



# *Terms of Business*

---

# TERMS OF BUSINESS

## 1. General

We are delighted that you have chosen KBC Bank Ireland plc (“KBC Bank Ireland”) and are pleased to have you as a client. These Terms of Business set out the terms on which KBC Bank Ireland will provide services described in paragraph 3 to you. These Terms of Business are effective from 1st January 2012 and shall remain in force until further notice. If you have any queries we will be happy to deal with them and you can contact us at:

KBC Bank Ireland plc,  
Sandwith Street, Dublin 2.  
Phone: 01 6646000  
E mail: [info@kbc.ie](mailto:info@kbc.ie)  
Web: [www.kbc.ie](http://www.kbc.ie)

We operate under the following business names:

- KBC Bank Ireland
- KBC Business Banking
- KBC Insurance Ireland

KBC Bank Ireland is subject to:

- Consumer Protection Code 2012
- Code of Conduct for Business Lending to Small and Medium Enterprises 2012
- Code of Conduct on Mortgage Arrears 2011

which offer protection to consumers. These codes can be found on the Central Bank’s website [www.centralbank.ie](http://www.centralbank.ie).

## 2. About KBC Bank Ireland

KBC Bank Ireland’s main business is the provision of credit and investment services. Employing approximately 500 staff in Ireland, KBC Bank Ireland’s head office is situated in Dublin with regional offices in Cork, Limerick, Galway and Belfast. KBC Bank Ireland is wholly owned by KBC Group N.V., an integrated bancassurance organisation headquartered in Brussels, catering mainly for retail customers, small and medium sized enterprises and private banking clientele. KBC Group N.V. holds leading positions in its key markets of Belgium, Central Europe as well as a selective presence in the rest of the world. KBC Bank Ireland is a licensed Bank, regulated and supervised by the Central Bank of Ireland. As such, KBC Bank Ireland is licensed under Section 9 of the Central Bank Act 1971.

## 3. Nature of Services Business Customers

KBC Bank Ireland provides the following products and services for business customers:

- Business lending
- Treasury and related Treasury Services

### Business Lending

Our key focus is to provide a comprehensive range of solutions to growing businesses. Through our dedicated team of Relationship Managers, we are focused on delivering a personal approach to business lending coupled with over 30 years experience in the market.

### Treasury and Capital Markets

Our Treasury and Capital Markets team provides a wide range of sophisticated products and services to the Bank’s business customers, including the provision of products to assist companies manage their interest rate and foreign exchange exposure.

## Personal Customers

KBC Bank Ireland provides a range of products to personal customers including:

- Homeloans
- Investments (limited to Structured Deposit Products)
- Home Insurance
- Life Assurance
- Deposits

In relation to the home insurance and life assurance products KBC Bank Ireland has exclusive agency agreements with Aviva Life and Pensions Ireland Limited for mortgage protection (life assurance) and RSA Insurance Ireland Limited for buildings and contents protection (home insurance). When servicing a client's mortgage requirements, KBC Bank Ireland deal exclusively with the above providers.

KBC Bank Ireland receives commission under arrangements that are in place with RSA Insurance Ireland Limited and Aviva Life and Pensions Ireland Limited. Details of these arrangements are available to customers on request.

## 4. Charges

KBC Bank Ireland may charge a fee for services provided. Any fees will be notified to you in advance prior to the provision of the service in respect of which the fee is charged. The fee will be payable in amounts and at such times as will be notified to you by KBC Bank Ireland.

## 5. Conflicts of Interest

It is the policy of KBC Bank Ireland to avoid any conflict of interest when providing business services to its clients. If such conflicts do arise, and they cannot reasonably be avoided, KBC Bank Ireland will inform you of the potential conflict and will use reasonable endeavours to resolve such conflicts of interest to ensure that you are treated fairly.

## 6. Client Default

KBC Bank Ireland at all times seeks to assist clients who are in default or experiencing financial difficulty. However when a client goes into default KBC Bank Ireland may, if necessary, exercise its rights and remedies as set out in the terms and conditions applicable to the product. It is the policy of KBC Bank Ireland to deal with all defaults in accordance with the applicable codes of conduct issued by the Central Bank of Ireland.

## 7. Personal Data Policy

KBC Bank Ireland complies with its obligations under the Data Protection Acts 1988 and 2003. KBC Bank Ireland may subject to your consent hold and process personal data received by you in accordance with the terms and conditions applicable to the product and/or service. You have the right to receive a copy of your personal data held by KBC Bank Ireland following a written request, for which a small fee will be charged, and to have any inaccuracies in your personal data corrected.

## 8. Complaints and Compensation

If you have any complaint in relation to the business services provided by KBC Bank Ireland you can either contact us directly by phone or outline the nature of your complaint to us in writing. The complaint will be fully investigated by us and if it is not resolved to your satisfaction within five business days, a written response will be provided to you. While our investigation of any complaint is ongoing we will provide you with a regular written update.

KBC Bank Ireland Complaints Procedure complies with the Consumer Protection Code which defines a complaint as an expression of grievance or dissatisfaction by a consumer, either orally or in writing, in connection with

- a. the provision or the offer of the provision of a product or service to a consumer by a regulated entity; or
- b. the failure or refusal of a regulated entity to provide a product or service to a consumer.

In the event that you are dissatisfied with the outcome of our investigation into your complaint you are entitled to refer your complaint to:

Financial Services Ombudsman's Bureau,  
3rd Floor Lincoln House,  
Lincoln Place,  
Dublin 2.

Lo Call: 1890 882090  
Telephone: 01 6620899  
E mail: [enquiries@financialombudsman.ie](mailto:enquiries@financialombudsman.ie)  
Website: [www.financialombudsman.ie](http://www.financialombudsman.ie)

The Financial Services Ombudsman may not investigate a matter which:

- Is or has been the subject of legal proceedings before a court or tribunal
- Occurred more than six years before the complaint is made
- Is within the jurisdiction of the Pensions Ombudsman

KBC Bank Ireland reserves the right to impose similar time restrictions in respect of matters which occurred more than six years before the complaint is made.

### **Details of the Investor Compensation Scheme:**

1. The Investor Compensation Act 1998 (the Act) provides for the establishment of a compensation scheme and payment, in certain circumstances, of compensation to certain clients, (known as eligible investors) of authorised investment firms.
2. KBC Bank Ireland is a member of that compensation scheme.
3. Compensation may be payable where money or investment instruments owed or belonging to clients and held, or in the case of investment instruments, administered or managed by KBC Bank Ireland cannot be returned to those clients for the time being and there is no reasonable foreseeable opportunity of KBC Bank Ireland being able to do so.
4. A right to compensation will only arise if the client is an eligible investor as defined in the Act.
5. Where an entitlement to compensation is established the compensation payable will be the lesser of:
  - 90 per cent of the amount of the clients loss as recognised for the purposes of the Act or
  - Compensation of up to €20,000.

### **Details of the Deposit Guarantee Scheme:**

1. The Deposit Guarantee Scheme in Ireland was established by the European Communities (Deposit Guarantee Schemes) Regulations, 1995 and amended by the European Communities (Deposit Guarantee Schemes) (Amendment) Regulations 2009 (SI No 228 of 2009). The Guarantee Scheme provides for the establishment of a compensation scheme and payment, in certain circumstances, of compensation to clients who hold qualifying deposits (known as eligible deposits) with authorised Credit Institutions.
2. KBC Bank Ireland is a member of that compensation scheme.
3. Compensation may be payable where deposits lodged with KBC Bank Ireland by clients and held by KBC Bank Ireland cannot be returned to those clients for the time being and there is no reasonable or foreseeable opportunity of KBC Bank Ireland being able to do so.
4. A right to compensation will only arise if the client holds an eligible deposit as defined under the Regulations.
5. Where an entitlement to compensation is established the compensation payable will be the lesser of:
  - 100 per cent of the amount of the client's loss as recognised for the purposes of the Regulations
  - or
  - Compensation of up to €100,000.
6. If you require more information in relation to the Deposit Guarantee Scheme, please contact the Personal Deposits team for KBC Bank Ireland's Deposit Guarantee Scheme Information Leaflet.