

Terms of Business (effective from 31/05/24)

Stephen Hamilton Financial Services Ltd trading as MortgageLine and Northwood Financial Planning

These Terms of Business set out the general terms under which our firm will provide business services to you and the respective duties and responsibilities of both the firm and you in relation to such services. Please ensure that you read these terms thoroughly and if you have any queries we will be happy to clarify them. If any material changes are made to these terms we will notify you.

Authorisation with the Central Bank of Ireland

Stephen Hamilton Financial Services Ltd trading as MortgageLine and Northwood Financial Planning (C37716) is regulated by the Central Bank of Ireland as an insurance intermediary registered under the European Communities (Insurance Mediation) Regulations, 2005; as an Investment Intermediary authorised under the Investment Intermediaries Act, 1995 and as a Mortgage Intermediary authorised under the Consumer Credit Act, 1995, and as a Mortgage Credit Intermediary under the European Union (Consumer Mortgage Credit Agreements) Regulations 2016. Copies of our regulatory authorisations are available on request. The Central Bank of Ireland holds registers of regulated firms. You may contact the Central Bank of Ireland on 1890 777 777 or alternatively visit their website at www.centralbank.ie to verify our credentials.

Codes of Conduct

Stephen Hamilton Financial Services Ltd. is subject to the Consumer Protection Code, Minimum Competency Code and Fitness & Probity Standards which offer protection to consumers. These Codes can be found on the Central Bank's website www.centralbank.ie

Our Services

Stephen Hamilton Financial Services Ltd. is a member of Brokers Ireland.

Our principal business is to provide advice and arrange transactions on behalf of clients in relation to life insurance, pensions, investments, mortgages and general insurance products. A full list of insurers, product producers and lending agencies with which we deal is available on request.

Fair Analysis

The concept of fair analysis is derived from the Insurance Mediation Directive. It describes the extent of the choice of products and providers offered by an intermediary within a particular category of life assurance, general insurance, mortgages, and/ or a specialist area. The number of contracts and providers considered must be sufficiently large to enable an intermediary to recommend a product that would be adequate to meet a client's needs.

The number of providers that constitutes 'sufficiently large' will vary depending on the number of providers operating in the market for a particular product or service and their relative importance in and share of that market. The extent of fair analysis must be such that could be reasonably expected of a professional conducting business, taking into account the accessibility of information and product placement to intermediaries and the cost of the search.

In order to ensure that the number of contracts and providers is sufficiently large to constitute a fair analysis of the market, we will consider the following criteria:

- the needs of the customer,
- the size of the customer order,

- the number of providers in the market that deal with brokers,
- the market share of each of those providers,
- the number of relevant products available from each provider,
- the availability of information about the products,
- the quality of the product and service provided by the provider,
- cost, and
- any other relevant consideration.

Life Insurance, Pensions & Investments

Stephen Hamilton Financial Services Ltd. provides life assurance, pensions and investments on a fair analysis basis i.e. providing services on the basis of a sufficiently large number of contracts and product producers available on the market to enable us to make a recommendation, in accordance with professional criteria, regarding which contract would be adequate to meet your needs.

We will provide assistance to you for any queries you may have in relation to the policies or in the event of a claim during the life of the policies and we will explain to you the various restrictions, conditions and exclusions attached to your policy. However, it is your responsibility to read the policy documents, literature and brochures to ensure that you understand the nature of the policy cover; particularly in relation to PHI and serious illness policies.

Specifically, on the subject of permanent health insurance policies it is our policy to explain to you a) the meaning of disability as defined in the policy; b) the benefits available under the policy; c) the general exclusions that apply to the policy; and d) the reductions applied to the benefit where there are disability payments from other sources.

For a serious illness policy, we will explain clearly to you the restrictions, conditions and general exclusions that attach to that policy.

Non-Life

Stephen Hamilton Financial Services Ltd. provides general insurance on a limited analysis basis.

We provide advice on the following product providers:

- Allianz Insurance / Covercentre Insurance (underwritten by Zurich) / April Insurance Ireland Ltd / Irish Life Health Company / OBF Insurance Group Ltd.

Mortgages

Through the lenders or other undertakings with which we hold an agency, Stephen Hamilton Financial Services Ltd. can provide advice on and arrange mortgage products from the following range: fixed-rate loans, variable rate mortgages, capital & interest mortgages, interest only mortgages, endowment mortgages, pension mortgages and residential investment property.

Stephen Hamilton Financial Services Ltd. provides mortgage advice on a fair analysis basis (providing services on the basis of a sufficiently large number of contracts and product producers available on the market to enable the firm to make a recommendation, in accordance with professional criteria, regarding which contract would be adequate to meet your needs).

We will need to collect sufficient information from you before we can offer any advice on housing loans. This is due to the fact that a key issue in relation to mortgage advice is affordability. Such information should be produced promptly upon our request.

Disclosure of Information

Any failure to disclose material information may invalidate your claim and render your policy void.

Stephen Hamilton Financial Services Ltd. is remunerated by commission and other payments from product producers or lenders on the completion of business. You may choose to pay in full for our services by means of a fee. Where we receive recurring commission, this forms part of the remuneration for initial advice provided. We reserve the right to charge additional fees if the number of hours relating to on-going advice/assistance exceeds 5 hrs.

In certain circumstances, it will be necessary to charge a fee for services provided. In all circumstances where fees are chargeable or where you choose to pay in full for our service by fee, we will notify you in writing in advance and agree the scale of fees to be charged. Where the commission is greater than the fee due, the fee due will become the commission amount payable to the intermediary unless an arrangement to the contrary is made.

Non-Life Remuneration

Stephen Hamilton Financial Services Ltd. is remunerated by commission from insurers on completion of business. Details of this remuneration are available on request. Where an override commission is received, this will be disclosed to you in general terms.

Setup fee: We may charge up to €10% of the premium but minimum €50.

Renewal fee: We may charge up to €10% of the premium but minimum €50.

Cancellation or Mid Term Alteration fee: 10% of the premium, with a minimum of €50.

Claims handling: Depending on case but agreed in advance.

Dishonoured payments/Replacement Cheques; €20

Non-Life Premium Rebates (Refund policy)

In the event of a policy alteration or cancellation when a refund is received from the insurance provider, on condition the premium is paid in full, we will refund our client within five working days in line with the CPC 2012. Refunds will be issued once the Insurer has confirmed same to Stephen Hamilton Financial Services Limited T/A MortgageLine. It is our policy is to issue return premiums by electronic bank transfer and not to issue cheques, except in exceptional circumstances.

Mortgages Remuneration

We may receive up to 1% of the loan for arranging mortgage finance. This commission is paid by the mortgage lender. The actual amount of commission will be disclosed at a later stage in the ESIS (European Standardised Information Sheet) which will be forwarded to you. Information on the variation in levels of commission payable by the different creditors providing credit agreements being offered are available on request.

Stephen Hamilton Financial Services Ltd may charge an application fee for providing your mortgage of between €195 - €995. Fees will be confirmed in writing and agreed in advance.

The Mortgage Application fee is non-refundable. This is not in any way an indication of mortgage/loan approval. Our fee will be notified to the Mortgage lender who will include this fee into the calculation of the APRC (Annual Percentage Rate Charge).

Please note that lenders may charge specific fees in certain circumstances and if this applies, these fees will be specified in your Loan Offer. You have the right to pay a fee separately and not include it in the loan. Typically, this situation arises in relation to specialist lending.

Life, Pensions & Investment Fees

You may elect to deal with us on a fee basis.

Principles / Directors	€200 per hour
Senior Advisers	€150 per hour
Support staff	€75 per hour

Additional fees may be payable for complex cases or to reflect value, specialist skills or urgency, our scale of fees for such cases range from a minimum of €100 per hour to a maximum of €250 per hour. We will notify you in advance and agree the scale of fees to be charged.

Personal Retirement Savings Accounts (PRSAs) – Fees

Where advice is requested for PRSAs, the following hourly fees will apply:

Advisor fees: €100 – €200 per hour.

Support staff: €75 – €125 per hour.

Additional fees may be payable for complex cases or to reflect value, specialist skills or urgency. We will notify you in advance of providing you with these services, our scale of fees for such cases range from a minimum of €100 per hour to a maximum of €250 per hour. If we receive commission from a product provider, this will be offset against the fee which we will charge you. Where the commission is greater than the fee due, the commission will become the amount payable to the intermediary unless an arrangement to the contrary is made.

The first meeting with any prospective customer will always be at our expense and so free to you.

Regular Reviews

It is in your best interests that you review, on a regular basis, the products which we have arranged for you. As your circumstances change, your needs will change. You must advise us of those changes and request a review of the relevant policy so that we can ensure that you are provided with up to date advice and products best suited to your needs. Failure to contact us in relation to changes in your circumstances or failure to request a review, may result in you having insufficient insurance cover and/or inappropriate investments.

Conflicts of interest

It is the policy of our firm to avoid conflicts of interest in providing services to you. However, where an unavoidable conflict of interest arises we will advise you of this in writing before providing you with any service.

Default on payments by clients

Our firm will exercise its legal rights to receive payments due to it from clients (fees and insurance premiums) for services provided. In particular, without limitation of the generality of the foregoing,

the firm will seek reimbursement for all payments made to insurers on behalf of clients where the firm has acted in good faith in renewing a policy of insurance for the client.

Product producers may withdraw benefits or cover in the event of default on payments due under policies of insurance or other products arranged for you. We would refer you to policy documents or product terms for the details of such provisions.

Mortgage lenders may seek early repayment of a loan and interest if you default on your repayments. Your home is at risk if you do not maintain your agreed repayments.

Complaints

Whilst we are happy to receive verbal complaints, it would be preferable that any complaints are made, in writing. We will acknowledge your complaint within 5 business days and we will fully investigate it. We shall investigate the complaint as swiftly as possible, and, the complainant will receive an update on the complaint at intervals of not greater than 20 business days starting from the date on which the complaint is made. On completion of our investigation, we will provide you with a written report of the outcome. In the event that you are still dissatisfied with our handling of or response to your complaint, you are entitled to refer the matter to the Financial Services Ombudsman or the Pensions Ombudsman. A full copy of our complaints procedure is available on request.

Data Protection

Stephen Hamilton Financial Services Ltd t/a MortgageLine and Northwood Financial Planning complies with the requirements of the General Data Protection Regulation 2018 and the Irish Data Protection Act 2018

Stephen Hamilton Financial Services Ltd is committed to protecting and respecting your privacy. We wish to be transparent on how we process your data and show you that we are accountable with the GDPR in relation to not only processing your data but ensuring you understand your rights as a client.

The data will be processed only in ways compatible with the purposes for which it was given and as outlined in our Data Privacy Notice, this will be given to all our clients at the time of data collection.

We will ensure that this Privacy Notice is easily assessible. Please refer to our website, if this medium is not suitable we will ensure you can easily receive a copy a hard copy.

Please contact us at admin@mortgageline.ie if you have any concerns about your personal data.

Compensation Scheme

We are members of the Investor Compensation Scheme operated by the Investor Compensation Company Ltd. See below for details.

Investor Compensation Scheme

The Investor Compensation Act, 1998 provides for the establishment of a compensation scheme and the payment, in certain circumstances, of compensation to certain clients (known as eligible investors) of authorised investment firms, as defined in that Act.

The Investor Compensation Company Ltd. (ICCL) was established under the 1998 Act to operate such a compensation scheme and our firm is a member of this scheme.

Compensation may be payable where money or investment instruments owed or belonging to clients and held, administered or managed by the firm cannot be returned to those clients for the time being and where there is no reasonably foreseeable opportunity of the firm being able to do so.

A right to compensation will arise only:

- If the client is an eligible investor as defined in the Act; and
- If it transpires that the firm is not in a position to return client money or investment instruments owned or belonging to the clients of the firm; and
- To the extent that the client's loss is recognised for the purposes of the Act.

Where an entitlement to compensation is established, the compensation payable will be the lesser of:

- 90% of the amount of the client's loss which is recognised for the purposes of the Investor Compensation Act, 1998; or
- Compensation of up to €20,000.

For further information, contact the Investor Compensation Company Ltd. at (01) 224 4955.

Financial Planning and Investment Services

As well as providing Financial Advice on specific regulated products Stephen Hamilton Financial Services also provide Lifestyle Financial Planning and Investment services.

Lifestyle Financial Planning is available for individuals and couples and helps to identify what is important to you. Through the proper application of financial planning principles this service helps to deliver the freedom to enable you to live the life you want. By matching your finances to your goals you will have a clear view of where you are going, reduce the normal stress associated with an uncertain future and become financially well organised.

Financial Planning Fees

We may charge an on-going service that requires an initial fee of €495 and an on-going minimum monthly retainer of €49.95 payable by standing order.
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Additional fees are also charged for regulated pension and investment services and these include an initial fee on becoming a Stephen Hamilton Financial Services client and also a recurring annual fee.

Initial Fee payable for Investment Services			
		Under 100,000	Over 100,000

Pensions and Investments	-	2.00%	1.00%
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Recurring Annual Fee for Investment Services			
		Under 500,000	Over 500,000

Pensions and Investments	-	0.60%	0.50%
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****LFP = Lifestyle Financial Planning with monthly retainer****

- For regular monthly premium pensions and investments we charge 15% of the first year's annual premium and an ongoing recurring annual service fee of 0.50% of the balance.

- Fees may be paid by cheque but they are normally, where permitted, paid by authorised deductions from financial products.
- The first meeting with any prospective customer will always be at our expense and so free to you.