

# INTRODUCTION

Welcome to Rawlinson & Hunter Cayman Partnership Group's privacy notice. The Rawlinson & Hunter Cayman Partnership Group includes, Rawlinson and Hunter Limited and all of its affiliates including but not limited to, The R&H Trust Co Ltd, The Harbour Trust Co Ltd, R&H Private Fund Services (Cayman) Limited, Rawlinson & Hunter Services Ltd, Breakwater Services Ltd, R&H Restructuring (Cayman) Ltd. and R&H Restructuring (BVI) Ltd. (Rawlinson & Hunter).

Rawlinson & Hunter respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data when you visit our website and use our services. This privacy notice will tell you about your privacy rights and how the law protects you.

Please also use the **Glossary** to understand the meaning of some of the terms used in this privacy notice.

- 1. Important information and who we are*
- 2. The data we collect about you*
- 3. How is your personal data collected?*
- 4. How we use your personal data*
- 5. Disclosures of your personal data*
- 6. International transfers*
- 7. Data security*
- 8. Data retention*
- 9. Your legal rights*
- 10. Glossary*

## 1. Important information and who we are

### Purpose of this privacy notice

This privacy notice aims to give you information on how Rawlinson & Hunter collects and processes your personal data.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements other notices and privacy notices and is not intended to override them.

### Controller

Rawlinson & Hunter consists of several subsidiaries. For more information please **contact us**.

This privacy notice is issued on behalf of Rawlinson & Hunter, so when we mention "we", "us" or "our" in this privacy notice, we are referring to the relevant company in The R&H Holdings Ltd Group that has collected your data. That company will be the controller of your data.

If you are a resident in a member state of the European Union (EU) we have appointed an EU Representative who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise ***your legal rights***, please contact us using the details set out below. If you are a citizen of a member state of the European Union (EU) we have appointed an EU Representative who is responsible for overseeing questions in relation to this privacy notice.

## Contact details

If you have any questions about this privacy notice or our privacy practices, please contact us.

EU citizens may contact our EU Representative in the following ways:

Seddon Solicitors; 5 Portman Square; London; United Kingdom W1H 6NT

Alexander Egerton; alexander.egerton@seddons.co.uk

You have the right to make a complaint at any time to the Ombudsman, the Cayman Islands supervisory authority for data protection issues (<https://ombudsman.ky/data-protection/public>) or if you are a citizen of a member state of the European Union you may contact the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the Ombudsman or the ICO so please contact us in the first instance.

## Changes to the privacy notice and your duty to inform us of changes

We keep our privacy notice under regular review.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

## Third-party links

This website (and websites within R&H) may include links to third-party websites and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

## 2. The data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

**Identity Data** includes, but is not limited to, information used to identify a specific individual, such as name, date of birth, place of birth, nationality, passport number and place of issue and principal residential address;

**Contact Data** includes, but is not limited to postal address, telephone number and email address;

**Financial Data** includes, but is not limited to, source of wealth, source of funds, personal assets, bank account numbers and income details;

**Professional Data** includes, but is not limited, information connected to your profession, professional qualifications and business cards;

**Transaction Data** includes, but is not limited to, details about payments to and from you and other services you have received from us;

**Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences;

**Special Category Data** includes, but is not limited to, your political opinions and, or affiliations, so that we can identify whether you are, or are connected to, a politically exposed person; your criminal records or alleged criminal activity; your health and your religion.

## If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract, and you fail to provide that data when requested, we may not be able to act for you.

## 3. How is your personal data collected?

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your personal information in face to face meetings, by filling in forms or by corresponding with us by post, phone, and electronic mail or otherwise. This includes personal data you provide when you:
  - apply for our services and respond to requests for due diligence documentation;
  - subscribe to our industry updates or publications;
  - request marketing materials to be sent to you; or
  - give us feedback or **contact us**.
- **Third parties or publicly available sources.** We will receive personal data about you from various third parties and public sources as set out below:
  - Identity, Contact and Professional Data from publicly available sources such as companies' registers and financial services registers;

- Identity, Contact, Professional and Special Category Data from searches of electronic databases maintained by professional service providers to identify and manage financial, regulatory and reputational risk;
- Identity, Contact, Financial, Professional, Transaction and Special Category Data from your professional advisers including, but not limited to, accountants, tax advisers, bankers and lawyers;
- Identify, Contact, Family, Financial, Professional, Transaction and Special Category Data from your family members or advisors;
- Closed Circuit Television (CCTV). If you visit our offices in the Cayman Islands your image may be captured on our CCTV system. We operate a CCTV system to protect our buildings and assets from damage, for the personal safety of our staff and visitors and to support law enforcement bodies in the prevention, detection and prosecution of crime.

## 4. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- where we need to perform the contract we are about to enter into or have entered into with you;
- where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests;
- where we need to comply with a legal obligation.

Click here [link to Glossary, lawful basis](#) to find out more about the types of lawful basis that we will rely on to process your personal data.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party direct marketing communications to you via email or text message.

You have the right to withdraw consent to marketing at any time by [contacting us](#).

### Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please [contact us](#) if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

| Purpose/Activity  | Type of data   | Lawful basis for processing including basis of legitimate interest   |
|---|--|--|
| To register you as a new client   | Identity<br>Contact  | Performance of a contract with you   |
| To perform our anti-money laundering checks   | Identity<br>Contact<br>Financial<br>Transaction<br>Special Category Data (e.g. political opinions or criminal records)<br>Professional | Necessary to comply with a legal or regulatory obligation  |
| To deliver our service, including but not limited to, entering your information on a register; using your contact details to send you notices of meetings and communications; and making payments | Identity<br>Contact<br>Financial<br>Transaction<br>Marketing and Communications<br>Professional<br>Special Category Data               | Performance of a contract or fiduciary duty<br>Necessary to comply with a legal or regulatory obligation<br>Necessary for our legitimate interests (performing our services and conducting our business) |
| To manage our relationship with you which will include notifying you about changes to our terms or privacy notice   | Identity<br>Contact<br>Marketing and Communications  | Performance of a contract with you<br>Necessary to comply with a legal or regulatory obligation<br>Necessary for our legitimate interests (to keep our records updated)                                  |
| To send you industry updates and marketing information about our services that we think may be of interest to you   | Identity<br>Contact<br>Marketing and Communications  | Necessary for our legitimate interests (to develop our products/services and grow our business)<br>Consent   |
| To perform tax, and other reporting requirements  | Identify<br>Contact<br>Financial<br>Transaction  | Necessary to comply with a legal or regulatory obligation  |

## Opting out

You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by **contacting us** at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us for other purposes.

## Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please **contact us**.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## 5. Disclosures of your personal data

We may share your personal data with the parties set out below for the purposes set out in the table **Purposes for which we will use your personal data** above.

### **Internal Third Parties**

### **External Third Parties**

Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 6. International transfers

We transfer your personal data to Jersey for business continuity planning purposes. We may also need to carry out checks to ensure we are not conflicted to act for you. In this case your name will be sent to the offices within our global franchise <https://www.rawlinson-hunter.com/our-location/>

## 7. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## 8. Data retention

### How long will you use my personal data for?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

By law we have to keep basic information about our clients (including Contact, Identity, Financial and Transaction Data) for six years after they cease being clients.

In some circumstances you can ask us to delete your data: see [your legal rights](#) below for further information.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

## 9. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please click on the links below to find out more about these rights:

- [Request access to your personal data](#)
- [Request correction of your personal data](#)
- [Request erasure of your personal data](#)
- [Object to processing of your personal data](#)
- [Request restriction of processing your personal data](#)
- [Request transfer of your personal data](#)
- [Right to withdraw consent](#)

If you wish to exercise any of the rights set out above, please [contact us](#).

### No fee usually required

Depending on where you are a resident you may not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

## What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

## Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## 10. Glossary

### LAWFUL BASIS

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by *contacting us*.

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal obligation** means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

### THIRD PARTIES

#### Internal Third Parties

Other entities in Rawlinson & Hunter and who are based in the Cayman Islands or the British Virgin Islands.

#### External Third Parties

- Service providers acting as processors based in the Cayman Islands who provide information technology and system administration services.
- Professional advisers including, but not limited to lawyers, bankers, auditors and insurers.
- Tax authorities, regulators and other authorities who require reporting of processing activities in certain circumstances.
- Service providers who provide anti-money laundering screening services, client-facing application software, archiving and destruction services, business management software, telecommunications services, information technology services and marketing assistance.



## YOUR LEGAL RIGHTS

You have the right to:

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful but you do not want us to erase it.
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.