

# UNIS – Privacy Statement

## 1. Introduction to UNIS (Liechtenstein) AG and UNIS AG, Zurich, and their operations/activities in the insurance business

The following explanations shall serve to promote the understanding of the data processing carried out by UNIS (Liechtenstein) AG and UNIS AG, Zurich in course of the insurance business conducted by them.

UNIS (Liechtenstein) AG is hereinafter also referred to as UNIS Liechtenstein. UNIS AG, Zurich is hereinafter also referred to as UNIS Switzerland. UNIS Liechtenstein and UNIS Switzerland are hereinafter jointly referred to as UNIS.

In their capacity as insurance brokers and Lloyd's Coverholders, UNIS Liechtenstein and UNIS Switzerland are authorised by Lloyd's brokers to bind insurances and amendments thereto for the account and on behalf of Underwriting Members of Lloyd's syndicates ("the Underwriters" or "Lloyd's Underwriters") and for the account and on behalf of other Insurers (ie Not Underwriting Members of Lloyd's syndicates) such as Lloyd's Insurance Company S.A. (Brussels), Chubb Versicherungen (Schweiz) AG or any other A rated Swiss domiciled Insurance Company.

UNIS Liechtenstein is authorised to bind insurances only for risks located in Liechtenstein.

UNIS Switzerland is authorised to bind insurances only for risks located in Switzerland.

## 2. Information pursuant to Article 13. of the General Data Protection Regulation ("GDPR")

This privacy statement provides information about the processing of personal data by the insurance brokers and Lloyd's Coverholders UNIS Liechtenstein and UNIS Switzerland,

- when users visit their joint website [www.unis.ch](http://www.unis.ch)

and

- when third parties such as producing employees or representatives of producing brokers, employees or representatives of insurers, (prospective) insureds, employees of loss adjusters or employees or representatives of service providers engage with UNIS Liechtenstein and UNIS Switzerland (both hereinafter also referred to as "joint controllers") during the course of their business and when dealing with UNIS at the pre-contractual phase when establishing an insurance business relationship.

UNIS is strictly following the laws and regulations of data protection when collecting and processing personal data. UNIS processes personal data in particular in compliance with the GDPR, the Data Protection Act (DSG), the Insurance Contract Act (VersVG), the Insurance Distribution Act (VersVertG) and all other relevant laws.

## **2.1. Name and address of the joint controllers, the representative of a controller not established in the EEA and of the data protection officer**

The **joint controllers and website-operators** according to the General Data Protection Regulation (GDPR) are:

- a) UNIS (Liechtenstein) AG at the address Landstrasse 123 in 9495 Triesen, Liechtenstein; phone: +423 399 03 64; e-mail: [christian.andres@unis.ch](mailto:christian.andres@unis.ch); Website: [www.unis.ch](http://www.unis.ch)

and

- b) UNIS AG, Zurich, at the address Gartenstrasse 38 in 8002 Zurich, Switzerland; phone: +41 44 511 88 00; e-mail: [christian.andres@unis.ch](mailto:christian.andres@unis.ch); Website: [www.unis.ch](http://www.unis.ch) .

The **representative of UNIS Switzerland** pursuant to Art. 27 GDPR and Art. 3(2) GDPR as a consequence of UNIS Switzerland's business activities in the EEA is UNIS (Liechtenstein) AG – please see the contact details of UNIS (Liechtenstein) AG above.

The **data protection officer** of UNIS (Liechtenstein) AG is available at said address of UNIS (Liechtenstein) AG c/o Christian Andres or at [christian.andres@unis.ch](mailto:christian.andres@unis.ch).

## **2.2. When and during which process data of you is processed by UNIS**

### **2.2.1. Data processing when visiting the website [www.unis.ch](http://www.unis.ch)**

The processing of personal data via UNIS' website is limited to data that is required to operate a functional website and for the provision of content and services to policyholders/insureds and persons interested in the insurance products available via UNIS.

The processing of personal data of users/visitors of UNIS' website is based on the purposes mentioned below and on a legal basis (GDPR). UNIS only collects personal data that is necessary to implement and process its tasks and services or if the website visitor provides data voluntarily.

When visiting the website of UNIS, the visitor's browser transmits certain data to UNIS' web-server hosted in Germany at Hetzner Online GmbH in order to provide the visitor the information the visitor has accessed on UNIS' website.

The following data are collected and stored during the website visit for a short period of time:

- ☒ Information regarding the type and version of internet browser used to access the website
- ☒ Operating system and its interface
- ☒ Language and version of the browser software
- ☒ Internet service provider
- ☒ IP address
- ☒ Date and time of each access
- ☒ Website from which the user accessed our website

The data mentioned above are saved for a maximum time period of 365 days. This storing is done due to security reasons to ensure the stability and integrity of UNIS' systems.

UNIS does not perform any web analysis on its website and does not use any web analysis tools. The previously mentioned user and visitor data will not be evaluated or analyzed.

Legal basis for the temporary storage of data and log files is Article 6 (1) point (f) GDPR.

No evaluation of personal data takes place.

The statistical evaluations will be stored for 2 years.

#### **2.2.1.1. Cookies**

Cookies are small text files that the visited website sends to the website visitor's device (personal computer, tablet, smartphone, etc.). They are stored in the website visitor's device via his or her browser before being retransmitted to the same website on the website visitor's next visit.

On UNIS' website only one single cookie which is technically necessary is in use since it serves to memorize/remember the selected website-language at the visit of UNIS' website. The legal basis for the processing of data through this technically necessary cookie is Article 6 (1) point (f) GDPR.

Please be informed that UNIS does not use any third-party cookies or tracking-tools.

#### **2.2.2. Contact by e-mail and other means of communication**

If you fill out a form available for download on our website and send the same to UNIS either by e-mail, by another form of electronic message or by postal mail, UNIS use the submitted

personal data only to process your inquiry/report and any further questions you might have in relation thereto.

The following data are collected and stored when the form named Third-Party Vehicle Damage Report (ie Schadenmeldung Fremd-Fahrzeuge) available for download on our website is sent to UNIS:

- Name, address, telephone number of the vehicle owner (injured person)
- e-mail address of the sender when submitted by email
- Name, address, telephone number of passengers and witnesses
- Vehicle registration plate

The following data are collected and stored when the form named Damage Report D&O (ie Schadenmeldung D&O) available for download on our website is sent to UNIS:

- Name of the policyholder; policy number
- e-mail address of the sender when submitted by email
- Name of the respondent (ie Name des Beklagten)
- Name of the claimant / plaintiff (ie Name des Geschädigten / Klägers)

The following data are collected and stored when the form named Damage Report D&O (ie Schadenmeldung für Medizinfälle) available for download on our website is sent to UNIS:

- Name of the policyholder; policy number
- e-mail address of the sender when submitted by email
- Name of the doctor in charge (ie Name des verantwortlichen Arztes)
- Names and addresses of further persons involved (ie Namen und Adressen weiterer Beteiligter)
- Name, address, date of birth of the patient (ie Name/Adresse/Geb.dat. des Patienten)

The following data are collected and stored when the form named All-Risk Damage Report for Doctors (ie Schadenmeldung für AllRisk Ärzte) available for download on our website is sent to UNIS:

- Name and address of the policyholder; policy number
- e-mail address of the sender when submitted by email

The following data are collected and stored when the D&O – Directors' and Officers' Liability Insurance Questionnaire (ie Fragebogen D&O – Organhaftpflichtversicherung), the D&O – Directors' and Officers' Liability Insurance – KMU Questionnaire (i.e. Fragebogen D&O – Organhaftpflichtversicherung – KMU), the Questionnaire for renewal of the D&O – Directors' and Officers' Liability Insurance (ie Fragebogen D&O-Organhaftpflichtversicherung – Erneuerungsbogen), the Professional Liability Insurance for various Professions Questionnaire (ie Fragebogen Berufshaftpflichtversicherung für verschiedene Berufe), the Professional Liability Insurance for Insurance Brokers Questionnaire (ie Fragebogen Berufshaftpflichtversicherung für Versicherungsbroker), the Professional Liability Insurance for Fiduciaries Questionnaire (ie Fragebogen Berufshaftpflichtversicherung für Treuhänder), the Professional Liability Insurance for IT Questionnaire (ie Fragebogen Berufshaftpflichtversicherung für IT), the Professional Liability Insurance for Lawyers and Notaries Questionnaire (ie Berufshaftpflichtversicherung für Rechtsanwälte und Notare), the Professional Liability Insurance for Doctors Questionnaire (ie Fragebogen Berufshaftpflichtversicherung für Ärzte), the Financial Institution Insurance for Asset Managers Questionnaire (ie Fragebogen Finanzinstitutversicherung für Vermögensverwalter) and the Property Insurance for Offices Questionnaire, all available for download on our website, are sent to UNIS:

- Name and address of the applicant
- e-mail address of the sender when submitted by email

Legal basis for the processing of your inquiry/application and damage report is Article 6 (1) (a) or (b) GDPR.

UNIS will delete your personal data after completing your inquiry/application within six months unless it is related to pre-contractual measures requested by you or to the performance of obligations under a contract concluded with UNIS.

Personal data necessary for the performance of a contract entered with UNIS including personal data in a damage report submitted to UNIS will be deleted upon expiration of the statutory limitation periods applicable to claims under the respective contract and the expiration of the retention period for accounting records.

### **2.2.3. Data processing for marketing purposes and the purpose of the provision of insurance product related information**

Personal data of registered insureds, producing brokers and of their employees or representatives may be used for providing them with advertising and insurance product related information via email, text message, telephone or other agreed means of communication.

The types of data processed in this context are name, email address or telephone number of the above-mentioned data subjects.

Legal basis for sending you advertising is Article 6 (1) (a) or (f) GDPR. According to Recital (47) GDPR, the processing of personal data for direct marketing purposes may be regarded as carried out for a legitimate interest in accordance with Article 6 (1) (f) GDPR.

You have the right to object to the processing of your personal data for purposes of direct marketing at any time and free of charge. Where you object to the processing for direct marketing purposes, your personal data is no longer processed for such purposes.

#### **2.2.4. Download of documents**

UNIS does not require personal data from you to download forms/documents from their website – please also see section 2.2.2. above in this context. However we have no tracking mechanism for the download of requested documents.

#### **2.2.5. Data processing when engaging with UNIS as Lloyd's Coverholder for insurance services**

##### **2.2.5.1. Processing of personal data when dealing with insurance applications and preparing, performing and administrating insurance contracts**

For the **purpose** of

- (a) processing applications for insurance coverage and providing information including quotes in relation thereto;
- (b) assessing the risk to be assumed by UNIS as Coverholder;
- (c) preparing and issuing insurance contract documentation (confirmation of cover or policy);
- (d) performing the administration and execution of the insurance contract;
- (e) preventing the breach any sanctions or to any anti-money laundering regulations by ensuring not to collect premiums from sanctioned insureds and not to pay claims made by sanctioned insureds through the maintenance of appropriate systems, procedures and controls;
- (f) invoicing of premium payments;
- (g) collecting premiums payable,

- (h) reporting the risks written through the insurances bound by UNIS on behalf of the Lloyd's Underwriters and other Insurers (Risks Written Reporting/Bordereau(x))
- (i) reporting all paid premiums relating to insurances bound by UNIS on behalf of the Lloyd's Underwriters and other Insurers (Paid Premium Reporting/Bordereau(x));
- (j) reporting paid claims and outstanding claims (Paid and outstanding Claims Reporting/Bordereau(x));
- (k) producing statistical information required by other Insurers (Underwriting Bordereaux, monthly reports on complaints data and cancellation data, comparison between written premium and technical premium);
- (l) renewing/extending an existing insurance contract; and
- (m) processing/managing claims made under an insurance contract by providing claim summaries along with policy documentation to Lloyd's Underwriters and other Insurers via Lloyd's brokers upon the receipt of claims directed from the insured(s) to UNIS,

UNIS collects/processes the following **personal data** of the following **data subjects**:

- from the prospective insureds and insureds
  - (i) name and surname
  - (ii) date of birth
  - (iii) address
  - (iv) e-mail address
  - (v) driving licence details
  - (vi) nationality
  - (vii) bank account details
- from the employee(s) of the producing broker (ie the broker dealing directly with the party/client seeking insurance); the employee(s) of the insurer underwriting the risk sought to be insured; and the employee(s) of the loss adjuster who participates in the administration and fulfillment of insurance contracts when claims are made by or on behalf of the insured
  - (i) name and surname

- (ii) e-mail address
- (iii) telephone number

The personal data of the prospective insureds (applicants) and insureds and of the employee(s) of the producing broker, insurers and loss adjusters are processed on the **legal basis** of Article 6 (1) (a), (b) and (c) GDPR. The legal obligations in relation to Article 6 (1) (c) GDPR we have to comply with are laid down in and result among others from Article 41 et seqq. of the Insurance Distribution Act (VersVertG), Article 106 and Appendix 4 Insurance Supervisory Act (VersAG) in conjunction with Article 1 and Article 4 Insurance Contract Law (VersVG).

#### **2.2.5.2. With whom UNIS shares personal data when dealing with insurance applications and preparing, administrating and performing insurance contracts**

UNIS shares the above-mentioned personal data together with data of the insurance contract with the following **recipients** for the following reasons:

- With the producing broker who is seeking insurance coverage on behalf of his clients (prospective insureds) at UNIS (i) for providing him with quotes, (ii) for issuing policy documents and (iii) for entering into the insurance contract with the producing broker on behalf of his clients (prospective insureds).
- The parent company of UNIS in the United Kingdom and service providers for reviewing/tracking the performance of the insurance business operated by UNIS.
- Lloyd's brokers (Academy Plus Ltd, Dublin, for risks located in Liechtenstein; James Hampden International Insurance Brokers/Oxford Insurance Brokers Limited, both of London, for risks located in Switzerland), Underwriting Member of Lloyd's syndicates (the Underwriters) and other Insurers (not being Underwriting Members of Lloyd's syndicates) in order to underwrite risks sought to be insured and to provide them with:
  - the reporting of the risks written through the insurances bound by UNIS on behalf of the Lloyd's Underwriters and other Insurers (Risks Written Reporting/Bordereau(x));
  - the reporting of all paid premiums relating to insurances bound by UNIS on behalf of the Lloyd's Underwriters and other Insurers (Paid Premium Reporting/Bordereau(x));
  - the reporting of paid claims and outstanding claims (Paid and outstanding Claims Reporting/Bordereau(x));



- the provision of statistical information (Underwriting Bordereaux, monthly reports on complaints data and cancellation data, comparison between written premium and technical premium);
- Reinsurers to insure risks assumed by UNIS on behalf of Underwriters and other Insurers with reinsurers.
- Loss adjusters for managing claims made by insureds/policyholders or brokers under an insurance contract.
- The provider of UNIS' server in Switzerland to store insurance contract relevant data.

### **2.2.5.3. Transmission of personal data to third countries**

Personal data mentioned above of the (prospective) insureds, the producing brokers' employees, the insurers' employees and the loss adjusters' employees are transferred to

- Lloyd's brokers and Lloyd's syndicates in the United Kingdom;
- the insurance market corporation Lloyd's of London in the United Kingdom;
- UNIS AG, Zurich, in Switzerland from UNIS (Liechtenstein) AG;
- Insurers and reinsurers in Switzerland and the United Kingdom;
- the provider of our server in Switzerland;
- the top-holding company of UNIS in the United States.

There exists an adequacy decision of the EU-Commission pursuant to Article 45 GDPR with regard to transferring data from the EEA to Switzerland and to the United Kingdom according to which both of said countries ensure an adequate level of data protection.

Where personal information of (prospective) insureds, the producing broker's employees, the insurer' employees and the loss adjusters' employees is transferred to our top-holding company in the United States , personal data is transferred on the grounds of the standard contractual clauses approved by the European Commission which are deemed to provide appropriate data protections safeguards (see [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_21\\_2847](https://ec.europa.eu/commission/presscorner/detail/en/ip_21_2847) and [https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-clauses-scc\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-clauses-scc_en) ).

However, despite the existence of standard contractual clauses, the transfer of personal data of (prospective) insureds, claimants and the aforesaid categories of employees to the top-

holding company in the USA will be suspended until the entry into force of a new EU-US Privacy Shield, unless (prospective) insureds, claimants, and the afore-mentioned categories of employees affected by the transfer explicitly consent to the transfer of their personal data in accordance with Art. 49 GDPR prior to the transfer, the transfer of their personal data is necessary for the performance of a contract in accordance with Art. 49 GDPR or the transfer of their personal data is required for the implementation of pre-contractual measures in line with Art. 49 GDPR.

#### **2.2.5.4. Storage period of personal data**

The personal data from insurance applications and insurance contracts are **stored** on the server of UNIS in Switzerland. The provider of the server is ISO27001 certified.

Personal data from applications not resulting in the conclusion of an insurance contract will be **deleted** after six months from the receipt of the application.

All personal data will be **retained** for as long as it is required by law to comply with Article 1059 PGR (Persons' and Companies' Act) and in consideration of the statutory period of limitation for claims, in particular for the claims under insurance contracts according to Article 1489a ABGB (Civil Code).

#### **2.2.5.5. Data security**

UNIS uses a common encryption technology "https" in connection with the highest encryption levels that are supported by the website visitor's browser. If a page on UNIS' website was/is being transmitted encrypted it is shown by the lock symbol in the address bar of the website visitor's browser.

Additionally, UNIS uses appropriate technical and organizational security measures ("TOMS") to protect the personal data of data subjects from accidental or intentional manipulation, partial or complete loss, destruction, or to prevent unauthorized access by third parties. UNIS' security measures are continuously upgraded according to the latest technological developments.

Personal data provided by the insured, the producing broker including their employees and representatives and of any other individual of third parties engaging with UNIS in the course of UNIS' business operations are stored on a server located in Switzerland. The personal data on the server is managed and protected in accordance with ISO27001 standards. The technical and organizational measures in place with regard to access, distribution, entry, availability and

separation of personal data stored on our server in Switzerland comply with ISO standard 27001. The provider of the server is ISO27001 certified.

UNIS applies the following technical and organizational security measures to safeguard the personal data UNIS holds:

- physical access to data processing facilities needs special authorization via an electronic access system
- data can only be accessed using a valid username and password;
- access to data is appropriately restricted. Any folder containing personal data is locked down so that is accessible only by relevant individuals within UNIS;
- periodic security testing of applications that contain personal data;
- updating software in accordance with provider/manufacture guidance to ensure that the most recent security patches are in place;
- any equipment containing personal data is securely destroyed once it is no longer in use;
- implementing remote wiping capabilities on mobile devices so that data can be erased in the event of loss or theft.
- using password protection or secure electronic file transfer functionality when sending files with large amounts of personal data externally.
- maintaining a staff leavers process that removes access to IT services and disables accounts that allow access to personal data.

#### **2.2.6. Rights of individuals/data subjects affected**

Data subjects have the right to request and to obtain information about any of their personal data being processed by UNIS. In particular persons affected by data processing have the right

- (i) To obtain appropriate information about (a) the data processed and the categories of personal data concerned by the processing; (b) the purposes of the processing; (c) the recipients or categories of recipients to whom their personal data have been or will be disclosed; (d) the envisaged period for which the data will be stored; (e) the existence of the right to rectify, erase, restrict or object to data processing; (f) the right to lodge a complaint with a supervisory authority; (g) the source of personal data in case these data were not collected by UNIS; (h) the existence and use of automated decision-

making, including profiling, and if automated decision making is applied, meaningful information about the logic involved, the significance and the envisaged consequences of such processing for the data subject;

- (ii) To request the rectification, amendment or deletion of inaccurate personal data concerning him or her or when the processing of his or her data is unlawful;
- (iii) To demand the restriction of the processing of his or her personal data where (a) the accuracy of the personal data is contested by the data subject, for a period enabling UNIS as the data controller to verify the accuracy of the personal data; (b) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead; (c) UNIS as the controller no longer needs the personal data for the purposes of the processing, but the data are required by the data subject for the establishment, exercise or defence of legal claims; or where (d) the data subject has objected to processing (for receiving advertising) pursuant to Article 21(1) GDPR pending the verification whether the legitimate grounds of the controller, UNIS, for advertising override those of the data subject;
- (iv) *to object the processing of your personal data or revoke a prior granted consent to such processing at any time, although the lawfulness of processing your data is not effected by your revocation for the period between giving consent and the revocation;*
- (v) To request a copy of all their personal data processed by UNIS in a structured, commonly used and machine-readable format or request the transmission of the data to another controller.

If a data subject wishes to exercise the aforementioned rights, he/she may contact UNIS via the provided contact details above.

If the data subject believes that the processing of his or her personal data is inconsistent or contradicts the applicable data protection laws he or she has the possibility to lodge a complaint with the Data Protection Authority of the Principality of Liechtenstein (Städtle 38, Post Box 684, FL-9490 Vaduz, Tel. +423 236 60 90, Mail: info.dss@llv.li)