



SPARKSWEALTH

12 Lower Hatch Street, Dublin 2
info@sparkswealth.ie
01 639 2908

Terms of Business

17th August 2022

We attach for your information a document setting out the terms under which my firm will provide insurance and investment business services to you.

You should read through this document and if there are any matters on which you require clarification I will be happy to explain the matter in more detail.

If the firm amends its business terms at a future date I will advise you in writing in advance of the changes. The terms will remain in force and shall apply to any business service provided to you now or at a future date.

These Terms of Business applicable from 18/05/2021 set out in general terms under which our firm will provide Financial Services business to you. It details the respective duties and responsibilities of both the firm and you in relation to such services. Please ensure to read these terms thoroughly and if you have any queries, please contact us and we will be happy to clarify any questions you may have. If any material changes are made to these terms, we will notify you at the earliest opportunity.

We commit to providing you with an excellent and professional level of service. We believe in acting only in the best interest of our clients.

Yours sincerely,

Will Sparks

On Behalf of SparksWealth

CLIENT ACKNOWLEDGEMENT

I/We acknowledge and confirm that I/we have been provided with a copy of the Terms of Business of SparksWealth and that I/we have read through and understand these terms.

Signed:

Date:



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DIRECT MARKETING

We take your privacy seriously and will only use your personal information to provide the products and services you have requested from us.

However, from time to time we would like to contact you with details of other products; Financial Planning Services & Competitions we provide. If you consent to us contacting you for this purpose please tick to say how you would like us to contact you:

Post Email Telephone Text message Automated call

I agree

Customer 1 Signature

Customer 2 Signature

Date

You may opt out of this service at any time by writing to SparksWealth or by selecting the unsubscribe option on any email sent.



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These Terms of Business are applicable from 17/8/2022 and set out the general terms under which we will provide business services to you and the respective duties and responsibilities of both ourselves and you in relation to such services. Please ensure you read these terms thoroughly and if you have any queries, we will be happy to clarify them. If any material changes are made to these terms, we will notify you.

Authorisation and Codes of Conduct

SparksWealth Ltd t/a SparksWealth is regulated by the Central Bank of Ireland. Our authorisation can be checked on the Central Bank of Ireland registers website at www.centralbank.ie or by calling them on 1890 777 777 to verify our credentials. Our reference code is C12690. We are also subject to the Consumer Protection Code, Minimum Competency Code and Fitness & Probity Standards which offer protection to consumers. These Codes can also be found on the Central Bank's website.

Our Services

We are an Insurance and Investment Intermediary. Our principal business is to provide advice and arrange transactions on behalf of our clients in relation to Life and Pensions Broking, Protection advice and Investment Consultancy. We are not under a contractual obligation to conduct Insurance distribution business exclusively with one or more Insurance Undertakings and do not give advice on the basis of a fair and personal analysis, we do however provide advice from the selection of products provided by the companies we have agencies with. We recommend the product which in our professional opinion, is best suited to your needs and objectives from this selection of products.

As part of the process when giving our clients advice on Investments we will need to gather information with regards to your investment knowledge and experience. If this information is not provided, we will not be in a position to determine whether the product is appropriate for you.

We have agencies with the Companies below:

Aviva Life & Pensions Ireland Dac	Standard Life
Cantor Fitzgerald Ireland Limited	Quilter Cheviot Europe Ltd
Irish Life Assurance Plc	Royal London
New Ireland Assurance Co plc	Standard Life
Zurich Life Assurance plc	

We do not guarantee nor make representations in regard to and expressly disclaim responsibility for the financial security of insurance companies and product producers with which we place business.

Defaults

Insurers may withdraw benefits or cover on default of any payment due under any product(s) arranged by us. Central Bank of Ireland rules prohibit us from paying premiums to insurers which have not been paid to us. In the event of a default of full premium payment, we will issue cancellation instructions to the insurer.

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Cancellation

You, the customer can cancel your policy by notice in writing at any time. This is provided that all reasonable charges pertaining to costs incurred by SparksWealth have been paid and provided that no incident giving rise to a claim has occurred in the current period of insurance.

Disclosure of information

We act as your representative to the companies we have agencies with, and we will provide assistance to you for any queries you may have in relation to the policies or in the event of a claim during the life of the policies and we will explain to you the various restrictions, conditions and exclusions attached to your policy. However, it is your responsibility to read the policy documents, literature and brochures to ensure you understand the nature of the policy cover. Material information about medical history, non-smoker status, occupation category and any hazardous pursuits are central to underwriting decisions and it is imperative all information you provide to the insurer is accurate and complete.

You are under a duty to answer all questions posed by the insurer or ourselves on your behalf, honestly and with reasonable care. It is presumed, unless the contrary is shown, that you would know all questions in an application or at renewal are material to the risk undertaken by the insurer or the calculation of the premium by that insurer, or both. Any failure to disclose material information may invalidate a claim and render your policy void.

You must inform and disclose any material information including any material changes that might take place between the time you complete an application form and the time you pay the first premium. To assist us in providing you with a comprehensive service and to keep our records as up to date as soon as possible, please notify us of any changes to your personal circumstances, e.g., name change, change of address, etc.

Although we will not be considering adverse impacts of investment decisions on sustainability factors in our investment and insurance-based Investment advice, we will keep an eye on the changes the Product Providers put in place and note any adverse effect on the cost to you if any.

Sustainable Investing

We will consider adverse impacts of investment decisions on sustainability factors in our investment and insurance-based Investment advice.

We will gather your preferences of Sustainable Investing and build them into our Statement of Suitability for you. Ultimately, it is the Product Producers we have agencies with that build the Investment Products we advise on, and it will be their documentation we are relying on when advising you on Sustainable investments.

All information re Sustainable Finance Disclosures will be adhered to by the Product Producers and their brochures and documents will outline their disclosures

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Conflicts of interest

It is our policy to avoid conflicts of interest in providing services to you. However, where an unavoidable conflict of interest arises, we will advise you of this in writing before providing you with any service. As per above we receive commission from the lenders and companies we have agencies with for the business you transact.

Instructions for policy amendments

It is important to note that where an instruction is transmitted to amend your policy via phone message, text, email or fax, changes are only operable provided that they have been confirmed by SparksWealth.

Complaints

We have a complaints procedure in place which is available on request. Your complaint can be in writing, email, telephone or face to face. If your complaint is face to face or by phone, we will write to you to confirm our understanding of your complaint. We will acknowledge your complaint within 5 business days, advising you of the name of the person dealing with your complaint on behalf of the company. Please address any complaint to SparksWealth, 12 Lower Hatch Street Dublin. If in the event, a complainant is dissatisfied with the outcome of our investigation, you are entitled to refer the matter to the Financial Services & Pensions Ombudsman, Lincoln House, Lincoln Place, Dublin 2, Lo call 01 5677000 email info@fspo.ie.

Remuneration and Charges

SparksWealth is remunerated by commission and other payments from product producers on the completion of your business. You may choose to pay in full for our services by means of a fee. Where we receive recurring commission, this forms part of the remuneration for ongoing advice with regards to the business we advise you on and we will provide you with an annual update on your Investment business. We reserve the right to charge additional fees if the number of hours relating to on-going advice /assistance exceeds 3 hrs.

If we receive commission from a product provider, this will be offset against the fee which we will charge you. Where the commission is greater than the fee due, the commission will become the amount payable to us unless an arrangement to the contrary is made.

Additional fees may be payable for complex cases or to reflect value, specialist skills or urgency. We will give an estimate of this rate in advance of providing you with services.

A summary of the details of all arrangements for any fee, commission, other reward or remuneration paid or provided to us by the product producers is available on our website or in our offices. If you need further explanation on this information, please do not hesitate to call us.

Client Monies & Receipts

We request all cheques or negotiable instruments are made payable to the appropriate Product Provider for Life, Pensions, Investment business. We shall issue a receipt for each payment received. These receipts are issued with your protection in mind and should be stored safely. Every effort is made to ensure clients' money is transmitted to the appropriate Product Provider without delay. We are not authorised to accept cash.

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The acceptance by SparksWealth of a completed proposal DOES NOT in itself constitute the effecting of a policy. It is only when the Provider confirms the policy is in place and your policy is live.

Default on Payments by Clients

We will exercise our legal right to receive payments due to us from clients (fees) for services provided. Product producers may withdraw benefits or cover in the event of default on payments due under policies or other products arranged for you. We would refer you to policy documents or product terms for the details of such provisions.

Regular reviews

It is in your best interests that you review, on a regular basis, the products which we have arranged for you. As your circumstances change, your needs will change. Please advise us of those changes and request a review of the relevant policy so we can ensure you are provided with up-to-date advice and products best suited to your needs.

Data Protection

SparksWealth complies with the requirements of the Data Protection Acts 1988 - 2018. The data will be processed only in ways compatible with the purposes for which it was given. We will provide you with a separate Data Privacy Notice which will outline exactly how, what and where we use your data. We may receive referrals from partner firms and may advise them of any transactions arranged for you.

Compensation Schemes

We are members of the Investor Compensation Scheme which provides for the establishment of a compensation scheme and the payment, in certain circumstances, of compensation to certain clients (known as eligible investors) of authorised investment firms, as defined in that Act. Compensation may be payable where money or investment instruments owned or belonging to clients and held, administered or managed by the firm cannot be returned to those clients for the time being and where there is no reasonably foreseeable opportunity of the firm being able to do so. A right to compensation will arise only: If the client is an eligible investor as defined in the Act; and if it transpires that the firm is not in a position to return client money or investment instruments owned or belonging to the clients of the firm; and to the extent that the client's loss is recognized for the purposes of the Act.

We are also members of the Brokers Ireland Compensation Fund. Subject to the rules of the scheme the liability of its members firms up to a maximum of €100,000 per client (or €250,000 in the aggregate) may be discharged by the fund on its behalf if the member firm is unable to do so, where the above detailed Investor Compensation Scheme has failed to adequately compensate any client of the member. Further details are available on request.

Governing Law and Business Succession

These Terms of Business shall be governed by and construed in all respects according to the laws of the Republic of Ireland and will be deemed to cover any successors in business to SparksWealth.

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Data Privacy Notice

17th August 2022

Our principal business is to provide advice and arrange transactions on behalf of clients in relation to Life, Pensions and Investments.

This Privacy Notice sets out the bases on which we gather, use, process and disclose any Personal Data we collect about you, or that you provide to us.

This Privacy Notice applies to you, whether you are a current, past or prospective customer. It also applies to third parties whose Data you provide to us in connection with our relationship with you (for example, the names of relatives). Please ensure that you provide a copy of this Privacy Notice to any third parties whose personal data you provide to us.

Who controls your Personal Data and how can you contact them?

We control your Personal Data to allow us to give you advice and recommendations on your financial affairs, your data is then passed on to the relevant company/companies we have agencies with by way of application forms, by post email or through their secure websites online.

Data we may collect about You

In order for us to give you a recommendation and information on financial products, we need to collect and process personal information about you. If you do not provide the information we need, we may not be able to offer you advice or provide our services to you. The types of personal data that are processed may include:

- Individual details - Name, address (including proof of address), other contact details (e.g. email and telephone numbers), gender, marital status, date and place of birth, nationality, employer, job title and employment history, and family details, including their relationship to you.
- Financial detail – full details on any debts, loans, assets you may own.
- Identification details - Identification numbers issued by government bodies or agencies, including your PPS Number, passport number, tax identification number.

Special Categories of Personal Data

- Health information which has additional protection under Data Protection Law. We do not process health information other than hold the information on application forms you have filled in. The Life Insurers process and control your health data to allow them to underwrite your policy or decide/ decline cover. They may have further information they have obtained with your approval from your doctor, but we are not privy to this information.
- Claims information – information you give us with regards claims you notify us about or ask for help on.
- Policy Information - Information about the quotes you receive and policies you take out.

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Where We May Collect Your Personal Data From

We may collect your personal data from various sources, including;

- You
- Your employer or representative
- Life Companies we have agencies with
- When you sought a quote from us
- If you have or had any other contracts of insurance that is not under our agencies
- In this instance, we will need a letter of authorisation from you to allow us contact

other companies on your behalf

- When you visit our website and input a request for us to contact you

Which of the above sources apply will depend on your particular circumstances and the product or service you are interested in or your enquiry relates to?

Legal Bases for Processing Your Information

We will only use your Personal Data for lawful reasons. These are: -

- a) The use is necessary for the performance of a contract to which you are a party or in order to take steps at your request prior to entering a contract (such as providing a recommendation).
- b) The use is necessary to comply with our legal obligations.
- c) You have consented to us using your information in such a way.
- d) The use is necessary for the purpose of our legitimate interests.
- e) The use is necessary for the performance of a task carried out in the public interest, such as assisting a regulatory authority's investigation of a criminal offence

The Purpose of Processing Your Information.

- To give you information on and provide you with recommended financial products.
- Disclose data to policyholder, life assured, beneficiary, trustee, assignee, successors, group company or to other parties.
- To comply with legal and regulatory requirements including Anti-Money Laundering and Sanctions compliance.
- To understand how people interact with our websites (if applicable).
- To carry out and determine the effectiveness of advertising, and of marketing campaigns.

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Who we share Your Information with

In order to provide our services and to comply with legal obligations imposed on us, we may share your information with:-

Pension Trustees, & beneficiaries of Pensions & other Financial Products, Relatives & guardians, (in certain circumstances and within the law)

Employers - past, present and prospective.

Legal, financial, investment, medical, & other professional advisors in the process of submitting your application.

Companies we may outsource our printing and posting to.

Businesses that refer your business to us.

Any business which we are required by law to share the information with, ie compliance resource companies.

Database provider all data encrypted

The Pensions Authority.

Stockbrokers we have agencies with

Insurance and Assurance companies we have agencies with

Investment Companies we have agencies with

An Garda Síochána.(Anti Money Laundering)

Central Bank of Ireland. We are authorised by Central Bank and they have the right to inspect our files.

The Financial Services Ombudsman. In the event of a complaint.

Data Protection Commissioner

The Revenue Commissioners. Re pensions and Dirt tax

How long do we keep Your Information?

When providing products to you it may be necessary to retain your information for an extended period of time. We keep your information for as long as required by law for the purpose that you gave it to us for. As a general rule for legal and best practice reasons we are required to keep your information for 6 years after the date on which our relationship with you ends.

Your Rights to Access, Transport, Correct, Delete and Restrict the Use of Your Personal Data

You have the right to access a copy of your Personal Data which we hold on you. In the case of Personal Data you provided to us to process on the basis of your consent or for automated processing, you have the right to have it provided in a commonly used electronic format to you or to another Data Controller (subject to applicable Data Protection Law). If you would like a copy of your Personal Data, please contact us. Your request will be dealt with as quickly as possible and in any event within a month for us to respond. If at that stage we are unable to provide the data you require (due to the complexity or number of requests) we may extend the period to provide the data by a further two months but shall explain the reason why. There is no charge for the request for your data, but it must be in writing, fax, email or text message.

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Correcting Your Personal Data

You have the right to have your Personal Data corrected if you feel we have incorrect data held on you.

Deleting Your Personal Data

Subject to any overriding legal obligation requiring us to retain it, you have the right to have your Personal Data deleted, however erasing your information may make it difficult or impossible for us to give you information on, provide you with, or administer our financial products. If you want your information deleted, please contact us.

Restricting our use of your Personal Data

You have the right to restrict our use of your Personal Data in certain circumstances. If you wish to exercise your rights in this regard, please contact us.

Automated/Profiling Decision Making

Where we use automated decision-making you will always be informed & you will be entitled to have a person review the decision so that you can contest it and put your point of view and circumstances forward. E.g., When we produce quotes for the business you are contacting us about. When we want to market to you, we may run a program which allows us to identify certain criteria of clients (all those with that fit within a certain criterion for example).

Your Right to Object and Withdraw your Consent to Data Processing

Where our lawful basis for processing your Personal Data is based on our legitimate interests, you have the right to object. You also have the right to withdraw your consent to any processing at any time. However, if we cannot process your data, it may make it difficult, impossible or unlawful for us to give you information on, provide you with, advice on financial products. If you want to object or withdraw your Consent to processing please contact us.

Your Right to Make a Complaint

If you are dissatisfied about the way we handle your Personal Data please contact us. We will do our best to address your concerns swiftly and resolve any issues you have. You have the right to complain to the Office of The Data Protection Commission, Canal House, Station Road, Portarlinton, Co. Laois, R32 AP23. www.dataprotection.ie Tel.: +353 (0)761 104 800. Fax: +353 57 868 4757. E-Mail: info@dataprotection.ie

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