



Privacy Statement

- (a) Element Specialty Underwriting Pty Ltd (Element, 'we', 'us', 'our') is committed to protecting your privacy and confidentiality. We are committed to ensuring all customer personal information is handled in accordance with the principles of the *Privacy Act 1988 (Cth)*.
- (b) Our Privacy Policy sets out how we might collect, hold, use or disclose your personal information in accordance with the Privacy Act.
- (c) By providing us with your personal information by any means, you agree with the terms of this Privacy Policy and consent to the collection, use, and disclosure of that information in accordance with this Privacy Policy, the Act as amended (including the Australian Privacy Principles or APPs) and other applicable privacy laws. The APPs are available from the Office of the Australian Information Commissioner (OAIC) website.
- (d) We collect personal information and data in various ways to enable us to provide you with our products and services.

Privacy Policy

This Privacy Policy applies to the collection, use, disclosure and handling of personal information by Element Specialty Underwriting Pty Ltd ACN 686 680 008. This policy is dated 20th August 2025.

1. PERSONAL INFORMATION

This Privacy Policy concerns any personal information or sensitive information of yours which is provided to us.

Personal information is any information about an identified individual or an individual who is reasonably identifiable, whether the information is true or not and whether the information is recorded in a material form or not.

Sensitive information is any personal information about your racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a

professional or trade association, membership of a trade union, sexual orientation or practices, criminal record.

We generally do not wish to be informed of a person's sensitive information. We, in any event, will collect, use or disclose sensitive information about you only as allowed by law, for example where we have received your consent to do so or the collection is required by law.

2. COLLECTION OF PERSONAL INFORMATION

We will collect personal information for primary purposes, which are relevant to providing and administering our financial products and services. Personal Information we hold which is identifiable as being about you. This includes information such as your name, email address, and any other information that can reasonably identify an individual, either directly or indirectly.

To enable us to provide advice on and arrange financial services, we collect the information needed by ourselves to ensure appropriate advice to you and information required by product suppliers. We will usually provide some or all of this information to our product suppliers. Some of these companies may be located outside Australia.

When a claim is made under an insurance policy, to enable us to assist in the claim process, we and our representatives and those of the insurer (including loss adjusters, investigators, medical advisers and lawyers) collect information about the claim, some of which may be personal information. We may collect the information from you or from third parties.

We provide this information to the insurer and or their agents and those appointed to assist you in making a claim. Again, this information may be passed on to your underwriters and reinsurers. We may use your personal information internally to help us improve our services and help resolve any problems.

Sometimes, we may collect information through third parties, including:

- a) our third-party service providers (including marketing agencies, credit reporting agencies, public sources, or promotional partners or distributors or brokers of our products and services);
- b) we may collect information from another person on the policy (for example, the person setting up the policy under which you are insured);
- c) if you have transferred to us from another insurer, we may collect information from that insurer; and
- d) by using tracking technologies such as cookies, web beacons and other web analytics software or services.

3. CONSENT

By using the site or otherwise providing us directly, or through others, with your personal information, you agree with the terms of this Privacy Policy and consent to the collection, use, and disclosure of that information in accordance with this Privacy Policy, the Act as amended (including the Australian Privacy Principles) and other applicable privacy laws.

4. WHAT IF YOU DO NOT PROVIDE INFORMATION TO US ?

We can only apply for and arrange financial service products if we have all relevant information. The insurance laws also require insureds to provide all the information required by the end insurer to help them decide whether to insure you and on what terms.

5. HOW DO WE HOLD AND PROTECT INFORMATION ?

We hold your personal information on our systems and databases. We take all reasonable steps to securely retain any information we hold. We maintain security systems and procedures to manage and protect the use of records containing personal information. We regularly review our systems to ensure they are effective at keeping your personal information secure.

The reasonable steps we take include protecting the information from misuse or loss and from unauthorised access, modification or disclosure.

We may store your files electronically. We implement a range of physical and electronic security measures to protect the personal information that is held, including use of passwords, firewalls and other electronic security measures as well as physical security devices.

Where we no longer require your personal information for a permitted purpose under the APPs, we will take reasonable steps to destroy it.

The transmission and exchange of information is carried out at your own risk. We cannot guarantee the security of any information that you transmit to us, or receive from us. Although we take measures to safeguard against unauthorised disclosures of information, we cannot assure you that personal information that we collect will not be disclosed in a manner that is inconsistent with this Privacy Policy.

6. WHEN WILL YOUR INFORMATION BE USED OR SHARED

We may disclose your personal information in certain circumstances, such as where we are required or authorised by law or where you have consented to us doing so. We can only use and disclose your personal information for the purpose it was collected unless the use or disclosure for another purpose is with your consent or otherwise permitted by law.

We may use your personal information to:

- a) process your application for insurance;
- b) generally administer your insurance policy;
- c) manage the claims process;
- d) to process any invoices, claims payments or other payments;
- e) answer your enquiries and generally provide customer service to you;
- f) resolve complaints;
- g) carry out internal business activities, including administration, quality and com-

pliance reviews, risk management (including claims auditing), training, accounting, audit and information technology;

- h) work with insurance intermediaries and distributors and group policy holders;
- i) develop our products and services;
- j) comply with laws and regulations.

We may disclose your personal information to:

- a) our carriers, as a carrier acts as the insurer and with whom we have a binding authority to issue its policy type as well as administer these policies on behalf of the carrier.
- b) our related corporate entities for the purpose of performing our functions or corporate reporting.
- c) reinsurers, third-party claims administrators, lawyers and mediators in connection with your insurance policy with us.
- d) in connection with insurance related issues:
 - investigators and assessors to investigate and assess claims and related matters, to defend actions by third parties, to recover our costs (including amounts owed to us) or to seek a legal opinion;
 - witnesses, to obtain witness statements;
 - experts to provide us with opinions;
 - other parties to a claim to obtain statements from them, seek recovery or defend an action;
- e) service providers and third parties engaged by us or engaged to carry out business activities on our behalf, to administer your policy, arrange and provide legal advice, supply documents and for us to carry out internal business activities;
- f) our professional advisers, including our lawyers and auditors;
- g) if you applied for your insurance policy through a broker or other agent, we may disclose your information to that party for the purposes of setting up and maintaining your insurance policy; and
- h) people listed as co-insured on your insurance policy and to family members or any person acting on your behalf; and
- i) any person authorised by you.

When making such a disclosure we will take reasonable steps to ensure that the recipient is bound by privacy obligations.

Unless you consent, we otherwise will not disclose your personal information to third parties.

7. INFORMATION SENT OVERSEAS

In certain situations it is likely that that some or all of the Personal Information that you provide to us may be

disclosed to businesses that operate overseas. This would only occur where the product provider / intermediary is based overseas – e.g. Lloyds of London syndicates or brokers and other overseas based insurers and intermediaries or in situations where we utilise “Cloud Computing” services that are situated outside Australia.

In all such cases, unless we expressly inform you and obtain your consent to the contrary, we commit to making reasonable enquiries to ensure that these organisations comply with their local privacy legislation where such legislation is comparable to the Australian legislation and to comply with the key components of Australian Privacy legislation in cases where their local legislation is considered inadequate or non-existent.

8. WEBSITE PRIVACY ISSUES

Anonymous Data

We use technology to collect anonymous information about the use of our website, for example when you browse our website our service provider may log your server address, the date and time of your visit, the pages and links accessed and the type of browser used. It does not identify you personally and we only use this information for statistical purposes and to improve the content and functionality of our website, to better understand our clients and markets and to improve our services.

Cookies

In order to collect this anonymous data we may use “cookies”. Cookies are small pieces of information which are sent to your browser and stored on your computer’s hard drive. Sometimes they identify users where the website requires information to be retained from one page to the next. This is purely to increase the functionality of the site. Cookies by themselves cannot be used to discover the identity of the user. Cookies do not damage your computer and you can set your browser to notify you when you receive a cookie so that you can decide if you want to accept it. Once you leave the site, the cookie is destroyed and no personal or other information about you is stored.

9. ACCESS AND CORRECTION OF INFORMATION

You may request access to any of the personal information we hold about you by contacting us as specified below.

We will take all reasonable steps to ensure that the personal information we collect, use or disclose is accurate, complete and up to date. To ensure your personal information is accurate, please notify us of any errors or changes to your personal information and we will take appropriate steps to update or correct such information in our possession.

10. NOTIFIABLE DATA BREACH

In the event of any loss or unauthorised access or disclosure of your personal information that is likely to result in serious harm to you, we will:

- (a) investigate; and
- (b) In the event that there is a data breach we will take all reasonable steps to contain the suspected or known breach where possible. We will take immediate steps to limit any further access or distribution where possible.
- (c) notify you and the Australian Information Commissioner as soon as practicable, in accordance with the Act.
- (d) We will review the incident and take action to prevent future breaches.

11. COMPLAINTS

If you have any questions or concerns about our collection, use or disclosure of personal information, or if you believe we have not complied with this Privacy Policy or the Act, please contact us as set out below. A representative from Element will investigate the complaint and determine whether a breach has occurred and what action, if any, to take.

Element will take any privacy complaint seriously and will aim to resolve any such complaint in a timely and efficient manner (Element has a target response time of 30 days).

Element expects our procedures will deal fairly and promptly with any complaints. However, if any person remains dissatisfied, they can also make a formal complaint with the Officer of the Australian Information Commissioner (which is the regulator responsible for privacy in Australia):

Office of the Australian Information Commissioner (OAIC)

Complaints must be made in writing to :

Director of Compliance

Office of the Australian
Information Commissioner
GPO Box 5218
Sydney NSW 2001

[1300 363 992](tel:1300363992)

www.oaic.gov.au

12. LINKS TO OTHER WEBSITES

Our Site may contain links or references to other websites to which this Privacy Policy may not apply. You should check their own privacy policies before providing your personal information.

13. CHANGES TO THIS POLICY

The date of this Privacy Policy is set out at the beginning of this policy. We may change this Privacy Policy at our discretion. By continuing to use any Site, or otherwise continuing to deal with us, you accept this Privacy Policy as it applies from time to time.

14. CONTACT US

If anyone wishes to exercise a right to opt-out of receiving our marketing materials, or if any person has any questions or concerns about this Privacy Policy, privacy issues or queries or our information practices, please contact us at: enquiries@elementuw.com

