



Francis O'Kennedy & Co.

Chartered Accountants & Registered Auditors

Chartered House, 85 Main Street, Leixlip, Co. Kildare, W23 W0D1
Tel: 01 624 6432 Email: fokennedy@fok.ie Web: www.fok.ie

Terms of business

These Terms of Business set out the general terms under which our firm will provide business services to you and the respective duties and responsibilities of both the firm and you in relation to such services. Please ensure that 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 with the Central Bank of Ireland

Francis O'Kennedy, T/A Francis O'Kennedy & Co., (Central Bank registered number, C13619, is regulated by the Central Bank of Ireland as an Insurance Intermediary registered under the European Union (Insurance Distribution) Regulations 2018; as an Investment Intermediary, authorised under the Investment Intermediaries Act, 1995. Copies of our regulatory authorisations are available on request. The Central Bank of Ireland holds registers of regulated firms. You may contact the Central Bank of Ireland on 1890 777 777 or alternatively visit their website at www.centralbank.ie to verify our credentials.

Codes of Conduct

Francis O'Kennedy, T/A Francis O'Kennedy & Co., is subject to the Consumer Protection Code, Minimum Competency Code and Fitness and Probity Standards which offer protection to consumers. These codes can be found on the Central Banks website www.centralbank.ie.

Our Services

Francis O'Kennedy, T/A Francis O'Kennedy & Co., is a member of Brokers Ireland. Our principal business is to provide advice and arrange transactions on behalf of clients in relation to life assurance, pensions and investments. A full list of insurers and product providers with which we deal, is available on request.

Francis O'Kennedy, T/A Francis O'Kennedy & Co., acts as an Insurance and Financial Broker which means that:

- a) the principal regulated activities of the firm are provided on the basis of a fair and personal analysis of the market; and
- b) you have the option to pay in full for our services by means of a fee.

Fair and Personal Analysis

The concept of fair and personal analysis describes the extent of the choice of products and providers offered by an intermediary within a particular category of life assurance or a specialist area. The number of contracts and providers considered must be sufficiently large



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to enable an intermediary to recommend a product that would be adequate to meet a client's needs. The number of providers that constitutes 'sufficiently large' will vary depending on the number of providers operating in the market for a particular product or service and their relative importance in and share of that market. The extent of fair analysis must be such that could be reasonably expected of a professional conducting business, taking into account the accessibility of information and product placement to intermediaries and the cost of the search. In order to insure that the number of contracts and providers is significantly large to constitute a fair and personal analysis of the market, we will consider the following criteria;

- 1) the needs of the customer,
- 2) the size of the customer order,
- 3) the number of providers in the market that deal with brokers,
- 4) the market share of each of those providers,
- 5) the number of relevant products available from each provider,
- 6) the availability of information about the products,
- 7) the quality of the product and service provided by the provider,
- 8) the cost,
- 9) any other relevant considerations.

Sustainability Factors – Investment/IBIPS/Pension Advice.

When providing advice, the firm considers the adverse impact of investment decisions on sustainability. As part of our research and assessment of products, the firm will examine the Product Providers literature to compare financial products and to make informed investment decisions about Environmental, Social & Governance (ESG) products. The firm will at all times act in the client's best interests and keep clients informed accordingly. The consideration of sustainability risks can impact on the returns of financial products.

Investment Intermediary Services

We are remunerated by commission for our investment intermediary services.

Insurance based Investment Products

We are remunerated by commission for advice we provide on our insurance based investment products.

Life and Pensions/Deposits and Life Wrapped Investments

Francis O'Kennedy, T/A Francis O'Kennedy & Co., provides life assurance, pensions and investments on a fair and personal analysis basis, i.e., providing services on the basis of a sufficiently large number of contracts and product providers available in the market, to enable us to make a recommendation, in accordance with professional criteria, regarding which contract would be adequate to meet your needs. We will provide assistance to you for



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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 that you understand the nature of the policy cover particularly in relation to Income Protection (Permanent Health Insurance) and Serious Illness policies. Specifically on the subject of Income Protection (Permanent Health Insurance) insurance policies it is our policy to explain to you a) the meaning of disability as defined in the policy: b) the benefits available under the policy: c) the general exclusions that apply to the policy: d) the reductions applied to the benefit where there are disability payments from other sources. For a Serious Illness policy, we will explain clearly to you the restrictions, conditions and general exclusions that attach to the policy.

Statement of Charges

Francis O'Kennedy T/A Francis O'Kennedy & Co. may earn our remuneration on the basis of fee, commission and any other type of remuneration, including a non-monetary benefit or on the basis of a combination of these methods. A non-monetary benefit will only be accepted if it enhances the quality of the service to our clients. 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 the initial advice provided. We reserve the right to charge additional fees if the number of hours relating to on-going advice/assistance exceeds 1 hour. A summary of the details of all arrangements for any fee, commission, other reward or remuneration paid or provided to us which has been agreed, is available on our website www.fok.ie

In certain circumstances it will be necessary to charge a fee for services provided. These are listed below. In other circumstances where fees are chargeable or where you choose to pay in full for our service by fee, we will notify you in writing in advance and agree the scale of fees to be charged if different from fees outlined below. Where it is not possible to provide the exact amount, we will provide you the method of calculation of the fee. If we receive commission from a product provider, this may be offset against the fee which we will charge you. Where the commission is greater than the fee due the commission may become the amount payable to the firm unless an agreement to the contrary is made. When assessing products, we will consider the different approach taken by product providers in terms of them integrating sustainability risks into their product offering. This will form part of our analysis for choosing a product provider.

Life, Pension, Investments and Personal Retirement Savings Accounts (PRSA's) Fees

You may elect to deal with us on a fee basis:

Principal	€100-€200 per hour	Senior Advisors	€100-€200 per hour
Associates	€100-€200 per hour	Support Staff	€50-€100 per hour





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In addition to the above, fees may be payable for complex cases or to reflect value, specialist skills or urgency, our scale of fees for such cases range from an additional minimum fee of €50.00 per hour to an additional maximum fee of €200.00 per hour. We will notify you in advance and agree the scale of fees to be charged. 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 may become the amount payable to the intermediary unless an arrangement to the contrary is made.

Ongoing Suitability

Investments/Insurance based insurance products

The firms' services does not include ongoing suitability assessments.

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. You must advise us of those changes and request a review of the relevant policy so that we can ensure you are provided with up to date advice and products best suited to your needs. Failure to contact us in relation changes in your circumstances or failure to request a review may result in you having insufficient insurance cover and/or inappropriate investments.

Disclosure of Information

Any failure to disclose material information may invalidate your claim and render your policy void.

Conflicts of interest

It is the policy of our firm 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. A full copy of our Conflicts of Interest policy is available on request. In some cases we may be a party to a profit-share arrangement with product providers, where we provide extra services for the provider. Any business arranged with these providers on your behalf, is placed with them as they are at the time of placement, the most suitable to meet your requirements, taking all relevant information, demands and needs into account.

Default on payments by clients

Our firm will exercise its legal rights to receive payments due to it from clients (fees and insurance premiums) for services provided. In particular, without limitation of the generality of the foregoing, the firm will seek reimbursement for all payments made to insurers on behalf of clients where the firm has acted in good faith in renewing a policy of insurance for the client. Product providers may withdraw benefits or cover in the event of default on



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payments due under policies of insurance or other products arranged for you. We would refer you to policy documents or product terms for the details of such provisions.

Complaints

If you have any complaint in relation to the business services provided by the firm you should outline the nature of your complaint to the Firm in writing. We will acknowledge your complaint in writing, within 5 business days and we will fully investigate it. We shall investigate the complaint as swiftly as possible and the complainant will receive an update on the complaint at intervals of not greater than 20 business days, starting from the date on which the complaint is made. If after 40 business days, the complaint is unresolved, you will be informed of the expected timeframe. On completion of our investigation, we will provide you with a written report of the outcome. In the event that you are still dissatisfied with our handling of or response to your complaint, you are entitled to refer the matter to the Financial Services and Pensions Ombudsman. (FSPO). Email. info@fspoi.ie Web. www.fspoi.ie . A full copy of our complaints procedure is available on request.

Data Protection

Francis O'Kennedy T/A Francis O'Kennedy & Co, are subject to the requirements of the General Data Protection Regulation 2018 and the Irish Data Protection Act 2018. Francis O'Kennedy T/A Francis O'Kennedy & Co. is committed to protecting and respecting your privacy. We wish to be transparent on how we process your data and show you that we are accountable with the GDPR in relation to not only processing your data but ensuring you understand your rights as a client. The data will be processed only in ways compatible with the purposes for which it was given and as outlined in our Data Privacy Notice, this will be given to all our clients at the time of data collection. We will ensure that this Privacy Notice is easily assessable. Please refer to our Website, www.fok.ie. If this medium is not suitable we will ensure you can easily receive a hard copy. Please contact us by phone or by e-mail fokennedy@fok.ie if you have any concerns about your personal data.

Compensation Scheme

We are members of the Investor Compensation Scheme operated by the Investor Compensation Company Ltd. See below for details.

Investor Compensation Scheme

The Investor Compensation Act, 1998 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. The Investor Compensation Company Ltd (ICCL) was established under the 1998 Act to operate such a compensation scheme and our firm is a member of this scheme. Compensation may be payable where money or investment instruments owned or belonging to clients and held,



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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:

1) If the client is an eligible investor as defined in the Act; and 2) 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 3) to the extent that the client's loss is recognised for the purposes of the Act.

Where an entitlement to compensation is established, the compensation payable will be the lesser of:

- 1) 90% of the amount of the client's loss which is recognised for the purposes of the Investor Compensation Act, 1998;
- Or
- 2) Compensation of up to €20,000.

For further information contact the Investor Compensation Company Ltd at (01) 224 4955.

Francis O'Kennedy, T/A Francis O'Kennedy & Co., Terms of Business Effective April 2021

