

Privacy Policy

We, insurers, take the privacy of our customers very seriously and are committed to protecting your privacy. This policy explains how we collect, use and transfer your personal data, and your rights in relation to the personal data stored by us when you purchase the insurance.

Effective 29 June 2020

The policy sets out the following:

- What personal data we collect about you and how;
- How the data is used;
- Our legal basis for collecting your information;
- Who we share your data with;
- Where we transfer your information;
- How long we retain your information for;
- Your rights and choices in relation to the data held by us;
- How to make a complaint in relation to the data held by us;

Who are the Insurers?

The St. Maarten Visitors Protection Plan is written by a group of locally licensed insurers. The subscribing insurers on this program are: Massy United Insurance Ltd. (leader), Guardian Group Fatum General Insurance and Ennia Caribe Schade N.V., further referred to herein as: We, Us, Our.

What is personal data?

In this privacy policy, references to "personal information" or "personal data" are references to information that relates to an identified or identifiable individual.

What personal data do we collect?

For this insurance we only use your First Name, Last Name, Date of Birth, Country of Residence and Travel Dates. All other personal data shared on the EHAS form are not used for the emission and administration of the insurance policy.

We don't store any sensitive personal data that relates to your racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning a person's health or natural person's sex life or sexual orientation, and can sometimes be inferred from other, non-sensitive, information that you have provided.

How is personal data used?

We may need to use your personal data in order to carry out the following activities.

- To set you up as a new client;
- To provide you with an insurance quote;
- To respond to your enquiries;
- To accept payments from you;
- To communicate with you about your policy;
- To extend your policy;
- To obtain reinsurance for your policy;
- To process insurance and reinsurance claims;
- For general insurance administration purposes;
- To comply with our legal and regulatory obligations;
- To defend or prosecute legal claims;
- To investigate or prosecute fraud;
- To conduct audits related to our interactions with you;
- To send notices or emails to you.

Our legal basis for collecting your information

Our legal basis for collecting and using your personal data will depend on the personal data concerned and the specific context in which we collect it. We will normally collect personal data where we need the information to provide you with our services / perform a contract with you, where the processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms, or with your consent.

In some cases, we may use your personal data for a legal obligation, e.g. in order to complete 'know your customer' and money laundering checks before taking you on as a new client.

If we ask you to provide personal information to comply with a legal requirement or to perform a contract with you, we will make this clear at the relevant time and advise you whether the provision of your personal information is mandatory (as well as of the possible consequences if you do not provide your personal information). You are under no obligation to provide personal data to us. However, if you should choose to withhold requested data we may not be able to provide you with certain services.

Similarly, if we collect and use your personal information in reliance on our legitimate interests (or those of any third party), we will make clear to you at the relevant time what those legitimate interests are.

If you are a UK resident, we may collect and use your personal information, including sensitive personal information, on the basis of the insurance derogation in the UK Data Protection Act 2018.

If you are an EU resident, we may collect and use your personal information, including sensitive personal information, on the basis of the substantial public interest of insurance purposes, as regulated in the General Data Protection Regulation (GDPR).

Who is your personal data shared with?

We may disclose your personal information with the following categories of recipients.

- To our group companies, third party service providers and partners who provide data processing services (for example data hosting and storage companies, email marketing affiliates, and payment and claims processing companies);
- To any competent law enforcement body, regulatory, government agency, court or other third party where we believe disclosure is necessary (i) as a matter of applicable law or regulation, (ii) to exercise, establish or defend our legal rights, or (iii) to protect your vital interests or those of any other person;
- To any other person with your consent to the disclosure.

We do not sell (or exchange) your personal information for monetary compensation.

International Transfers

Your personal data may be transferred to, and processed in, countries other than the country in which you are resident. These countries may have data protection laws that are different to the laws of your country. Specifically, our servers are located in the United States.

We have taken appropriate safeguards to require that your personal data will remain protected in accordance with this privacy policy.

How long is personal information retained for?

We will keep your personal data on our records for as long as we have an ongoing legitimate business need to do so. This includes providing you with a service you have requested from us or to comply with applicable legal, tax or accounting requirements. It also includes keeping your data for so long as there is any possibility that you or we may wish to bring a legal claim under your insurance contract, or where we are required to keep your data for legal or regulatory reasons.

We may also retain your personal data where such retention is necessary in order to protect your vital interests or the vital interests of another natural person.

Your Rights as a Data Subject

if we have collected and processed your personal information with your consent, then you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information that was lawfully collected on grounds other than consent.

You have the right to complain to a data protection authority about our collection and use of your personal information. For more information, please contact your local data protection authority. (Contact details for data protection authorities in the European Economic Area, Switzerland and certain non-European countries (including the US and Canada) are available [here](#).)

If you are resident in the UK or EU, your principal rights under data protection law are as follows:

- a. the right to access;
- b. the right to rectification;
- c. the right to erasure;
- d. the right to restrict processing;
- e. the right to object to processing;
- f. the right to data portability;
- g. the right to complain to a supervisory authority; and
- h. the right to withdraw consent.

If you wish to access, correct, update or request deletion of your personal information, we will ask you to provide us with a copy of any two of the following documents: Driver's licence; Passport; Birth certificate; Bank statement (from the last 3 months); or Utility bill (from the last 3 months). With regards to your right of access, the first access request will be complied with free of charge but additional copies may be subject to a reasonable fee.

In addition, you can object to processing of your personal information, ask us to restrict processing of your personal information or request portability of your personal information.

If we have collected and processed your personal information with your consent, then you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent. You have the right to complain to a data protection authority about our collection and use of your personal information. For more information, please contact your local data protection authority. In the table below we have listed the contact details of the data protection authorities where we have local branches:

Country	Data protection supervisory authority contact details
UK	Information Commissioner's Office Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF, UK Tel: +44 (0) 303 123 1113 Email: dpo@ico.org.uk Website: http://www.ico.org.uk
	Autorité de la protection des données - Gegevensbeschermingsautoriteit (APD-GBA) Address: Rue de la Presse 35 – Drukpersstraat 35, 1000 Bruxelles - Brussel Tel.: +32 2 274 48 00 email: contact@apd-gba.be Website: https://www.autoriteprotectiondonnees.be/ - https://www.gegevensbeschermingsautoriteit.be/
Germany	Die Bundesbeauftragte für den Datenschutz und die Informationsfreiheit Address: Husarenstraße 30, 53117 Bonn Tel.: +49 228 997799 0; +49 228 81995 0

email: poststelle@bfdi.bund.de
Website: <http://www.bfdi.bund.de/>

The local German data protection authorities' contact details are available [here](#).

France	Commission Nationale de l'Informatique et des Libertés - CNIL Address: 3 Place de Fontenoy, TSA 80715 – 75334 Paris, Cedex 07 Tel.: +33 1 53 73 22 22 Website: https://www.cnil.fr/
Spain	Agencia Española de Protección de Datos (AEPD) Address: C/Jorge Juan, 6, 28001 Madrid Tel.: +34 91 266 3517 email: internacional@aepd.es Website: https://www.aepd.es
Italy	Garante per la protezione dei dati personali Address: Piazza di Monte Citorio, 121, 00186 Roma Tel.: +39 06 69677 1 email: garante@garanteprivacy.it Website: https://www.garanteprivacy.it/
Luxembourg	Commission Nationale pour la Protection des Données Address: 1, avenue du Rock'n'Roll, L-4361 Esch-sur-Alzette Tel.: +352 2610 60 1 email: info@cnpd.lu Website: https://www.cnpd.lu/
Netherlands	Autoriteit Persoonsgegevens Address: Bezuidenhoutseweg 30, P.O. Box 93374, 2509 AJ Den Haag/The Hague Tel.: +31 70 888 8500 Website: https://autoriteitpersoonsgegevens.nl/nl

Contact details for other data protection authorities in the European Economic Area, Switzerland and certain non-European countries (including the US and Canada) are available [here](#).

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

If you are resident in the US, applicable law may entitle you, upon verifiable request, to receive disclosures relating to:

- The categories and specific pieces of information we have collected;
- The categories of sources from which the personal information is collected;
- The business or commercial purpose for collecting personal information; and
- The categories of third parties with whom we share personal information.

If you wish to exercise any of the rights described above, we will ask you to verify your identity. We generally will not charge to reply to your request, but we may charge a reasonable fee or refuse your request if the request is unjustified or excessive.

Automated decision making

In some instances, our use of your personal information may result in automated decisions being taken (including profiling) that legally affect you or similarly significantly affect you.

Automated decisions mean that a decision concerning you is made automatically on the basis of a computer determination (using software algorithms), without our human review. For example, in certain instances we may use automated decisions to establish whether we will offer insurance coverage to a prospective insured. We have implemented measures to safeguard the rights and interests of individuals whose personal information is subject to automated decision-making.

When we make an automated decision about you, you have the right to contest the decision, to express your point of view, and to require a human review of the decision.

Security

We are committed to keeping our customers' data safe. We have security measures in place designed to protect against the loss, misuse and alteration of personal data under our control. For example, our security and technology policies are periodically reviewed and enhanced as necessary and only authorized personnel have access to user information.

We use Secured Socket Layer (SSL) to encrypt financial information you input before it is sent to us. The servers we use to store personal data are kept in a secure environment and the data is encrypted at rest and in transit.

Although we cannot ensure or guarantee that loss, misuse or alteration of data will not occur, we use our best efforts to prevent this.

Changes to this Privacy Policy

We may update this Privacy Policy from time to time in response to changing legal, technical or business developments. When we update our Privacy Policy, we will take appropriate measures to inform you, consistent with the significance of the changes we make. We will obtain your consent to any material Privacy Policy changes if and where this is required by applicable data protection laws.

You can see when this Privacy Policy was last updated by checking the "effective date" displayed at the top of this Privacy Policy.

Any changes will be effective only after the effective date of the change and will not affect any dispute arising prior to the effective date of the change.