

### Any questions?

Call us about this letter on

**1 800 806200**

### Opening hours:

Monday to Friday 9am-6pm

Saturday 10am - 6pm

Bank holiday 12pm - 5pm

We may record or monitor your call

### Policy number/s:

Insurance Department,  
Dixons Carphone,  
3rd Floor Office Suite,  
Omni Park shopping centre,  
Santry,  
Dublin 9.

<https://transfer.aviva.com/insurance>

### What you need to know

- You don't have to do anything unless you believe you may be negatively affected by the change
- The underwriter of your policy will change
- The terms of your policy won't change
- The way you contact us won't change
- You can find more details at <https://transfer.aviva.com/insurance>

6-10-2018

Dear Customer

Your mobile device insurance is currently underwritten by Aviva Insurance Limited, which is a company based in the UK and Aviva have asked us to let you know about proposed changes to their business.

As the UK negotiates the terms of its withdrawal from the European Union, companies based in the UK, including Aviva, may lose the right to carry out business in other European countries in the same way as they do now. This means that Aviva may be unable to administer your policy in the same way. Aviva want to provide certainty for customers who may be affected by this and are preparing now for anticipated changes in the law.

Aviva are proposing to transfer a number of policies from Aviva Insurance Limited to Aviva Insurance Ireland DAC, which is part of the Aviva Group and incorporated in the Republic of Ireland. Your insurance policy is included in these proposals. If the court in Edinburgh (see question 10 of the **Questions and Answers**) approves the transfer, your policy will transfer to Aviva Insurance Ireland DAC and this is expected to happen on 1 February 2019.

Please read the information we've sent you so you understand what Aviva are doing, and what it means for you and your policy.

#### The terms of your policy won't change

Apart from changing the provider of your policy to Aviva Insurance Ireland DAC, there won't be any change to the terms of your policy as a result of the proposed transfer and an Independent Expert has stated that he doesn't expect the security of your policy to be materially adversely affected. The transfer also won't change the way your policy is handled and you will still contact us on the same phone numbers and at the same address as before.

#### A process designed to help protect your interests

To make sure you're protected, Aviva must follow a set process before the transfer can take effect. This includes:

- giving you (as a policyholder) notice of the transfer;
- making you aware that you can object to the transfer and put your objections directly to the court hearing if you believe you'll be negatively affected by the transfer (see question 5);
- a detailed review by an Independent Expert (see question 9);
- consulting Aviva's industry regulators in the UK and the financial services regulator in Ireland; and
- approval by the court in Edinburgh.

An Independent Expert has already reviewed Aviva's proposals and produced a report setting out his views. We've included a summary of the Independent Expert's report with this letter.

### **What you need to do**

Please read all the information Aviva has asked us to send you and which is available on their website at <https://transfer.aviva.com/insurance>

If you don't have any objections to Aviva's proposals, you don't need to do anything.

If you do have any questions or objections to the proposals or believe you would be negatively affected by them, you can call us, write to us or make your objection online. Details of how to do this are shown in question 5 of the **Questions and Answers**. You also have the right to put your objections to the court if you believe you'd be affected in a negative way, including at the final court hearing to consider the approval of the transfer. The date of the final court hearing and address of the court are shown in question 6 of the **Questions and Answers**.

### **If you need more information**

The attached **Questions and Answers** give you more information and you can find more details on Aviva's website at <https://transfer.aviva.com/insurance>

We can also ask Aviva to post the website documents to you free of charge if you ask us to.

You can also call us Monday to Friday 9am to 6pm, Saturday 10am to 6pm and Bank holidays 12pm- 5pm on 1800 806 200). Calls are charged at local call rates within Ireland and may vary depending on your network provider. For our joint protection we may record and/or monitor telephone calls.

Or you can write to us at at;  
Insurance Department,  
Dixons Carphone,  
3rd Floor Office Suite,  
Omni Park shopping centre,  
Santry,  
Dublin 9.

Yours faithfully

DCW Customer Team

# Questions and Answers

## 1. What are Aviva proposing?

Aviva are proposing to transfer a number of policies provided by Aviva Insurance Limited to Aviva Insurance Ireland DAC. This transfer is between companies within the Aviva group. You can find more information about the proposed transfer in the attached guide.

## 2. What does the proposed transfer mean to me?

Aviva is the underwriter of your mobile device insurance. Apart from changing the provider of your insurance policy to Aviva Insurance Ireland DAC, there won't be any change to the operation of your policy as a result of the proposed transfer.

In particular, the transfer won't have any effect on:

- the terms of your policy;
- any payments you make or receive under the terms of your policy; or
- the usual level of service you receive.

The transfer will, however, mean that your policy will no longer qualify for protection under the UK Financial Services Compensation Scheme but you may qualify for similar protection under the Irish Insurance Compensation Fund (see question 11).

## 3. Will my payments change?

Your payments and any direct debit arrangements won't change as a result of this proposal and you don't need to do anything.

## 4. Do I have a vote on the transfer?

The transfer is subject to the approval of the court (see question 10). It's not open to a vote of policyholders, shareholders of Aviva plc or anyone else with an interest.

However, anyone who believes they may be negatively affected by the transfer can object or express their views to the court.

## 5. How does the objection process work?

You can make an objection or representation by post. You should send this to;

Insurance Department,  
Dixons Carphone,  
3rd Floor Office Suite,  
Omni Park shopping centre,  
Santry,  
Dublin 9.

Please state clearly the reasons for your objection or representation and give a return address so that Aviva can send you a written response. Or, you can call us on the number shown at the top of your letter or make your objection online at <https://transfer.aviva.com/insurance/objection>

If you make an objection, Aviva will send you a response. Your objection and their response will then form part of the paperwork that Aviva send to:

- the court;
- the Independent Expert (see question 9);
- the Financial Conduct Authority; and
- the Prudential Regulation Authority.

You also have the right to put your objection directly to the court. To be sure that the court will consider your objection, you'll need to follow a set process which Aviva has detailed in section 5 of the attached guide and we recommend that you take advice from a solicitor qualified in Scots law. A solicitor will also be able to advise you of the court fee payable.

Even if you don't follow that process, the court's practice is to consider informal objections, either in writing or at the final court hearing.

## **6. What is the timeline for the transfer?**

The hearing for the final court approval is expected to be on 15 January 2019 and will be at the Court of Session at Parliament House, Parliament Square, Edinburgh EH1 1RQ. Aviva will put a notice on <https://transfer.aviva.com/insurance> if this date changes.

If the proposals are approved, Aviva expect the transfer to happen on 1 February 2019.

## **7. Why are Aviva doing this?**

Aviva are preparing for anticipated changes in the law which applies to them as a result of the UK's expected withdrawal from the European Union. Companies based in the UK, including Aviva Insurance Limited, may lose the right to carry out business in other European countries in the same way as they do now. This means Aviva may be unable to administer your policy in the same way. Aviva Insurance Ireland DAC is incorporated in the Republic of Ireland, a country within the European Union, and will be able to cover the risks under your policy.

Aviva want to provide certainty for customers who may be affected by these changes.

## **8. Is my policy safe? Will I lose any benefits?**

The Independent Expert does not expect the security of your policy to be materially adversely affected by the proposed transfer.

Apart from the change to the provider of your policy to Aviva Insurance Ireland DAC, there won't be any change to the terms and conditions of your policy as a result of the transfer.

## **9. Who's the Independent Expert and what makes him independent?**

Simon Sheaf is a Fellow of the Institute and Faculty of Actuaries (IFoA) and Fellow of the Society of Actuaries in Ireland. He is Head of General Insurance Actuarial and Risk within Grant Thornton UK LLP and has more than 25 years of experience working within the general insurance industry.

Aviva appointed Mr Sheaf after he was approved by the Prudential Regulation Authority in consultation with the Financial Conduct Authority. His role is to report to the court on the effect of the proposed transfer on policyholders. While Aviva will pay him a fee, he has no duty to them and as a member of the IFoA he has a professional obligation to stay fully independent.

Mr Sheaf formed his opinion using his experience and his duty is to the court. You can read a summary of his report in the attached document. You can see the full report and supporting documents online at <https://transfer.aviva.com/insurance/documents> or you can call us on the number shown at the top of this letter and we'll arrange for Aviva to send them to you by post, free of charge.

## **10. Why is there a court hearing?**

The transfer process for the UK insurance industry is governed by Part VII of the Financial Services and Markets Act 2000. This says that a court must agree to the transfer. As your policy was written by Aviva Insurance Limited which is registered in Scotland, the Court of Session in Edinburgh is the relevant court and so the court hearing will be in Edinburgh.

## **11. Will the Financial Services Compensation Scheme (FSCS) still apply to my policy?**

The FSCS provides protection for policies provided by UK companies in the event of them becoming insolvent. If the transfer goes ahead, your policy will be provided by Aviva Insurance Ireland DAC which is a company incorporated in Ireland and so will not qualify for protection under the FSCS.

The equivalent scheme in Ireland, the Insurance Compensation Fund, only applies to risks situated in the Republic of Ireland. The ICF operates in a similar manner to the FSCS and provides compensation to consumers and small businesses in the event of insurer insolvency. You can read the qualifying requirements for compensation and the limits in paragraph 10.31 of the Independent Expert's report on Aviva's website <https://transfer.aviva.com/insurance/documents>

The Independent Expert's opinion is that Aviva Insurance Ireland DAC will be sufficiently capitalised after the transfer and is unlikely to experience financial difficulties which could require FSCS or ICF compensation.

## **12. Can I still refer any complaints to the Financial Services and Pensions Ombudsman Service?**

If you have a complaint or objection about the proposed transfer, you may wish to contact Aviva as shown in question 5 as this is a legal process which is not part of the Ombudsman's responsibility. If the transfer goes ahead, you'll still be able to refer any future complaints to the Financial Services and Pensions Ombudsman in Ireland.