

WEBSITE PRIVACY POLICY

Last Updated: August 8th, 2024.

1. Introduction

Fleming Re (“**Fleming**”, “**we**”, “**us**”, “**our**”) are committed to protecting your privacy. We are the controller of your personal information (also known as personal data) and we use personal information, including sensitive personal information, for certain purposes, as described in this Policy.

This Privacy Policy describes our practices regarding the collection, use, disclosure and processing of personal information (i.e., information which identifies you or from which you can be identified) in connection with the services that we provide to our [customers/policyholders/clients] (“**Services**”). This is also our Privacy Notice for the purposes of Bermuda law. This Privacy Notice is intended to provide individuals with clear and easily accessible information about our practices and policies with respect to personal information and is intended to comply with the requirements of the Personal Information Protection Act 2016 (“**PIPA**”).

If you are an organization (for example, a cedant, service provider or professional advisor), we would ask that you provide a copy of this Privacy Policy to individuals (e.g., employees, directors, officers, partners and other staff) who have or have had dealings with us on your behalf.

2. Types of personal information we collect

We collect and use your personal information in order to provide you with the Services. The company may directly and indirectly collect and use personal information (including sensitive personal information) obtained from you or your intermediaries through the following non-exhaustive list of sources:

- Provided by you by completing insurance applications, policies and other forms (which may include: your name, address, email, passport, government identification number, age, gender, marital status, number of dependents, health history, employment history, income and personal financial information).
- Brokers and other intermediaries in connection with policy applications and claims processing.
- Third parties, including credit reference agencies and criminal background check service providers.

3. Purposes for processing your personal information

We use your personal information to provide the Services and for other purposes including any of the following:

- Managing and administering insurance policies.
- Claims assessments, processing and settlements.
- Communications about our Services.
- Compliance with applicable laws and regulations (including Bermuda and certain other specific jurisdictions).
- Marketing, research and analysis.

4. Consequences of not providing personal information

Where you do not provide the personal information we requested and we need this personal information to comply with our legal or contractual obligations, we may not be able to provide the aforementioned Services, which may negatively impact our business relationship.

5. Disclosure of your personal information

Your personal information will only be used and disclosed as permitted by applicable law and may be shared with our subsidiaries and group affiliates in connection with the Services. We may share your personal information with third parties which include the persons set out below:

- Brokers.
- Insurers/Reinsurers/Insurance Managers.
- Banks/Administrators/Auditors/Law firms/Consultants.
- Other service providers.

We may share your personal information with a prospective purchaser in connection with a merger, amalgamation or other business combination to effect the sale of our company or asset transfer.

We may also disclose your personal information to our subsidiaries and group affiliates, as well as to other third parties for marketing and promotional purposes and to offer other products and services to you on our behalf.

We may also be obliged to share your personal information with government or regulatory authorities if required by applicable law.

6. International transfers of personal data

Our business operates internationally and as such your personal information may be transferred to and used by parties located in other jurisdictions (including the USA, the European Economic Area and other jurisdictions with privacy and data protection regimes that differ from Bermuda). Where your personal information is transferred to a third party located outside of Bermuda, we will take steps to ensure that your personal information is adequately protected and transferred in accordance with any applicable data transfer requirements.

Where you are located in the EEA, Switzerland and/or the UK your personal information is shared with us under the Standard Contractual Clauses (“SCCs”), the identity of the Fleming recipient entities (“**Fleming Importers**”) are set out in Appendix 1 to this Policy. When we transfer such personal information (as set out in Section 2 above) to other recipients (as set out in Section 5 above) outside of the EEA, Switzerland and/or the UK for the purposes described in this Policy, we will enter into SCCs with the recipient or otherwise make such transfers in compliance with Data Protection Requirements.

If you would like further information or a copy of the relevant contractual safeguards, you can contact us using the details set out below.

7. Security and retention

We use appropriate technical, administrative and physical safeguards to protect personal information from loss, misuse or alteration. You acknowledge and agree that no organization can guarantee the absolute security of personal information and any transmission of personal information is at your own risk.

We retain personal information for no longer than necessary for the purpose(s) for which it is processed, including for the purposes of satisfying any legal, accounting or reporting requirements. To determine

the appropriate retention period, we consider our internal data requirements and our statutory obligations to retain client information as directed by the General Guidance Notes for AMLATF Regulated Entities¹ and other relevant legislation.

8. Third party links

Our website may, from time to time, contain links to and from third party websites, plug-ins or applications. If you follow a link to any of these websites, plug-ins or applications please note that they have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies before you submit any personal information.

9. Your privacy rights

You have certain rights with respect to your personal information, and you may submit to us reasonable written requests to:

- Access your personal information that is in our custody or control
- Correct an error or omission in any of your personal information which is under our control
- Cease, or not to begin, using your personal information for the purposes of advertising, marketing or public relations
- Erase or destroy your personal information where it is no longer relevant for the purposes of its use

Subject to applicable laws, we may charge a fee for certain requests.

Please contact us via the contact information provided below in case you wish to exercise any of the above rights.

In certain circumstances, you can request a review by the Bermuda Privacy Commissioner of our decision, action or failure to act, and you may initiate a complaint against us with the Bermuda Privacy Commissioner.

10. Changes to our Privacy Policy

We may revise or supplement this Privacy Policy from time to time. If we make any substantial changes in the way we use or share your personal data, we will notify you by posting a notice on our website prior to the change becoming effective. We encourage you to refer to this Privacy Policy on an ongoing basis, so you understand our current privacy practices.

11. Contact Us and Complaints

For general inquiries about the company or any of our Services, more information can be found at our website, [Fleming \(flemingih.com\)](https://www.flemingih.com).

Questions, comments and requests regarding this Privacy Policy are welcomed, including requests relating to exercising any of your data subject rights. Please contact us by emailing us at Privacy@flemingih.com.

Any complaints in relation to this Privacy Policy may be addressed to Privacy@flemingih.com.

¹ Link to the Guidance Notes: [2023-06-12-15-17-06-General-Guidance-Notes-for-AMLATF-Regulated-Entities-Revised.pdf](https://www.bma.bm/2023-06-12-15-17-06-General-Guidance-Notes-for-AMLATF-Regulated-Entities-Revised.pdf) (bma.bm)

In respect of our use of personal information in Bermuda, our company is Fleming Reinsurance Ltd, and our offices are located at Crawford House, #23 Church Street, Hamilton, HM-11. Our Bermuda Privacy Officer is Mr. Corey Cross.

Any request must be in writing and provide sufficient detail to enable us to identify the personal information to which the request relates.

12. Policy updates

This Privacy Policy is subject to change in accordance with changes to applicable laws or our internal policies and procedures. The date at the beginning of this policy indicates when this Privacy Policy was last revised.

Any changes to this Privacy Policy will be effective upon publication of the revised Privacy Policy, and continued use of our Services following such changes indicates your acceptance of the revised Privacy Policy.

Appendix 1

The Fleming Importers include the following entities with their home jurisdiction set forth next to the entity name:

- Fleming Reinsurance Ltd. (Bermuda)
- Fleming Reinsurance Cayman SPC Ltd. (Cayman)
- JRG Reinsurance Company Limited (Bermuda)
- Arrow Re SPC Ltd. (Cayman)

Please see Section 11 (Contact Us and Complaints) above for contact details.