

RAWLINSON & HUNTER LIMITED

**PRIVACY NOTICE FOR CLIENTS AND USERS OF OUR
WEBSITE**

What is the purpose of this document?

Rawlinson & Hunter Limited (**R&H**) is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your relationship with us, in accordance with the Data Protection (Bailiwick of Guernsey) Law 2017 (the Guernsey Data Protection Law).

All organisations active in the European Union (EU) will need to comply with the General Data Protection Regulation (GDPR) in addition to local data protection law. This privacy notice is therefore designed to ensure compliance with both the Guernsey Data Protection Law and the GDPR.

It applies to all clients and users of our website (**Clients**).

R&H is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to all Clients whether existing, prospective, declined, exited or former and users of our website. This notice does not form part of any contract to provide services. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

The kind of information we hold about you

Personal data, or personal information, means any information relating to an identified or identifiable individual. It does not include data where no natural person can be identified from the data.

There are "special categories" of personal data which require a higher level of protection (Special Category Data).

We may collect, store, and use personal information about you. This information may include but is not necessarily limited to the following categories:

- Engagement data:
 - Professional reference
 - Source of wealth
 - Source of funds
 - Bank details

- Information on potential business principal, information on background and rationale for proposed business.

Personal Details:

- Full name
 - Other names including maiden names and aliases
 - Title
 - Residential address
 - Telephone, fax, email
 - All Nationalities
 - Passport number(s)
 - Occupation and employer
 - Public positions held
 - Place of birth
 - Date of birth
 - Marital status / certificate
 - Verified identification document(s)
 - Verified residential address document(s)
 - Tax identification number
 - CRS self-certification form
 - If UK connected
 - Tax Domicile
 - National insurance number
 - If US connected
 - US tax status
 - Completed W-9
- Client take-on Risk data
 - Introducer of the client to R&H
 - Type of applicant

- Bribery Risk data
 - Information on gifts, hospitality & entertainment activities employed

- Additional compliance data:
 - CRS / FATCA Classification
 - Social security number
 - Date of death / certificate
 - Gender
 - Director ID number
 - PEP information
 - High profile individual information
 - Commercially exposed person information
 - Information on any powers of attorney
 - World checks
 - Google checks including sanction checks and screening deployed

- Administration data
 - File notes which may contain personal data / and potentially special category data.
 - Call backs on changes to personal details or bank details
 - Minutes which contain information on personal circumstances which may have affected a business decision

We may also collect, store and use the following Special Category Data:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Information about your health, including any medical condition, health and sickness records.
- Genetic information and biometric data.
- Information about criminal convictions and offences.

How is your personal information collected?

We collect your personal information direct from you and via other sources (including from publicly accessible data bases).

We collect your personal information from you when you contact us by telephone, in writing, by email or by entering your details in the fields requested on, or any documents linked to or downloaded from, our website, or any other forms provided to you. We will collect the data to enable us to deal with your enquiry or provide you with the relevant services.

We may sometimes collect additional information from third parties including clients, client advisers or public open sources.

We will also collect additional personal information in the course of service-related activities throughout the period of providing services to you.

How we will use information about you

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

1. Where we need to perform the contractual engagement we have entered into with you.
2. Where we need to comply with a legal obligation.
3. 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.
4. Where we need to exercise or defend our legal rights, seek legal advice or in relation to legal proceedings.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where you have requested or given consent to the processing of your personal information for a specific purpose.

We need all the categories of information in the list above (see 'The kind of information we hold about you' on page 1, above) primarily to allow us to perform engagements with you and to enable us to comply with legal obligations. In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below.

- Providing bespoke professional services to you
- Administering the contract we have entered into with you or where you are a party related to an entity for which we are contracted to provide services – which may include (amongst others) disclosing your personal information (including your identity and interest in the Managed Entity (if applicable)) to any bank, financial institution or other relevant party
- Business management and planning, including accounting and auditing
- Making arrangements for the termination of our commercial relationship
- Education, training and development requirements
- to enforce or defend our rights or those of third parties who provide services to us
- monitoring/recording telephone calls/electronic communications and/or transactions for: quality, business analysis, training and related purposes in order to improve the delivery of service;
- for investigation and fraud prevention purposes,
- for crime detection, prevention, investigation and prosecution of any unlawful act (or omission to act)
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution
- To conduct data analytics studies to review and better understand customer retention and attrition rates
- Complying with our legal, regulatory, reporting and financial obligations in connection with the services provided to you including but not limited to liaising with or reporting to any regulatory authority (including tax authorities) with whom we are either required to cooperate or report to, or with whom we decide or deem it is appropriate to cooperate

- Collecting, processing, transferring and storing customer due diligence, source of funds information and verification data under applicable anti-money laundering (**AML**) and terrorist financing laws and regulations

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations.

Change of purpose

We will only use your personal information 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 we need to use your personal information 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 information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

How we use particularly sensitive personal information

What was referred to as sensitive personal data under the previous data protection law is now referred to as Special Category Data. Special Category Data requires higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations and in line with our data protection policy & procedure or where we are required to assess AML risk or where we must comply with a legal enactment.
3. Where it is needed in the public interest, such as for equal opportunities monitoring, and in line with our data protection policy & procedure.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or

Our obligations as a data controller

We may use your Special Category Data in the following ways:

- in a fiduciary capacity when making decisions
- when life insurance is required
- when considering ethical investments

Do we need your consent?

We do not need your consent if we use Special Category Data in accordance with our written policy. In limited circumstances such as those listed above under "Our obligations as a data controller", we may approach you

for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us, but declining consent may affect what services we can offer you.

Criminal data

In limited circumstances we may process criminal data following our AML risk assessments and checks via online databases in order that we can comply with our legal obligations and/or to prevent, detect or investigate fraud etc.

Automated decision-making

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

Data sharing

We may have to share your data with third parties, including third-party service providers, professional advisers and other entities in the group.

We expect third parties to respect the security of your data and to treat it in accordance with the law.

Why might we share your personal information with third parties?

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

Which third-party service providers process your personal information?

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group. The following activities are of the type carried out by third-party service providers:

- Banking
- Custody
- Investment management and advice
- Property management and advice
- Legal advice
- Tax advice
- Registered office and agent services
- Accounting services
- Other professional or ancillary services

When might we share your personal information with other entities in the group?

We will share your personal information with other entities in our group as part of conducting the business for which you have engaged us or in order to maintain our insurance programme.

What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to

otherwise comply with the law.

Transferring information outside the EU

We may share your personal information with each other and with third parties (including other stakeholders in the grant process, banks, financial institutions or other third party lenders, regulatory bodies, law enforcement agencies, service providers, auditors and/or our administrators and legal professionals) under the terms of any appropriate delegation or contractual arrangement.

Those authorised third parties may, in turn, process your personal data abroad and may have to disclose it to foreign authorities to help them in their fight against crime and terrorism or otherwise to satisfy their regulatory requirements. Where such entities act as data processors, we will ensure that there is an appropriate agreement in place. Where such entities act as data controllers, they will be under an obligation to process your personal data in accordance with applicable laws.

Where we transfer your personal information outside the European Economic Area (and/or the Bailiwick of Guernsey), we will ensure that it is protected and transferred in a manner consistent with legal requirements applicable to the information. This can be done in a number of different ways, for instance:

- the country to which we send the personal information may be approved by the European Commission or the States of Guernsey as providing adequate protection for personal data; or
- by utilising a contract based on “model contractual clauses” approved by the European Commission alongside other appropriate safeguards; or
- where a derogation exists for example, where the transfer is necessary for the conclusion or performance of a contract to which you are a party or made between R&H and a third party each acting in your interest or to take steps at your request before entering into the contract.

In other circumstances, the law may permit us to otherwise transfer your personal information outside Guernsey.

Where we share your information with a third party, we require the recipients of that personal information to put in place adequate measures to protect it.

If you would like further information about the safeguards we have in place to protect your personal information, please contact R&H’s Compliance Officer (“the Compliance Officer”)

Data security

We have put in place measures to protect the security of your information.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

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

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

Data retention

How long will we use your information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our Record Keeping Policy which is available from the Compliance Officer. 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 requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer a Client of the company we will retain and securely destroy your personal information in accordance with our data retention policy and/or applicable laws and regulations.

Rights of access, correction, erasure, and restriction

Your duty to inform us of changes

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

Your rights in connection with personal information

Under certain circumstances, by law you have the:

- **Right to data portability:** right to request the transfer of your personal information to another party.
- **Right of access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Right to object to processing** of your personal information 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. You also have the right to object where we are processing your personal information for direct marketing purposes or if data were being processed on grounds of public interest or for historical or scientific purposes.
- **Right to rectification** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Right to erasure** of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
- **Right to restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Right to be notified of rectification, erasure and restrictions; and**

- **Right not to be subject to decisions based on automated processing.**

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Compliance Officer in writing.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such 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 the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Compliance Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Right to complain

You have the right to make a complaint at any time to the Authority established pursuant to the Guernsey Data Protection Law and to appeal any decisions being the Office of the Data Protection Authority (<https://www.odpa.gg/>).

Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact the Compliance Officer.