



Amicis Financial Planning

Courthouse Chambers, 27-29 Washington Street, Cork. T12V2YY

T: +353 21 233 9460 | [info@amicis.ie](mailto:info@amicis.ie)

W: [www.amicis.ie](http://www.amicis.ie)

## Terms of Business – Amicis Financial Planning Limited

**Legal Name:** Amicis Financial Planning Limited

**Address:** Courthouse Chambers,  
27-29 Washington Street, Cork

**Effective Date:** 19.09.2022

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

Amicis Financial Planning Limited (Central Bank No. C71705) is regulated by the Central Bank of Ireland as an insurance intermediary registered under the European Union (Insurance Distribution Regulations 2018); as an Investment Business Firm under Section 10 of the Investment Intermediaries Act, 1995 (as amended); as a Mortgage Intermediary/Mortgage Credit Intermediary authorised under the Consumer Credit Act, 1995 and the European Union (Consumer Mortgage Credit Agreements) Regulations 2016.

Copies of our regulatory authorisations are available on request. Our Central Bank of Ireland number is C71705.

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](http://www.centralbank.ie) to verify our credentials.

### Codes of Conduct

The firm 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](http://www.centralbank.ie).

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### **Our Services**

Our principal business is to provide advice and arrange transactions on behalf of clients in relation to pensions, investments, mortgages, life assurance, serious illness & income protection.

We also provide financial planning & cashflow modelling.

### **Sustainability Factors**

When providing advice we do not consider the adverse impacts of investment decisions on sustainability. However, where clients express a preference to invest in investment instruments that meet sustainability criteria, (commonly referred to as having environmental, social and governance “ESG” criteria) we advise on that basis.

### **Mortgages**

Through the lenders or other undertakings with which we hold an agency, the firm can provide advice on and arrange mortgage products.

The firm provides mortgage advice on a fair analysis basis (providing services on the basis of a sufficiently large number of contracts and product producers available in 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). The firm currently holds appointments with the following lenders:

- Brokers Ireland Network Services Limited
- Dilosk DAC t/a ICS Mortgages
- Haven Mortgages Ltd
- Permanent tsb plc
- Finance Ireland Residential Mortgages

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.

It is important that you and all of the parties in this transaction advise us of all material facts concerning your circumstances. A material fact is one which is likely to influence us in our assessment and

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recommendations relating to your application for revised repayment terms. If you are in doubt as to whether a fact is material then it should be disclosed.

### **Life & Pensions**

The firm provides life assurance and pensions advice on a fair analysis basis (providing services on the basis of a sufficiently large number of contracts and product producers available in 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).

### **Non-Life -Income Protection**

The firm provides income protection policies 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.

### **Permanent Health Insurance (Income Protection)**

In relation to 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.

### **Serious Illness**

In relation to serious illness policies, we will explain clearly to you the restrictions, conditions and general exclusions that attach to that policy.

### **Disclosure of Information – All Products**

It is important that you ensure that all information provided on proposal forms, application forms, statement of facts and any other documentation relevant to the service being provided to you is complete and accurate. If you are in doubt as to whether information is relevant or not, please disclose it to us. Failure to disclose any material information could invalidate you cover and could mean that all or part of a claim will not be paid.

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### **Remuneration**

The firm 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 and also for the ongoing management of your policy. Where we receive commission from a product provider and charge a fee, we do not offset the commission against the fee.

A summary of the details of all arrangements for any fee, commission other reward or remuneration paid or provided to us which have agreed with product providers is available in our office or on our website – [www.amicis.ie](http://www.amicis.ie)

### **Mortgages**

We receive up to 1% of the mortgage amount from lending institutions. Commission can be clawed back by the lender within a three-year period.

### **Life Assurance**

In respect of life assurance, the firm may receive commission and other payments from the insurance companies to whom orders are transmitted. Summary details of these payments will be included in a quality information document, which you are legally entitled to receive before an application for a product is completed, and full details will be included with your cooling off letter.

### **Pensions**

As levels of commission vary between Insurers, we will advise clients in advance of any new contract, the exact commission rates payable by the Insurer selected prior to effecting the policy.

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### **Non-Life Remuneration**

The firm is remunerated by commission from insurers on completion of business. Details of this remuneration are available on request.

### **Fees**

In certain circumstances it will be necessary to charge a fee for services provided. Additional fees may be payable for complex cases or to reflect value, specialist skills or urgency or you may choose to pay in full for our service by fee. In any case we will give an estimate of the rate in advance of providing you with services.

Unless stated all fees are payable within 14 days of invoice issue date.

### **Financial Planning & Consultancy services**

We charge an hourly rate of €200 per hour for financial planning & consultancy services.

### **Home Loan Fees are charged as follows:**

- €300 at application stage. This fee is payable upon submission of the requested mortgage documentation to us;
- €300 at Approval in Principal stage. This fee is payable upon receipt of an Approval in Principal Letter;
- €300 at Loan Offer stage. This fee is payable once your loan offer is issued;
- An additional €100 is payable at the release of each subsequent stage payment (if applicable).

Additional fees are payable for complex cases requiring specialist skills or urgency. We will give an estimate of these fees in advance of providing you with services.

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At our absolute discretion we may waive our Approval in Principle and Loan Offer fees. This will be agreed in advance however if an Approval in Principle or Loan Offer is secured for you and you subsequently do not finalise your mortgage finance with us, these fees become immediately payable.

**Buy to Let Fees are charged as follows:**

- €300 to review all mortgage application documentation provided by you so as to establish your suitability to apply for a mortgage. This fee is payable upon submission of the requested mortgage documentation to us;
- €500 to research the market, prepare a credit submission and engage with Lenders on your behalf and obtain indicative lender(s) decision (Approval in Principle or "AIP"). This fee is payable prior to Lender submission;
- €500 to progress your application from "AIP" stage and to co - ordinate with all parties to cheque issue. This fee is payable once your loan cheque has issued. An additional €100 is payable at the release of each subsequent stage payment (if applicable).

Additional fees are payable for complex cases requiring specialist skills or urgency. We will give an estimate of these fees in advance of providing you with services.

**Commercial Fees are charged as follows:**

For Commercial Loans a completion fee of 1% of the loan amount less any fee's already paid is charged upon completion. Fees are charged as follows;

- €750 to review all mortgage application documentation provided by you so as to establish your suitability to apply for a mortgage. This fee is payable upon submission of the requested mortgage documentation to us;
- €1250 to research the market, prepare a credit submission and engage with Lenders on your behalf and obtain indicative lender(s) decision (Heads of Terms). This fee is payable upon receipt of a Head of Terms;

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Additional fees are payable for complex cases requiring specialist skills or urgency. We will give an estimate of these fees in advance of providing you with services.

PLEASE NOTE that at the absolute discretion of the firm fees may be reduced or waived. However should a service outlined above be provided and you chose not to proceed with our services, then the fees outlined above may become payable regardless of being waived by the firm in the first instance.

You will be invoiced for any outstanding fees and this invoice should be settled within 14 days from the date of invoice. The firm reserves the right to withdraw any services being provided should you fail to satisfy our payment terms as outlined above.

Please note that lenders may charge specific fees in certain circumstances. If this applies, these fees will be specified in your Loan Offer.

**Our bank details are as follows:**

Account name:	Amicis Financial Planning Limited
Account number:	19317761
Sort Code:	90-27-09
BIC:	BOFIE2D
IBAN:	IE91 BOFI 902709 19317761

**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.

**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.

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### **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**

We ask that you make any complaint against our firm, relating to services provided by us, in writing. We will acknowledge your complaint within 5 business days and we will fully investigate it. 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.

### **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.

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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 Limited at (01) 224 4955.

### **Data Protection**

Amicis Financial Planning Limited complies with the requirements of the General Data Protection Regulation (GDPR) 2018.

Amicis Financial Planning Limited 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 Statement, this will be given to all our clients at the time of data collection.

We would also like to keep you informed of mortgage, insurance and any other services provided by us or associated companies with which we have a formal business arrangement; which we think may be of interest to you. If you would like to receive such marketing information please complete the permission statements contained in this letter.

We will ensure that this Privacy Notice is easily accessible. Please refer to our website: [www.amicis.ie](http://www.amicis.ie). If this medium is not suitable we will ensure you can easily receive a copy by; hard copy or by emailing us at [info@amicis.ie](mailto:info@amicis.ie).

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