

# PRIVACY NOTICE

(Updated December 2020)

## Introduction

The protection of your personal data is of paramount importance to us. This notice sets out how the following entity (“we”, “us” and “our”) use and protect your personal data in accordance with applicable data protection law:

Primark Pension Trustees Limited (219311) of 47 Mary Street, Dublin 1, trustees of the Primark Pension Plan for Primark’s Irish employees and employees other participating employers (the “Plan”);

It also describes your data protection rights (including the right to object to some of the data handling we carry out). More information about your rights and how you can exercise them is set out in the “Your Rights” section below.

References to “you” and “your” in this notice refer to any potential, current or former Plan members, their relatives, dependents and nominated beneficiaries.

Further information regarding the way in which we use your personal data is set out in Annex 1 of this notice.

## What personal data do we collect and use?

We process the following personal data:

- **Personal Identification and Communication Information:** your name, home address, date of birth, phone number, email address, nationality, gender, employee payroll number, and PRSI number;
- **Family and Other Social Circumstances Information:** your nominated beneficiaries’, dependent’s and relatives’ details, marital status, applications for early retirement or distribution of death benefits. We will also ask for copies of certain identification documents before we can pay any benefits due to you (such as birth certificates, marriage certificates and passports) to comply with Anti Money Laundering regulations;
- **Employment and Pension Plan Membership Details:** pensionable pay, length of service, retirement date, employment and career history, job title, financial details such as income, salary, assets and investments held within the Plan, bank account details to process pension payments, benefits grants, automatic enrolment history and any registered tax protection status which you may disclose to us; and
- **Benefit Related Information:** medical or other unpaid leave information and any medical certificates or other documents so we can assess eligibility for, and to support your application for, certain benefits or cover (including death in service cover, ill health benefits or incapacity retirement under the Plan).

We will usually only ask you to supply your personal data which is necessary in order to fulfil the purposes described in this notice. However, whenever we ask you to supply us with personal data and the provision of this data is optional we will tell you about this and where relevant we will explain what the consequences will be if you decide not to provide the requested information.

Please ensure that if you provide personal data about your relatives, dependents or nominated beneficiaries to us, you have provided this notice to them.

## Sensitive personal data

Sensitive personal data includes, amongst other things, personal data concerning health or a person's sexual orientation. Where sensitive personal data is collected, we will ensure that any additional legal requirements are complied with.

Further information about the way in which we protect your personal data is available from us on request using the details provided below.

## Why we collect and use your personal data

We will use your personal data for the following reasons:

- administering the Plan, including communicating with you (for example providing information about the Plan and benefits as well as any changes to them), ensuring the security of members' benefits, assessing and processing applications for cover and benefits, processing contributions and benefits and making payments to members and nominated beneficiaries;
- for internal and legislative record-keeping purposes;
- to make disclosures as required by law; and
- for Plan financing/funding and for risk management purposes (including credit risk analysis, and for the insurance of longevity risks and related demographic risks).

## Legal basis

Further information about the way in which your personal data is used for these purposes is included in the table in Annex 1 of this notice. This table explains the legal bases that we rely on when we use your data for each of these purposes. For example:

- in some cases, we use your personal data in order to perform a contract between us and you;
- in some cases, we use your personal data in order to comply with the law;
- in some cases, we will use your personal data because this is necessary for a legitimate business interest which is not overridden by your own privacy interests; when we rely on their legitimate interests to use your personal data, you have the right to object to this; and
- in exceptional circumstances, we can only use your personal data if you consent. If we ask you for your consent so that we can use your data for a particular purpose, we will remind you that you are free to withdraw your consent at any time and will tell you how you can do this.

## Retention of your data

We will retain your personal data in a form that identifies you for no longer than is necessary for the purposes for which the personal data is processed.

Personal data collected for pension purposes will usually need to be retained on a long-term basis and therefore personal data will generally be retained for 110 years from your date of birth. However, should you no longer hold any further liability within the Plan (for example, where you take a full refund or a transfer out), then any data no longer required will be cleared down 6 years after the event that removed the liability from the Plan (leaving a shell record as proof that the Plan's liability to you was removed).

## Transfer outside EEA

We ensure that we comply with applicable legal requirements when transferring personal data to countries outside the European Economic Area (the "**EEA**") (i.e. all 27 EU Member States plus Iceland, Liechtenstein and Norway). Further information regarding these data transfers (including the destination territories) is set out in Annex 1 of this notice and can be obtained from us on +353 861734964 or email [mybenefits@primark.ie](mailto:mybenefits@primark.ie).

## Sharing your data

We share your personal data with:

- Your employer (referred to as the "**Employer**" in Annex 1), as required in order to administer your benefits within the Plan and to comply with the record keeping requirements of applicable law;
- Service providers engaged under contract to provide us with pension administration services;
- Third party service providers so that they can provide you with applicable benefits;
- Professional advisers engaged to advise us in connection with the financing and funding of the Plan; and
- Government authorities and / or law enforcement officials (for example, the Department of Employment Affairs and Social Protection), to the extent mandated by law, or where necessary for the legal protection of our legitimate interests in compliance with applicable laws.

In the event that your Employer's business is sold or integrated with another business, your details will be disclosed to the professional advisers of any prospective purchaser and will be passed to the new owners of the business.

For further information regarding recipients of your data see Annex 1 of this notice.

## Security

We have taken appropriate technical, administrative, physical and procedural security measures, consistent with local and international information practices, to protect your personal data from misuse, unauthorised access or disclosure, loss, alteration, or destruction.

## Your Rights

If you wish to access your personal data or exercise any of your rights you should contact us on +353 861734964 or email [mybenefits@primark.ie](mailto:mybenefits@primark.ie).

You have the right to ask us to rectify, block, complete and delete your personal data, to restrict its use, and to 'port' your personal data (that is, to ask for it to be provided to you in a structured, commonly-used and machine readable format and to transmit it directly to another organisation). You also have the right to request a copy of your personal data.

You also have the right to object to the processing of your data by us in certain circumstances (for example where we don't have to process your data to meet a contractual or other legal obligations).

There are exceptions to these rights, however. For example, it will not be possible for us to delete your data if we are required by law to keep it. Similarly, access to your data may be refused if making the information available would reveal personal information about another person or if we are legally prevented from disclosing such information.

You also have the right to make a complaint to your data protection regulator if you believe that your rights have been breached.

**Annex 1 – further information regarding the handling of personal data**

Purpose of Data Processing	Relevant data subjects	Relevant Personal Data Categories	Legal Basis of Processing	Source(s) of data (other than you)	Recipients of data	Transfers outside the European Economic Area
<b>PRIMARK PENSION TRUSTEES LIMITED</b>						
<p><b>Administering the Plan, including:</b></p> <ol style="list-style-type: none"> <li><b>1. Communicating with potential, current and former members and nominated beneficiaries, dependents and relatives</b></li> <li><b>2. Ensuring the security of members' benefits</b></li> <li><b>3. Assessing and processing applications for cover and benefits</b></li> <li><b>4. Processing contributions and benefits</b></li> </ol>	<ul style="list-style-type: none"> <li>• Potential, current and former members</li> <li>• Nominated beneficiaries, dependents and relatives</li> </ul>	<ul style="list-style-type: none"> <li>• Personal Identification and Communication Information</li> <li>• Family and Other Social Circumstances Information</li> <li>• Employment and Pension Plan Membership Details</li> <li>• Benefit Related Information</li> </ul>	<ul style="list-style-type: none"> <li>• Processing is necessary for the performance of a contract to which the member is party or in order to take steps at the request of the member prior to entering into the contract</li> <li>• Processing is necessary for the legitimate interests of Primark Pension Trustees Limited in administering the Plan which are not overridden by the interests, rights and freedoms of affected individuals</li> <li>• In relation to Benefit Related Information that is personal data concerning health, processing is on the basis of explicit consent</li> </ul>	<ul style="list-style-type: none"> <li>• A member's employer will provide certain employment details when it enrolls the member in the applicable Plan</li> <li>• Another pension plan if the member has transferred any benefits to that plan</li> <li>• A member's next of kin, in the event of the member's death</li> </ul>	<ul style="list-style-type: none"> <li>• Service providers, including Willis Towers Watson</li> <li>• Third party service providers so that they can provide members with applicable benefits, such as JLT Insurance Brokers Ireland Ltd (income continuance provider)</li> <li>• Government authorities and/ or law enforcement officials (for example, the Department of Employment Affairs and Social Protection)</li> </ul>	<p>Data is transferred to countries outside the EEA only in the following circumstances:</p> <ol style="list-style-type: none"> <li>(i) where we transfer personal data to you and you are outside the EEA' or</li> <li>(ii) where we transfer your personal data to pensions administrators located in the UK in connection with the supply of pension administration and related services. We use standard contractual clauses to ensure your data is protected when it is shared with pension administrators located in the UK.</li> <li>(iii) where we are required to disclose personal data to government authorities and/ or law enforcement agencies located outside the EEA (e.g. in the UK) for important reasons of public interest</li> </ol>
<ol style="list-style-type: none"> <li><b>5. Internal and legislative record keeping purposes</b></li> </ol>	<ul style="list-style-type: none"> <li>• Potential, current and former members</li> <li>• Nominated beneficiaries, dependents and relatives</li> </ul>	<ul style="list-style-type: none"> <li>• Personal Identification and Communication Information</li> <li>• Family and Other Social Circumstances Information</li> <li>• Employment and Pension Plan Membership Details</li> <li>• Benefit Related Information</li> </ul>	<ul style="list-style-type: none"> <li>• In relation to legislative record keeping, processing is necessary for compliance with law</li> <li>• Otherwise, processing is necessary for the legitimate interests of Primark Pension Trustees Limited in administering the Plan which are not overridden by the interests, rights and freedoms of affected individuals</li> <li>• In relation to Benefit Related Information that is personal data concerning health, processing is on the basis of explicit consent</li> </ul>	<ul style="list-style-type: none"> <li>• A member's employer will provide certain employment details when it enrolls the member in the applicable plan</li> <li>• Another pension plan if the member has transferred any benefits to the Plan</li> <li>• A member's next of kin, in the event of the member's death</li> </ul>	<ul style="list-style-type: none"> <li>• Service providers, including the Willis Towers Watson for pensions administration purposes</li> <li>• Third party service providers so that they can provide members with applicable benefits, such as JLT Insurance Brokers Ireland Ltd (income continuance provider)</li> <li>• Government authorities and/ or law enforcement officials (for example, the Department of Employment Affairs and Social Protection)</li> </ul>	<p>As above</p>

Purpose of Data Processing	Relevant data subjects	Relevant Personal Data Categories	Legal Basis of Processing	Source(s) of data (other than you)	Recipients of data	Transfers outside the European Economic Area
<b>6. Making payments to members and nominated beneficiaries, dependents and relatives</b>	<ul style="list-style-type: none"> <li>Members and former members</li> <li>Nominated beneficiaries, dependents and relatives</li> </ul>	<ul style="list-style-type: none"> <li>Personal Identification and Communication Information</li> <li>Family and Other Social Circumstances Information</li> <li>Benefit Related Information</li> </ul>	<ul style="list-style-type: none"> <li>Processing is necessary for the performance of a contract to which the member is party or in order to take steps at the request of the member prior to entering into the contract</li> <li>Processing is necessary for the legitimate interests of Primark Pension Plan Trustees in administering the Primark Plan with respect to nominated beneficiaries which are not overridden by the interests, rights and freedoms of affected individuals</li> <li>In relation to Benefit Related Information that is personal data concerning health, processing is on the basis of explicit consent</li> </ul>	<ul style="list-style-type: none"> <li>A member's employer will provide certain employment details when it enrolls the member in the applicable plan Another pension plan if the member has transferred any benefits to the Plan</li> </ul>	<ul style="list-style-type: none"> <li>Service providers, for pensions administration purposes including Willis Towers Watson</li> <li>Third party service providers so that they can provide members with applicable benefits</li> <li>Government authorities and/ or law enforcement officials (for example, the Revenue Commissioners)</li> </ul>	As above
<b>7. Disclosures to government authorities and/ or law enforcement officials (for example, the Department of Employment Affairs and Social Protection)</b>	<ul style="list-style-type: none"> <li>Current and former members</li> <li>Nominated beneficiaries, dependents and relatives</li> </ul>	<ul style="list-style-type: none"> <li>Personal Identification and Communication Information</li> <li>Family and Other Social Circumstances Information</li> <li>Employment and Pension Plan Membership Details</li> </ul>	<ul style="list-style-type: none"> <li>Processing is necessary for compliance with law</li> </ul>	<ul style="list-style-type: none"> <li>A member's employer will provide certain employment details when it enrolls the member in the applicable plan</li> <li>Another pension plan if the member has transferred any benefits to the Plan</li> </ul>	<ul style="list-style-type: none"> <li>Employer</li> <li>Service providers, for pensions administration purposes including Willis Towers Watson</li> <li>Third party service providers so that they can provide members with applicable benefits</li> <li>Government authorities and/ or law enforcement officials (for example, the Department of Employment Affairs and Social Protections)</li> </ul>	As above
<b>8. For plan financing / funding and for risk management purposes (including credit risk analysis, and for the insurance of longevity risks and related demographic risks)</b>	<ul style="list-style-type: none"> <li>Potential, current and former members</li> <li>Nominated beneficiaries, dependents and relatives</li> </ul>	<ul style="list-style-type: none"> <li>Geographical location</li> <li>Family and Other Social Circumstances Information</li> <li>Employment and Pension Plan Membership Details</li> <li>Benefit Related Information</li> </ul>	<ul style="list-style-type: none"> <li>Processing is necessary for the legitimate interests of Primark Pension Plan Trustees in providing the administration of the Plan which are not overridden by the interests, rights and freedoms of affected individuals</li> <li>In relation to Benefit Related Information that is personal data concerning health, processing is on the basis of explicit consent</li> </ul>	<ul style="list-style-type: none"> <li>A member's employer will provide certain employment details when it enrolls the member in the applicable plan</li> <li>Another pension plan if the member has transferred any benefits to the Plan</li> </ul>	<ul style="list-style-type: none"> <li>Employer</li> <li>Service providers, for pensions administration purposes including Willis Towers Watson</li> <li>Third party service providers so that they can provide members with applicable benefits</li> <li>Government authorities and/ or law enforcement officials (for example, the Department of Employment Affairs and Social Protection)</li> </ul>	As above