



Terms of Business (effective date 24/05/18)

These terms of business set out the general terms under which our firm will provide mortgage, insurance and investment business services to you and 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 the undersigned who will be happy to clarify anything. If any material changes are made to these terms we will notify you.

Contact: Paul McNamara

Contact Details: paul@fmlfinance.com 021-4369681 086-6065654

Regulatory Status with the Central Bank of Ireland

FML Financial Management Ltd. is regulated by the Central Bank of Ireland as an Insurance Intermediary under the European Communities (Insurance Mediation) Regulations 2005, as an Investment Business Firm and an Investment Product Intermediary under the Investment Intermediaries Act, 1995 (as amended), as a Mortgage Intermediary authorised under the Consumer Credit Act, 1995 and as a Mortgage Credit Intermediary under the European Union (Consumer Mortgage Credit Agreements) Regulations 2016. The Central Bank of Ireland holds registers of regulated firms. Our Central Bank reference number is C7150. You may contact the Central Bank of Ireland on (01) 224 4000 or alternatively visit their website on www.centralbank.ie to verify our credentials.

Codes of Conduct

FML Financial Management Limited is subject to the Consumer Protection Code, Minimum Competency Code and Fitness & Probity Standards which offer protection to consumers. These codes can be found on the Central Bank's website www.centralbank.ie

Our Services

(a) FML Financial Management Ltd. is a Mortgage Intermediary. We hold written appointments from the product producers set out in Appendix 1 to this document. Following an analysis of your circumstances, needs & goals, we will research the market and help you decide which lender and which product best suits your needs. We will then package and submit your application. Once approved, we will liaise between the lender and your solicitor to ensure your mortgage issues with the minimum of fuss. Of course, you will be kept up to date at all times.

(b) FML Financial Management Ltd. is an Insurance Broker and is a member of the Professional Insurance Brokers Association (PIBA). As a member of PIBA, we must be in a position to place insurance with at least five insurers of the relevant form (life) and therefore can generally give consumers greater choice than agents and tied agents. We hold written appointments from the product producers set out in Appendix 1 to this document.

(c) FML Financial Management Ltd. places general insurance business, such as property insurance, commercial insurance etc. through Blue Insurances and McCarthy Insurance Group, both general insurance brokers regulated by The Central Bank of Ireland. Kindly note that FML Financial Management Ltd. does not offer advice on general insurance products. All advice and after sales service on these products is provided by Blue Insurances and McCarthy Insurance Group directly. They can be contacted at 0818 44 44 49 (Blue Insurances) and 021-4224830 (McCarthy Insurance Group).

(d) FML Financial Management Ltd. provides Repayment (Mortgage & Loan) and Income Protection policies through Assurant Services Ireland Limited which is regulated by The Central Bank of Ireland.

(e) FML Financial Management Limited is an appointed Deposit Broker for Permanent TSB which is regulated by The Central Bank of Ireland. We do not hold any other deposit agencies.

Fair Analysis

FML Financial Management Limited provides its principal regulated activities, ie Pensions, Protection, Mortgages, Savings and Investments on a Fair Analysis basis. The concept of fair analysis is derived from the Insurance Mediation Directive. It describes the extent of the choice of products and providers offered by an intermediary within a particular category of life assurance, general insurance, mortgages, and/ or a specialist area. The number of contracts and providers considered must be sufficiently large 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 ensure that the number of contracts and providers is sufficiently large to constitute a fair analysis of the market, we will consider the following criteria:

- the needs of the customer,
- the size of the customer order,
- the number of providers in the market that deal with brokers,
- the market share of each of those providers,
- the number of relevant products available from each provider,
- the availability of information about the products,
- the quality of the product and service provided by the provider,
- cost, and
- any other relevant consideration.

Life & Pensions

FML Financial Management Limited provides products such as life cover, serious illness cover, income protection, savings, investments and pensions on a fair analysis basis. We can give you a choice of different life and pension products from the insurers listed in Appendix 1 and, on your instruction, we can receive and transmit orders for such products on your behalf to these insurers. We will also 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. We will explain 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 fully understand the nature of the cover provided. This is of particular importance in relation to Income Protection (PHI) and Serious Illness policies.

With regard to Income Protection (PHI) 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 and d) the reductions applied to the benefit where there are disability benefits payable from other sources.

With regard to Serious Illness policies, we will explain to you clearly the restrictions, definitions, conditions and general exclusions that attach to that policy.

Mortgages

Through the lenders or other undertakings with which we hold an agency, FML Financial Management Ltd. can provide advice on and arrange mortgage products from the following range: fixed rate loans, variable rate mortgages, capital & interest mortgages, interest only mortgages, endowment mortgages, pension mortgages, residential investment property and commercial mortgages.

We provide mortgages on a fair analysis basis and we will need to gather sufficient information from you before we can offer any advice on housing loans. A key issue in relation to mortgage advice is affordability and so all such information should be provided promptly upon our request.

Deposits

At the moment, we only hold deposit agencies with 1 provider, Permanent TSB. Therefore, any advice offered can only be on a limited analysis basis.

Non-Life

We do not offer advice on any general insurance products.

Disclosure of Information

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

FML Financial Management Ltd. is remunerated by commission and other payments from product producers or lenders on completion of 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 the initial advice provided. We reserve the right to charge additional fees if the number of hours relating to ongoing advice/assistance exceeds the norm.

In certain circumstances, it will be necessary to charge a fee for services provided, such as when a product or mortgage is not completed. These are listed below for Mortgages and Standard PRSAs. Our current basic hourly rate is €150 per hour. In determining the rate, any additional factors such as specialist skills, complexity, value, risk and urgency will be taken into account.

Protection/Life

With regard to protection policies, we are remunerated by way of commission from the provider. Details of these payments will be included in a product information document, which you are legally entitled to receive before your application is completed and a disclosure document will be included with your contract document along with a “cooling off letter” giving you option to cancel. In certain circumstances, it will be necessary to charge a fee for services provided. In circumstances where fees are chargeable, we will notify you in advance. If you would prefer to pay a fee in light of FML Financial Management Limited foregoing commission from the insurance provider, this can be agreed in advance and confirmed in writing.

Personal Retirement Savings Accounts (PRSAs)

We charge a minimum fee of €300 for PRSA advice. Additional fees may be payable for complex cases or to reflect value, specialist skills or urgency. We will notify you in advance of providing you with these services. If we receive commission from the product provider, this will be offset against the fee due. Where the commission is greater than the fee due, the commission will become the amount payable unless an alternative arrangement is made.

Mortgage Business

FML Financial Management Ltd. is remunerated by commission of up to 1% on the completion of business with lenders listed in Appendix 1. In certain circumstances, it may be necessary to charge a fee for services provided. In circumstances where fees are chargeable, we will notify you in advance. If you would rather pay a fee in full, then this option is available. Fees will be agreed in advance and confirmed in writing.

Home Mortgage: We charge an up front fee of €500 at application stage. This fee will be fully refunded on receipt of commission from the product provider on completion subject to a minimum mortgage drawdown of €200,000. Should the mortgage not issue, for any reason, this fee will be retained.

Residential Investment/Commercial Mortgage: We charge a fee of up to 1% of the mortgage amount, subject to a minimum fee/commission receipt of €2,000.

Please note that certain lenders charge specific fees in certain circumstances. If this applies, these are in addition to the fees outlined above and will be outlined in your Loan Offer.

Non-Life Insurance Business

FML Financial Management Ltd. is remunerated by way of commission from Assurant Services Ireland Ltd. Blue Insurances and McCarthy Insurance Group. Rates of commission vary, depending on the product provided, and we are happy to disclose exactly what rate is payable on any individual policy.

Deposits

FML Financial Management Limited is remunerated by way of commission at a rate of 0.15% from Permanent TSB.

Savings/Investments/Pensions

We are usually remunerated by way of commission from the product provider. This is generally paid by way of initial commission, based on a percentage of the initial investment amount and trail commission attached to the standard annual management charge for the provision of ongoing servicing and advice. In all instances, we endeavor to keep our charges competitive and appropriate to your individual circumstances. We always strive to ensure that our clients receive an allocation of 100% at least, despite the government levy of 1% on savings & investments, and pay just 0.25% trail.

Clients can opt to pay a fee, or a combination of fee and commission to get the exact structure they desire in relation to allocation and annual management fee. This must be agreed in advance and confirmed in writing. Full details of allocation rate, annual management fee applicable and commission payable will be disclosed on your information document and policy documents.

Regular Reviews

As your personal and financial circumstances change over time, so too will your needs and goals. The financial market is also constantly evolving. It is in your best interest to regularly review the products we have arranged for you. You should keep us informed of any relevant changes and request regular reviews to ensure that your products still match your needs & goals and continue to provide value for money. Failure to contact us in relation to changes in your circumstances or failure to request a review, may result in you having insufficient insurance cover and/or inappropriate investments.

Ongoing Suitability Assessment (Investment Products Subject to MIFID 3 Regulations):

Where we receive an ongoing payment by way of an additional annual management fee incorporated into a product which is subject to MIFID 3 Regulations, an ongoing suitability assessment forms part of the service. On an annual basis, the firm will issue a client report outlining changes in the services or instruments involved and/or the circumstances of the client.

Conflicts of interest

It is the policy of our firm to avoid conflicts of interest in providing services to you. If this is not possible, we will notify you as soon as practicable after we become aware of the conflict of interest and you may rest assured that you will be treated fairly where such a conflict is unavoidable.

Default on payments by clients

Our firm will exercise its legal rights to receive payments due to it from clients 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.

Insurers and other product producers may withdraw benefits or cover in the event of default on 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.

Mortgage lenders may seek early repayment of a loan and interest if you default on your repayments. Your home is at risk if you do not maintain your agreed repayments.

Complaints

Should you have any complaint against our firm, we ask that you detail it in writing to us. We will acknowledge your complaint within 5 working days of receipt and we will fully investigate it. 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 Ombudsman. A full copy of our complaints procedure is available on request.

Compensation Scheme

We are members of the Investor Compensation Scheme operated by the Investor Compensation Company Ltd – see Appendix 2 for details.

Brokers Ireland Compensation Fund

We are also members of the Brokers Ireland Compensation Fund. Subject to the rules of the scheme the liabilities of its members firms up to a maximum of €100,000 per client (or €250,000 in 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.

Data Protection

FML Financial Management Limited complies with the requirements of the General Data Protection Regulation 2018 and the Irish Data Protection Act 2018.

We are 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.fmlfinance.com. If this medium is not suitable we will ensure you can easily receive a copy by post or email.

Please contact us at paul@fmlfinance.com if you have any concerns about your personal data.

Appendix 1

List of Product Producers

Life & Pensions

Royal London

Zurich Life Assurance

Wealth Options

ICS/Dilosk & BNP Paribas – France & Turkey)

Aviva Life & Pensions

Irish Life Assurance

New Ireland Assurance

Standard Life Assurance

Friends First

Davy Select

BCP Asset Management

CGU Life

Lenders

KBC Bank Ireland plc.

Brokers Ireland Network Services Ltd. (Access to Pepper Money,

Haven Mortgages Ltd (Broker arm of AIB)

Permanent TSB.

ICS Building Society (Dilosk)

Cork City Council

Kilkenny County Council

Dublin City Council

Galway County Council

Deposits

Permanent TSB

Appendix 2

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 and our firm is a member of this scheme (reference number II 0669)

Compensation may be payable where money or investment instruments owed or belonging to clients and held, administered or managed by the firm cannot be returned to those clients for the time being and 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 recognised for the purposes of the Act.

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

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

For further information contact the Investor Compensation Company Ltd at (01) 4344000.