Model Clauses are available on request by using the contact details listed in section 13 below.

### 6. How long we hold personal information

We are required to ensure that your personal information is accurate and maintained for a period of time no longer than necessary for the purposes for which we are using it.

Information submitted for a quotation where you did not purchase our product may be retained for a period of up to [10] years from the date of the quotation however we generally do not collect this information as a matter of course. Where you purchase our insurance product or services, information will be held for the duration of your insurance coverage and a period of at least [10] years after the end of our agreement. We keep information for a period of time after our relationship ends in order to comply with applicable laws and regulations and for use in connection with any legal claims or complaints you or another beneficiary might make.

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### 7. Your rights

You may have a right to:

- be informed about how we process your personal information;
- access a copy of your personal information held by us;
- request rectification of your personal information if it is inaccurate or incomplete;
- request erasure of your personal information in certain circumstances;
- restrict our use of your personal information in certain circumstances;
- move (or port) personal information which you have given us to process on the basis of your consent or for automated processing;
- withdraw your consent;
- object to the processing of your information where our legal basis for processing your information is based on our legitimate interests. In such a case we must stop processing your information unless we can demonstrate compelling legitimate interests which override your interests; and
- not to be subject to a decision based on automated processing, including profiling which has legal or similar significant affects.

If you wish to exercise any of your rights in this regard please contact us using the details in section 13 below. We will process your request in accordance with applicable laws. We may require proof of identification to verify your request before we take any action.

### 8. Automated decision making

Calpe through its trading partners may use automated decision-making tools. If we do, you have a right not to be subjected to decisions based on automated processing, including profiling, which produce legal effects concerning you or similarly significantly affects you. In certain circumstances we would be entitled to make decisions based on solely automated decision-making and profiling. These cases are restricted to situations where the decision is necessary for entering into a contract, or for performing that contract (i.e. your policy of insurance or quote), where it is authorised by law or where you have provided your explicit consent. If we were to base a decision on solely automated decision-making you would be entitled to have a person review the decision so that you can contest it and put your point of view and circumstances forward in accordance with the requirements of applicable law. For information on the automated decision-making practices of our trading partners, please see their privacy notices.

### 9. Consequences of failure to provide personal information or withdrawing your consent

If we or our trading partners cannot collect certain information, it may make it difficult, impossible, or unlawful for us to provide you with and/or administer our insurance products.

If we or our trading partners or other third parties ask for information and you do not wish to give it to us, or if you wish to withdraw consent to the use of your personal information, we or our trading partners will explain the consequences based on the specific information concerned including whether it is a legal or contractual requirement that we obtain such information.

If you have any queries in respect of the consequences of not providing information or withdrawing your consent, please contact us using the details in section 13 below.

### 10. Your website choices

Calpe does not host a website due to its business being conducted by its trading partners. If you like to contact us, please use the information in section 13 below.

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**11. Updates to this Privacy Notice**

We may revise this privacy notice from time to time and will publish the latest version on the TransRe group's website and provide it to our trading partners to make available as well. The date this privacy notice was last updated is shown at the top of the notice and, unless stated otherwise, the updated privacy notice has effect from that date. You understand and agree that you will be deemed to have accepted the updated privacy notice if you continue to use our services after an updated privacy notice has been published and takes effect.

**12. Your right to complain to the data protection authority**

If you are located/resident in Gibraltar, the UK or the EEA and are not satisfied with our use of your personal information or our response to any request by you to exercise any of your rights in section 7 above, you have the right to lodge a complaint with your local data protection authority.

Gibraltar Regulatory Authority (GRA)	UK Information Commissioner's Office (UK ICO)	Ireland Data Protection Commission (Ireland DPC)
2nd floor, Eurotowers 4, 1 Europort Road, Gibraltar. Telephone: (+350) 20074636 email: <a href="mailto:info@gra.gi">info@gra.gi</a>	Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF Telephone: 0303 123 1113	21 Fitzwilliam Square South, Dublin 2, D02 RD28, Ireland

**13. Contact details**

If you require any further information about how we use your personal information or if you want to exercise any of your rights under this privacy notice, you can contact us using any of the following details:

Chief Privacy Officer  
Transatlantic Reinsurance Company  
One Liberty Plaza, 165 Broadway, New York, NY 10006, USA  
Email: [Privacy@TransRe.com](mailto:Privacy@TransRe.com)  
Telephone: +1-888-401-1224 (Toll free)

Or  
Calpe Insurance Company Limited  
5/5 Crutchett's Ramp  
Gibraltar  
Email: [calpeinfo@robustgroup.com](mailto:calpeinfo@robustgroup.com)  
+350 2007 7065

Or  
Calpe's representative in the EEA for data protection matters:  
Data Protection Officer  
XS Direct Insurance Brokers Limited  
23 Ely Place Dublin 2, Ireland  
E-mail: [compliance@xsdirect.com](mailto:compliance@xsdirect.com)  
Telephone: +353 1 6853653