

# Administration Bond **Proposal Form**

## FOR OFFICE USE ONLY

Date of Acceptance FROM       Time   AM   PM

Policy No.

Area/Branch

Area/Branch Number

Agency

Agency No. & Chk Ltrs

### Note:

The insurer with which your contract will be concluded is Aviva Insurance Ireland DAC ("the Company"). The insurance will not be in place until the proposal has been accepted by the Company. Please remember that you are under a duty to answer all questions, which we ask, honestly and with reasonable care. Please complete this proposal form in full, ensure you sign the declaration overleaf, and date the application form. Aviva Insurance Ireland DAC reserves the right to decline any proposal. A specimen of the policy/bond normally issued will be supplied on request.

Please provide the following information using CAPITAL LETTERS and ticking boxes where appropriate. Please give additional information, where required, by covering letter.

### AMOUNT OF BOND REQUIRED

(double amount of Gross Estate including current market value of immovable property)

€

**1**

## Proposed ADMINISTRATOR/ADMINISTRATRIX

(a) Full Name	<input type="text"/>	Relationship to deceased or, where will annexed, capacity in which he/she is applying for Grant	<input type="text"/>
Address	<input type="text"/>		
	<input type="text"/>		
Age	<input type="text"/>	(b) Is proposed Administrator/Administratrix well known to you?	YES <input type="checkbox"/> NO <input type="checkbox"/>
Occupation	<input type="text"/>	(c) Can you, from your knowledge of his/her character and circumstances, recommend acceptance of the proposed Administrator/Administratrix?	<input type="checkbox"/> <input type="checkbox"/>

**2**

## Deceased

(a) Full Name	<input type="text"/>	Description (i.e. marital status etc.)	<input type="text"/>
Address	<input type="text"/>	Date	<input type="text"/> and place of death <input type="text"/>
	<input type="text"/>		
Age	<input type="text"/>	Indicate whether deceased died	TESTATE <input type="checkbox"/> or
Occupation	<input type="text"/>		INTESTATE <input type="checkbox"/>
		If testate, please attach copy of the Will and give reason for present application	
		<input type="text"/>	

### Beneficiaries

List all BENEFICIARIES Full Name	Address	Indicate if not sui juris	Date of birth if under 18	Relationship to deceased	Share

**State fully how it is proposed to deal with the shares of any minor beneficiaries or beneficiaries who are not sui juris**

(b) Have all beneficiaries been traced?

YES NO

If **NO**, state in detail the enquiries that have been made and if application will be made to the Court

(c) Are any life interests involved?

☐ ☐

If **YES**, state the steps that will be taken to safeguard the assets

### The Estate

(a) Is leasehold and/or real property being sold?

YES NO

If **NO**, how will each beneficiary get his/her share?

☐ ☐

(b) Did the deceased carry on a business?

☐ ☐

If **YES**, state how it is proposed to deal with this

(c) Is any litigation threatened, pending or proceeding in connection with the Estate?

☐ ☐

If **YES**, give full details

(d) Will statutory advertisements for claims against the Estate be published?

☐ ☐

If **NO**, state reason and that you are satisfied all debts have been traced

(e) Has any administration taken place already?

☐ ☐

If **YES**, give details

(f) How long do you estimate it will take to complete the administration?

- 5 Has a proposal been submitted to any other surety or has private security been sought  
If **YES**, give details

- 6 Please attach a copy of your current Professional Indemnity Insurance Certificate, Please tick ☐ if already provided.

- 7 **IMPORTANT: WHERE BOND EXCEEDS €200,000 PLEASE SUPPLY A COPY OF THE AFFIDAVIT FOR REVENUE**

### Important

**You ("You" means the Proposed Administrator/Trix and/or the Solicitor acting on behalf of the Proposer Administrator/trix) must tell us any other facts which are likely to affect whether we agree to provide a bond or how we assess the risks proposed for insurance. If You are not sure whether you should tell us something please tell us anyway. This is for your protection because if You do not give us all the information we need or the information provided is untrue we may seek to issue legal proceedings against You and or claim against the Solicitors Professional Indemnity Insurance in these circumstances in the event that payment under the bond is issued by Aviva.**

**The law that applies to the contract** – Under the relevant European and Irish laws, we Aviva Insurance Ireland DAC and you, the proposer, are free to choose the law that will apply to the contract. We propose that Irish law will apply to the contract, We, Aviva Insurance Ireland DAC, will provide the insurance under this policy.

**Complaints procedure** – We aim to give excellent service to all our customers; however, we recognise that things may occasionally go wrong. We will do our best to deal with your complaint as effectively and quickly as possible. If you arranged your cover through an intermediary or broker, please send your complaint to them. If your complaint is not sorted out to your satisfaction, please contact:

Aviva Insurance Ireland DAC at 1800 666 555.

You can also write to the Aviva Ireland Complaints Team - Aviva Insurance Ireland DAC, Cherrywood Business Park, Dublin, Ireland, D18 W2P5 or you can contact the following

- **Insurance Ireland, Insurance Centre, 5 Harbourmaster Place, IFSC, Dublin 1, D01 E7E8**  
Phone: 01 676 1914  
Fax: 01 676 1943  
E-mail: [iis@insuranceireland.eu](mailto:iis@insuranceireland.eu)  
Website: [www.insuranceireland.eu](http://www.insuranceireland.eu)
- **Financial Services and Pensions Ombudsman, Lincoln House, Lincoln Place, Dublin 2, D02 VH29**  
Phone: 01 567 7000  
E-mail: [info@fspo.ie](mailto:info@fspo.ie)  
Website: [www.fspo.ie](http://www.fspo.ie)

You will not lose your right to take legal action if you contact either of the above.

**Declaration** – I declare that:

- (1) the answers, which I have given in this proposal form are true, complete, and accurate,  
(2) I have not, misrepresented or misstated any information.

I acknowledge that the information I have provided in this proposal form will be used by Aviva to:

- (a) agree to provide me with a quotation for administration bond,  
(b) calculate my premium, and  
(c) set the exceptions, terms, and conditions on which a future policy may be issued

Signature of Solicitor

Date:  /  /

Address:

### FOR COMPLETION BY THE PROPOSED ADMINISTRATOR/RIX

I/We .....confirm my/our authorisation  
to ..... (Solicitors)

to propose on my/our behalf to the Aviva Insurance Ireland DAC (the Company) for an Administration Bond in the matter of the Estate  
of .....

and further, undertake and agree that the conduct and control of the administration of the said Estate shall not be taken out of the hands of the  
said solicitors without the written consent of the Company.

Signature of proposed administrator/rix.....

Date:

Witness: .....

Address: .....

.....

.....

Occupation: .....

## Aviva Data Protection - Privacy Notice

### 1. Personal Information

The Data Controller responsible for this personal information is **Aviva Insurance Ireland DAC** ("We" "Us" "Our") as the underwriter of the product. Additional data controllers include Your intermediary/ broker who is responsible for the sale and distribution of the product and any applicable reinsurers that We may use.

"You" means the Proposer<sup>1</sup> and/or the Data Subject<sup>2</sup> as the case may be.

We collect and use personal information which has been provided to Us by You and from other sources as part of the application process for this Administration Bond and any additional personal information which may be provided to Us in the future in the context of Us performing services relating to the Administration Bond Product.

This Data Protection Notice explains the most important aspects of how We use that information and what rights can be exercised in relation to such personal information. Further information about the terms We use is contained in Our full Privacy Policy which is available on Our Privacy page at <https://www.aviva.ie/privacy/>, a copy of the Privacy Policy may be requested by writing to Us at Data Protection Officer, Aviva Insurance Ireland DAC, ("**Aviva**") Cherrywood Business Park, Dublin, Ireland, D18 W2P5 or call Us at 01 898 8000. This Data Protection Notice supplements the Privacy Policy and is not intended to override it.

### 2. Personal information We collect

**Your data/Proposer/Policy holder information:** The personal information We collect, and use may include beneficiaries name, address, gender, date of birth or age, occupation, relationship to the deceased, marital/civil status, divorce decree, deed of separation, deed of annulment where applicable, domicile, nationality, PPS numbers, occupation, share of estate, market value of estate, health data (if applicable) such details as included on Inland Revenue Affidavit (CA 24 Form) photographic identification (necessary for performance of anti-money laundering checks) where required, financial liabilities and any litigation pending in relation to the affairs of the Estate.

**Other people's data:** As well as collecting the personal information outlined above, We may also use personal information about other people, for example the Executor/Executrix or Administrator/Administratrix of the Estate, Witness to a Will, Trustees, dependants or other beneficiaries, Wards of court, claimants and any such other personal information requested in the Proposal Form.

**Child data:** We may need to ask for personal information relating to a child (i.e. any person under 18 years of age) in the context of the child being a beneficiary of the Estate. In most cases, the personal information sought will be limited such as name, address, date of birth and relationship to the deceased and such data will be obtained from You, the child's parent or guardian or their legal representative.

**Note: If You are providing information about another person We expect You to show them this data protection notice and ensure that they have given You permission to provide this information to Us. If they have any concerns, please ask them to contact Us in one of the ways described in the "Contacting Us" section below.**

We may record Your telephone conversations for verification purposes, to ensure We have Your instructions and for training purposes.

**Claims data:** If a claim is made We may also collect personal information about the claim from any relevant third parties.

**Note: You don't have to provide Us with any personal information, but if You don't provide the information We need We may not be able to proceed with Your application or any Claim You make. We will let You know what information is required to proceed with Your application or any claim You may make.**

**Criminal Conviction Data:** We may need to ask for details relating to unspent<sup>3</sup> conviction information relating to You or somebody else material to this risk, including in the event of a claim.

**Health data:** We may need to ask for details relating to the health data of persons material to the risk including in the event of a claim. If You are asked to provide health data, please do not send the results of any genetic tests carried out on You or any other relevant person. We will only collect and use such information where We need to and where it is proportionate for the purposes of obtaining and maintaining this Product.

**We recognise that information about health data<sup>4</sup> and/or criminal convictions is particularly sensitive information. We will only collect and use such data as follows:**

Purpose for which it is used	Our legal basis for using it
Conviction data used for the purposes of providing a quote, underwriting, processing any claims, in the context of a fraud investigation, handling any complaints and managing reinsurance arrangements.	To perform the Bond product and persons covered.
Health data may be used for the purposes of processing any claims and in the context of a fraud investigation handling any complaints and managing reinsurance arrangements.	Irish Data Protection law allows Us to use health data in connection with the Bond.
We may also need to use health and/or criminal data for the purposes of establishing, exercising or defending legal rights, including in connection with advice, claims, or proceedings, and where authorised by law.	

### 3. How We collect personal information

We may collect personal information from:

- You;
- Trustees, beneficiaries, assignees, persons exercising a power of attorney;
- Executors, Administrators and Personal Representatives of the Estate;
- Professional advisers (e.g. Your Solicitor);
- Your broker or intermediary;
- Deed of Disclaimer (i.e. those who renounce claims to estate);
- Deed of Renunciation (i.e. those who renounce rights to act as Executor/ix or Administrator of Estate);
- Creditors and Debtors of Estate;
- Claimant(s);
- Medical professionals (including doctors, and nurses) where medical information is necessary;
- Publicly available information including social media websites and online content, newspaper articles, TV, radio and other media content, court judgements;

<sup>1</sup>E.g. Solicitor.

<sup>2</sup>A Data Subject is any living individual whose personal information We process.

<sup>3</sup>An individual is not required to disclose a spent conviction when supplying information on past convictions. To determine whether or not a conviction is a 'spent conviction' under the Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016 please visit [www.irishstatutebook.ie](http://www.irishstatutebook.ie) for further details.

<sup>4</sup>For example, data resulting from medical reports or, details of physical and psychological health or medical conditions.

- Probate Office;
- High Court Proceedings;
- Third parties (including private investigators/ tracing agents engaged by Us in connection with the investigation of a claim or to trace a missing beneficiary, solicitors and independent experts); and
- When You visit one of the Aviva Group websites.

We may receive documentary evidence (e.g. for the purpose of conducting anti-money laundering checks), which may contain Personal Data belonging to other people unrelated to the Administration Bond (e.g. a co-addressee on a bill or a partner's name on a Marriage Certificate). The Personal Data collected by Aviva with respect to such people is not used by Aviva but is retained as part of Our records. All Personal Data on these other people will be removed from Our records in line with Our Data Retention Policy.

#### 4. How We use personal information

We may collect and use personal information for the purposes, and on the legal basis, set out below:

Purpose for which it is used	Our legal basis for using it
To provide a quote and provide services including dealing with initial set up of the Administration Bond.	<ul style="list-style-type: none"> <li>• To take steps at Your request prior to entering into the Bond.</li> <li>• Consent where another person provides Your data to Us so that We can provide them with a quote.</li> </ul>
To verify Your identity.	<ul style="list-style-type: none"> <li>• To perform the Bond.</li> <li>• To take steps at Your request prior to entering into the Bond.</li> <li>• To comply with Our legal obligations.</li> </ul>
To provide cover and administer the Bond, including dealing with any queries or changes, payments, resealing and processing a cancellation of the Bond.	<ul style="list-style-type: none"> <li>• To perform the Bond.</li> </ul>
To validate, investigate and/or process any claims in relation to the Administration Bond Product and any future processing, administration and subsequent alterations of same.	<ul style="list-style-type: none"> <li>• To perform the Bond.</li> <li>• To comply with Our legal obligations.</li> </ul>
To maintain arrangements, We have with reinsurers.	<ul style="list-style-type: none"> <li>• For Our legitimate interests in managing Our business.</li> </ul>
For management information purposes including portfolio assessment, risk assessment, performance reporting and management reporting, auditing and the provision of legal advice which are key governance functions to protect the business.	
For a proposed portfolio transfer, reorganisation, transfer, disposal or other transaction relating to Our business.	
To detect and prevent fraud.	<ul style="list-style-type: none"> <li>• For Our legitimate interests in managing Our business.</li> <li>• To perform the Bond.</li> <li>• Processing is necessary to comply with Our legal obligations.</li> </ul>
To comply with laws and regulations.	<ul style="list-style-type: none"> <li>• Processing is necessary to comply with Our legal obligations.</li> </ul>

We process this information and store it on Our computer and manual record systems.

#### 5A. How We share personal information with others

We may share personal information:

- With other Aviva Group companies;
- With Our agents and third parties who provide services to us, (e.g. Tracing Agents, Private investigators);
- With regulatory bodies and law enforcement bodies, including the Central Bank of Ireland, the Gardaí or the Revenue Commissioners, Financial Services and Pensions Ombudsman, Inspector of Taxes, Criminal Assets Bureau, Data Protection Commission and Department of Social Protection. e.g. if We are required to do so to comply with a relevant legal or regulatory obligation;
- With High Court to manage legal claims;
- To carry out other activities that are in the public interest: for example, We may need to use personal information to carry out anti-money laundering checks;
- Where applicable with other organisations for fraud prevention/detection purposes;
- With reinsurers who provide reinsurance services to Aviva and for each other in respect underwritten by Aviva with insurers who cover Aviva under its group insurance policies and with Our brokers who arrange and manage such reinsurance and insurance arrangements. Reinsurers will use Your data to decide whether to provide reinsurance cover, assess and deal with reinsurance claims and to meet legal obligations. They will keep Your data for the period necessary for these purposes and may need to disclose it to other companies within their group, their agents and third-party service providers, law enforcement and regulatory bodies;
- In the event of any contemplated or actual reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of Our business, assets or stock (including any insolvency or similar proceedings); and
- To meet any legal obligation, including to the relevant ombudsman if a complaint has been made about the product or service We have provided.

#### 5B. Transfer of Personal Data outside EEA

Some of the organisations with whom We share information with are located outside of the European Economic Area (EEA), including India. These locations may not provide an adequate level of protection. We'll always take steps to ensure that any such transfer of information is carefully managed to protect Your privacy rights and such measures will be in line with the requirements of European Data Protection Laws. For more information on this please see Our Privacy Policy or contact Us in one of the ways described below. We will not disclose Your personal data to parties who are not authorised to process it.

#### 5C. How We share Your personal information with others for fraud prevention

The data You provide will be used by Us and shared with other insurers as well as certain statutory and other authorised bodies for anti-fraud purposes including:

- sharing information about You with other insurers, public bodies and the Gardaí;
- private investigators, tracing debtors or beneficiaries, recovering debt, managing Your accounts and/or insurance policies; and
- undertaking fraud searches on publicly available information as outlined above and where applicable checking the Insurance Industry claims database, Insurance Link. For more information on Insurance Link please go to [www.inslink.ie](http://www.inslink.ie). This database helps insurers check claims information and prevent fraudulent claims.

#### 6. Credit searches

For commercial policies, We may carry out credit searches against the policyholder through third parties who provide Us with credit information.

## 7. Online information

When You visit one of the Aviva Group websites, We may record information about Your computer or mobile device, including hardware and software used, general location, when and how You interact with Our websites. This information is used to note Your interest in Our websites, and improve customer journeys.

## 8. How long We keep Your personal information for

We maintain a Data Retention Policy to ensure We only keep personal information for as long as we may reasonably need it for the purposes explained in this notice. We keep information for period necessary to administer the Estate, for the lifetime of the Administration Bond, to manage Our business or as required by law or contract. We may also need to keep information after the Estate has been distributed for example to ensure we have an accurate record in the event of a complaints or to defend legal claims, carry out relevant fraud checks, or where We are required to do so for legal, regulatory or tax purposes. We will not retain personal data longer than necessary to fulfil the purposes for which it was collected or to fulfil legal obligations, or as permitted by law. Afterwards, We will delete the personal data. The individual retention periods depend on the type of personal data and the purpose of its processing. For more information on Our data retention policies please see Our Privacy Policy or contact Us – refer to the details in the “Contacting us” section below.

## 9. Your rights in relation to Your personal information

You have various rights in relation to Your personal information, including:

- the right to request access to Your personal information;
- correct any mistakes on Our records;
- erase or restrict records where they are no longer required;
- object to use of personal information based on legitimate business interests including profiling and marketing or public interests;
- ask not to be subject to automated decision making<sup>5</sup> if the decision produces legal or other significant effects on You;
- move (in a structured, commonly used and machine-readable format) certain data to other providers (data portability).

Where We rely on Your consent as Our legal basis for the use of Your personal data You have a right to withdraw Your consent to such use.

**Note: You have the right to object to use of personal information based on legitimate business interests. If You do object, We will have an opportunity to demonstrate that there are compelling legitimate grounds which override Your rights and freedoms or that processing is necessary for the establishment, exercise or defence of legal claims. Please note that any successful objection may prevent Us assessing future claims and/or the Bond may be cancelled.**

For more details in relation to Your rights, including how to exercise them, please see Our full Privacy Policy or contact Us in one of the ways described below.

## 10. Contacting Us

If You have any questions about how We use personal information, or if You want to exercise Your rights stated above, please contact Our Data Protection team by either emailing them at [DPO@aviva.com](mailto:DPO@aviva.com), writing to the Data Protection Officer, Aviva Insurance Ireland DAC, Cherrywood Business Park, Dublin, Ireland, D18 W2P5 or call Us at (01) 898 8000.

If you have a complaint or concern about how we use your personal information, please contact us in the first instance and we will attempt to resolve the issue as soon as possible. You also have the right to lodge a complaint with the Office of the Data Protection Commissioner at any time.

## 11. Changes to Our Data Protection Notice

Occasionally, it may be necessary to make changes to this Data Protection Notice and/or Our Privacy Policy for example to keep it up to date or to comply with legal requirements, and any such amended Data Protection Notice will only apply from the time of amendment. The most recent version will always be available on Our website.

Please review Our full Privacy Policy each time You use Our Website or avail of Our services.

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<sup>5</sup>Not applicable to Administration Bond Product.