

PRELIMINARY DOCUMENTATION, RGPD AND HSP
Give back signed.



In _____ to _____ of _____ of 2024

INFORMATION CLAUSE AND CONSENT FOR PROCESSING OF PERSONAL DATA

*Name/Company name: «Name»

*DNI/NIF/CIF «CIF_NIF»

*Address: "Address"

*ZIP Code and Town: «Postal_Code» «Town»

*Landline/Mobile Phone: "Mobile"

*Email address: "Mail"

JOINT RESPONSIBLE FOR DATA PROCESSING

In compliance with the legal duty of information established in article 13 of Regulation (EU) 2016/679 and article 11 of the LOPDGDD 3/2018, the following INFORMATION is provided regarding the personal data being processed.

Responsible for treatment	MoMa Creative SL Carrer de Zamora, 2, Bj, Rascaña, 46025 Valencia 722 473 102 info@momacreative.es
Co-responsible of the treatment	
Treatment purposes	Provide Professional Mediation Service for Policy Contracting Due diligence in preventing money laundering and terrorist financing Monitoring and Management of incidents and claims Analysis of personal profiles and risks Sending advertising about insurance and/or financial services or products
Legitimation of the treatment	Article 63.3 Private Insurance and Reinsurance Mediation Law Execution of a contract Compliance with legal obligations Consent of the interested party
Recipients	Insurance and/or Reinsurance Companies Underwriting agencies Other brokerages If applicable, Ministry of Justice (Insurance Contract Registry) or SEPBLAC
Rights	You have the right to access, delete and rectify the data, as well as other rights, as explained in additional information
Origin	From the interested party themselves
Protection Delegate Data (DPD)	info@momacreative.es

In compliance with the legal duty of information established in article 13 of Regulation (EU) 2016/679, you are provided with the following **ADDITIONAL INFORMATION** related to the personal data being processed.

Client: "Name"

NIF/CIF: «CIF_NIF»

Signature

PURPOSES BASED ON CONSENT

A. I authorize my personal data to be collected and processed for the following purposes:

Maintain the relationship of mediation and professional advice to cover the risks subject to insurance, as well as to provide me with financial advice, including the analysis of my personal profile. As well as managing the contracting of insurance policies and monitoring their execution, compliance and incidents that occur.

B. I authorize, in the event of termination or modification of any of the insurance contracts or financial products in whose mediation this has intervened brokerage, to carry out new data processing for new risk profile analysis, to request quotes, and, where appropriate, cancel, modify or celebrate new insurance contracts or financial products, including the communication of personal data to other insurance or financial entities.

C. I authorize the processing of health data, to the extent necessary for products or services that require it, such as life policies or claims management.

D. I authorize the processing of my data to receive information and advertising by any means (mail, SMS, fax, letter, etc.) about products or services related to insurance and financial activity that are considered to be of interest to me. This authorization is understood to have been granted, even if an insurance policy is not formalized.

insurance.
Personal information will be processed while the contractual relationship with the entities that are the object of intermediation is in force, and once this is extinguished, it will be kept during the legal period of responsibility.

This does not prevent the possibility of processing authorized by you in the event of new hires, nor processing for advertising purposes, with this information being kept as long as you do not exercise your right to deletion or opposition and subsequently during the legal claim periods.

Based on the information provided, analyzes of your personal profile are carried out in order to provide you with effective advice. The data provided to the Companies or entities can be processed by them in order to adopt automated decisions, based on their risk analysis statistics. In this case, it would be decisions permitted by the regulations, as they are necessary for the execution of a contract with the company or entity.

PURPOSES BASED ON PUBLIC INTEREST MISSION AND LEGAL OBLIGATIONS

The Royal Decree - Law 03/2020, which incorporates the Private Insurance Distribution Directive or any regulation that replaces it in the future, authorizes the Broker to process the data of the people addressed to them, without the need for their consent: (The Royal Decree – Law no longer expressly says so, we would have to go to article 155 and interpret it, but if I remember correctly there are reports from the Agency in this regard)

- Before entering into the contract: to offer independent, professional and impartial advice, and provide said data to the insurance or reinsurance entity with which the corresponding contract was to be concluded.
- After the contract has been concluded, to provide the policyholder, the insured and the beneficiary of the insurance with the information they request regarding any of the clauses of the policy and, in the event of an accident, to provide them with assistance and advice.

Likewise, in the case of life or investment policies, article 32 bis of Law 10/2010 on the Prevention of Money Laundering and Prevention of Terrorism requires due diligence on the holders.

All other purposes have a legitimate basis on your consent, both those of the contract you sign with this Brokerage and the policy(s) that may be formalized. Likewise, your consent is the basis of the advertising treatments that you authorize, without in any case the withdrawal of that consent conditions the execution of the Mediation contract.

RECIPIENTS

Personal data will only be communicated to third parties to comply with legal obligations, for example, to the Tax Administration, or to insurance entities, underwriting agencies or other insurance brokerages to the extent necessary for insurance quotes, policy underwriting or execution thereof, precise communication for the execution of the Mediation contract. Likewise, in those cases that the regulations determine, they will be communicated to the Ministry of Justice as the body in charge of the Registry of Insurance Contracts. Or to the Executive Service for the Prevention of Money Laundering in compliance with its legal obligations.

In the event that quotes are requested or policies are contracted with foreign insurance entities outside the European Economic Area, international data transfers will be covered by the European Data Protection Regulation.

RIGHTS

Any person has the right to revoke their initial consent, to request access to personal data that concerns them, to request its rectification or deletion, to request the limitation of its processing, to oppose its processing (if there is public interest or legitimate) and/or the right to data portability.

In all cases you may exercise your rights by email addressed to info@momacreative.es accompanied by an identification document.

Any person can file a claim with the Spanish Data Protection Agency, with the forms available on the website www.agpd.es in case you consider that your rights have not been satisfied.

Regarding the purposes of advertising processing authorized by your consent, you have the right to withdraw consent at any time, without affecting the legality of the processing based on consent prior to withdrawal.

The signatory is informed of the above, and grants his consent for the stated purposes, as required by the General Data Protection Regulation 2016/679.

Client: "Name"

NIF/CIF: «CIF_NIF»

Signature

INFORMATION PRIOR TO BE PROVIDED TO THE CUSTOMER

1. The professional activity of insurance brokers is regulated in Law 26/2006, of July 17, on private insurance mediation, guaranteeing thus protecting the rights of clients.
2. For your information, and for legally prevented purposes, we inform you that this insurance broker/brokerage:
 - a) Complies with all the requirements established in the Law, being registered in the Special Administrative Registry of Insurance Mediators, Reinsurance Brokers and their Senior Officials with code number J-4172, which you can check on the website of the General Directorate of Insurance and Pension Funds <https://dgsfp.mineco.gob.es/es/Distribuidores/PUI/Paginas/pui.aspx>
 - b) Has a signed Professional Civil Liability policy and has legally established financial capacity, all in compliance with the provisions provided in article 157.1.g) and f) of RD Law 03/2020.
 - c) The processing of your personal data has been established, in accordance with the provisions of the General Data Protection Regulation. 2016/679, following the mandatory information and consent clause contained in this document.
3. Insurance brokers are the only professionals authorized to advise you with the strictest independence and impartiality, regarding insurance entities. That is why the offers that we submit for your consideration have been based on an objective analysis, consisting of analyzing generalized insurance contracts offered on the market, considering that it corresponds to your request within an assessment of merits to seek correct coverage to your requirements and needs.
4. The broker/brokerage also informs the client of the content of article 21 of Law 50/1980, on Insurance Contracts, so that the communications that the mediator sends to the insurer will have the same effects as if they were carried out by the interested party (policyholder) himself.

Through this document, and on the merits of the principle of autonomy of the will of the parties, the client grants express consent to the brokerage so that he may request quotes, modify or terminate current insurance contracts and mediate and conclude new insurance contracts on his behalf, for the best protection of client rights.

By means of this mandate you acknowledge having received from MoMa Creative the information described in Articles 173,175,176 and 182 of RD Law 03/2020 of 4 February, in particular acknowledges having received information regarding the objective analysis in the various contracts brokered by MoMa Creative on its behalf.

In order to safeguard its independence from insurance entities and depending on the various administrative procedures with them, it authorizes the Brokerage of insurance to have and safeguard the elements that make up the insurance contract (Particular Conditions, General Conditions, Special Conditions, premium receipts and any other document issued by the insurance company) in whole or in part.

You therefore authorize MoMa Creative to intervene on your behalf in any of the provisions referring to Law 03/2020 or any regulation that replaces it in the future and regulations affecting private insurance mediation.

Likewise, in application of Law 16/2009 on Payment Services, AUTHORIZES the direct debit of receipts related to insurance brokered by the Brokerage. and that initially this authorization is produced against the account indicated by the policyholder.

In compliance with the provisions of the Sixth Transitional Provision of Law 03/2020 of February 4 on the Distribution of Private Insurance in relation to the article 156.3 of said Legal Text, we inform you that this Brokerage will receive its remuneration from the Insurance Companies in the form of commissions and from the client in form of professional fees. This document serves as an agreement between the parties, being accepted by the signatory client. The calculation of said fee is made by applying 5% of the policy premium and at least 25 euros.

Client: "Name"

NIF/CIF: «CIF_NIF»

Signature

TRANSPARENCY POLICY

1. Criteria used for the selection and comparison of insurance entity products.

Experience shows that it is possible to maintain fluid relationships with insurance entities. It will be essential to maintain them with the Companies of greater solvency, in search of the best insurance products and the most agile and effective management. Once the study of the different products and entities has been carried out, we have negotiated with those insurance entities that could best fit the needs of our clients. It is about obtaining the best for the client quality/price ratio, without forgetting a remuneration that is adjusted and in line with the commercial effort made and the service to be provided.

This insurance brokerage company has formalized commercial relations – letter of conditions – with those companies that meet the necessary requirements, in accordance with the selection criteria set out in the following section.

The criteria that have been taken into consideration when choosing the Insurance Companies with which to establish commercial relationships, in order to Proceeding to the placement of irrigation will be based on the following premises:

- Study of the economic situation by examining the Balance Sheet and the Profit and Loss account.
- Study of the conditions of the policies corresponding to the insurance lines that are of interest to society, contemplating the coverage, exclusions, franchises, rates and other conditions, both commercial (general, special and particular), as well as technical and economic, to discover the most interesting ones for customers in order to get the best possible guarantee with the most affordable or proportionate prices or rates.
- Information, through sector magazines, professional associations, professional associations, public organizations, etc., as exhaustive as possible on its performance in the insurance market, examining, in a special way, customer service in the treatment of claims, speed in procedures, appraisal, resolution, etc., until its final settlement.

2. The insurance entities for which products are offered on their website and the contractual relationship with the distributor.

Conducted an exhaustive study in the selection of insurance entities through which we promote those products that best fit with the needs of our clients through the aforementioned criteria, we have signed a letter of conditions with: LIBERTY SEGUROS, ALLIANZ, MAPFRE, ZURICH, REALE, AXA, GENERALI, FIATC, OCCIDENT, UNION ALCOYANA, CASER, HELVETIA, ARAG, ONLYGAL, ERGO VIAJES, PREVENTIVE, SANTALUCIA, SENASSUR, FIDELIDADE, ADESLAS, SANITAS, ASISA, DKV, SALUS, BERKLEY, MARKEL, SOLUNION, CREDITO Y CAUCIÓN, ATLANTICA GARANTIA.

3. Whether or not the relationship with insurance entities is remunerated and the nature of the remuneration.

The remuneration received by this brokerage for its activity may take the form of commissions, or the form of professional fees or a combination of both. The client will be expressly informed in accordance with the provisions of the specific insurance distribution regulations of the nature of the remuneration.

4. Whether or not the insurance price that appears at the end of the process is guaranteed.

This insurance brokerage has an important ERP that uses a wide set of connectivity processes with the main insurers in the world. market. Through the tool it also integrates 100% of the multi-pricing process, allowing you to quickly and easily obtain a comparison. commercial contracting options with different insurers, obtaining, depending on the insurance entity in question, a guaranteed price or not.

5. The frequency with which distributor information is updated.

Annually, the insurance brokerage analyzes and carries out a market study, again applying the selection criteria and the natural evolution of the companies. needs and demands of clients.

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Signature

INSTRUCTIONS TO CORRECTLY COMPLETE THIS FORM:

***MANDATORY REQUIREMENT: COMPLETE ALL THE MANDATORY DATA, THEY ARE THOSE MARKED WITH AN ASTERISK (*) ON SHEET 1, IN THE SECTION CALLED "INFORMATION AND CONSENT CLAUSE FOR THE PROCESSING OF CONTRACTUAL DATA".**

HIGHLY RECOMMENDED REQUIREMENT TO ALSO PROVIDE THE EMAIL.

REQUIREMENT IF POSSIBLE, ALSO PROVIDE THE DNI ON BOTH SIDES (FOR BUDGETS IT IS NOT MANDATORY, FOR ISSUANCE YES).

SECTION TO WHICH THIS INDICATION REFERS:

INFORMATION CLAUSE AND CONSENT FOR PROCESSING OF PERSONAL DATA

*Name/Company name: «Name»

*DNI/NIF/CIF «CIF_NIF»

*Address: "Address"

*«Postal_Code» «Population»

*Landline/Mobile Phone: "Mobile"

*Email address: "Mail"

***MANDATORY REQUIREMENT: SIGN THE 4 SHEETS AT THE BOTTOM OF EACH PAGE, BY THE OWNER OF THE DATA TO BE TRANSFERRED.**

***MANDATORY REQUIREMENT: MARK THE MANDATORY SECTIONS "A" AND "B" TO MAKE AN OFFER ON PRODUCTS NOT RELATED TO LIFE OR HEALTH**

***MANDATORY REQUIREMENT: ALSO CHECK SECTION "C" MANDATORY TO MAKE AN OFFER ON PRODUCTS IF RELATED TO LIFE OR HEALTH**

HIGHLY RECOMMENDED REQUIREMENT TO MARK "A", "B", "C" AND "D" IN CASE OF DOUBT

***IMPORTANT:**

THIS SHEET DOES NOT NEED TO BE PRINTED, THEY ARE ONLY INDICATIONS, THIS SHEET DOES NOT NEED TO BE SIGNED.