

POLICIES AND PROCEDURES

**PRIVACY NOTICE**

## 1. INTRODUCTION

The Appleby Global Services Group (**AGS**) is committed to being responsible custodians of the information you provide to us and the information it collects in the course of operating its business and providing administration, reporting and fiduciary services (Services).

The principal subsidiaries of Appleby Global Services Holdings Limited are: Appleby Global Corporate Services (Bermuda) Ltd, Appleby Global Trust Services (Bermuda) Ltd, Appleby Global Listing Services (Bermuda) Ltd, Appleby Global Representative Services (Bermuda) Ltd, Appleby Global Services Holdings (Bermuda) Ltd, Appleby Global Services (Cayman) Limited, Appleby Global Services (Hong Kong) Limited, Appleby Global Services (Jersey) Limited, Appleby Global Services (Mauritius) Ltd and Appleby Global Services (Seychelles) Limited, (**AGS Entities**).

This Privacy Notice sets out how AGS as a data controller (and the AGS Entities insofar as they are joint data controllers) may collect, use and share information in relation to the provision of the Services, and describes:

- The types of information, including personal information, AGS may collect
- How we may use and share the information AGS collects
- Legal grounds for using personal information
- The measures AGS has in place to protect and safely store the information collected
- Retention of the information AGS collects
- Your choices and rights in respect of the information AGS holds
- How to contact AGS in relation to this Notice
- Complaints
- Changes to this Privacy Notice

## 2. THE TYPES OF INFORMATION, INCLUDING PERSONAL INFORMATION, AGS MAY COLLECT

AGS collects your personal information when you provide it. "Personal Information" is any information that can be used to identify you or that AGS can link to you as an individual and may include:

- Full name, date of birth, passport, driving licence or other photographic identity details
- Company or organisation details
- Contact information including postal address, email address and telephone number(s)
- Demographic information such as postcode, preferences and interests
- Information pertinent to fulfilling AGS's services on an individual's or organisation's behalf
- Information AGS collects automatically through cookies and similar tracking technologies through our website, mobile applications or other online services

AGS may also collect, store and use the following "special categories" of more sensitive personal information, for the purposes of equal opportunities monitoring, including:

- Racial or ethnic origin
- Political opinions, religious or philosophical beliefs
- Trade union membership
- Data concerning physical or mental health or disabilities
- Genetic data or biometric data
- Marital or family status
- Data concerning a natural person's sex life or sexual orientation

### **3. PERSONAL INFORMATION YOU PROVIDE TO AGS VOLUNTARILY**

AGS may also collect other information that you voluntarily provide, including when you communicate with AGS via email, post, telephone or other channels; when you sign up for or request that AGS send you, e-alerts, or other marketing materials; when you submit an application for an employment position with AGS; when you sign up for an event; and when you respond to communications or requests for information.

### **4. INFORMATION AGS MAY COLLECT FROM THIRD PARTY SOURCES**

AGS may receive information about you from other sources, including third parties and publicly available information that help AGS to: update, expand, and analyse its records; identify new customers or prevent or detect fraud. AGS may also receive information about you from social media platforms, including but not limited to, when you interact with us on those platforms or access AGS social media content. Please note that the information AGS may receive from those third-party sites is governed by the privacy settings, policies, and/or procedures of the applicable platform, and you are strongly encouraged to review them before submitting any information to them.

### **5. HOW AGS MAY USE AND SHARE THE INFORMATION COLLECTED**

The information collected may be used in the following ways:

- To respond to your enquiries
- To provide you with services that you request
- To send you e-alerts and other relevant updates, marketing communications and other information or materials that may be of interest to you or which you have expressed an interest in receiving
- To maintain AGS's list of contacts
- For AGS's business purposes, including improving the provision of our Services, data analysis; submitting invoices; detecting, preventing, and responding to actual or potential fraud, illegal activities, or intellectual property infringement
- To assess the effectiveness of AGS events, promotional campaigns and publications
- To evaluate and recruit and hire personnel
- As AGS believes to be reasonably necessary or appropriate to: comply with its legal obligations; respond to legal process or requests for information issued by government authorities or other third parties; or to protect your, our, or others' rights

### **6. HOW AGS MAY SHARE THE INFORMATION IT COLLECTS**

AGS is a provider of administration, reporting and fiduciary services and the AGS offices and business entities share information with each other for business purposes such as billing, internal administration, promoting events and services, and providing you or your organisation with our Services. AGS does not sell, rent, or otherwise share any information with unaffiliated entities except as expressly described in this Privacy Notice or without your prior permission. AGS may share anonymised information that does not reasonably identify you or your organisation only as permitted by applicable law.

AGS may also share information collected with:

- Employees of AGS, but their use shall be limited to the performance of their duties and in line with the reason for processing. AGS employees are required to keep that information confidential and are not permitted to use it for any purposes other than to provide Services, to deal with requests which are submitted to us or for the purposes of facilitating the use of that information in accordance with this Privacy Notice

- Third-party service providers engaged by AGS to perform services on its behalf, such as web-hosting companies, information technology providers, analytics providers, marketing and communications services and event hosting services
- Law enforcement, courts or tribunals, other government or competent authorities, or third parties (within or outside the jurisdiction in which you reside) as may be permitted or required by the laws of any jurisdiction that may apply to AGS; as provided for under contract; or as AGS deems reasonably necessary to provide our Services. In these circumstances, AGS takes reasonable efforts to notify you before disclosing information that may reasonably identify you or your organisation, unless giving prior notice is prohibited by applicable law or is not possible or reasonable in the circumstances
- Service providers, advisors, potential transactional partners, or other third parties in connection with the consideration, negotiation, or completion of a transaction in which AGS is acquired by or merged or amalgamated with another company or AGS sells, liquidates, or transfers all or a portion of its assets

## **7. LEGAL GROUNDS FOR USING PERSONAL INFORMATION**

AGS relies on the following legal grounds to process personal information, namely:

- Performance of a contract – AGS may need to collect and use personal information to enter into a contract with you or to perform a contract that you have entered into with AGS. For example, when you engage AGS to provide its Services your personal information will be used in order to provide you with such Services
- Legal obligation – AGS may need to collect and use personal information to comply with legal obligations to which AGS is subject. This includes undertaking client due diligence and background checks (known as “KYC” or “know your client” checks) as well as all other anti-money laundering, anti-bribery, sanctions or other legal obligations
- Legitimate interests – AGS may use your personal information for its legitimate interests to provide and improve our Services. Consistent with AGS’s legitimate interests and any choices that AGS offers or consents that may be required under applicable laws, AGS may use personal information for marketing purposes and other technical information as described in this Privacy Notice.

## **8. MEASURES AGS TAKES TO PROTECT AND SAFELY STORE THE INFORMATION COLLECTED**

As a provider of the Services AGS may store or process the information collected in jurisdictions in which AGS or its service providers have facilities, including but not limited to Bermuda, Cayman Islands, Hong Kong, Jersey, Mauritius and Seychelles.

There is an adequacy decision by the European Commission (**EC**) in respect of Jersey so this jurisdiction is considered to provide an adequate level of protection for your personal information in accordance with European Union standards. This means that the remaining jurisdictions to which AGS may transfer your data are not deemed to provide an adequate level of protection for your personal information, or have not yet been assessed for such purposes by the EC.

However, to ensure that your personal information does receive an adequate level of protection AGS has put in place standard data protection clauses (reflecting the updated SCCs issued by the EU in June 2021)

with all members of AGS or service providers with whom information may be shared to ensure that your personal information is treated by those third parties in a way that is consistent with and which respects the laws on data protection within those jurisdictions. If you require further information about this protective measure or to obtain a copy, you can contact us via [GDPR@global-ags.com](mailto:GDPR@global-ags.com).

In addition, AGS deploys administrative, technical, and physical safeguards designed to comply with applicable legal requirements and safeguard the information that collected. This includes, when required or appropriate and feasible, obtaining written assurances from third parties that may access your data that they will protect the data with safeguards designed to provide a level of protection equivalent to that adopted by AGS.

However, no information system can be 100% secure. So, AGS cannot guarantee the absolute security of your information. Moreover, AGS are not responsible for the security of information you transmit to us over networks that AGS does not control, including the Internet and wireless networks.

## **9. RETENTION OF THE INFORMATION COLLECTED**

AGS retains the information collected for no longer than is reasonably necessary to fulfil the purposes for which the information is collected and to comply with legal obligations.

## **10. YOUR CHOICES AND RIGHTS**

If you no longer wish to receive marketing communications from AGS, you can advise us via [GDPR@global-ags.com](mailto:GDPR@global-ags.com). The electronic marketing communications AGS send you also contain opt-out mechanisms that allow you choose not to receive those communications, update your contact information or change your preferences at any time. AGS will honour your choice and refrain from sending you such announcements. You may also opt back in to receive those communications at any time.

You have a number of rights in relation to the information that we hold about you. These rights include:

- The right to access information AGS holds about you and to obtain information about how that information is processed
- In some circumstances, the right to receive certain information you have provided to AGS in an electronic format and/or request that AGS transmits it to a third party
- The right to request that AGS rectifies your information if it is inaccurate or incomplete
- In some circumstances, the right to request that AGS erases your information. AGS may continue to retain your information if entitled or legally required to retain it
- The right to request that AGS restricts processing your information in some circumstances. There may be situations where you object to, or ask AGS to restrict the processing of your information but AGS are entitled to continue processing your information and /or to refuse that request

You can exercise your rights by contacting AGS using the details set in section 11. As an individual you also have a right to complain to the data protection regulator in the country where you live or work (see below).

If you would like to discuss or exercise the rights you may have, please contact the AGS Privacy Officer.

## **11. HOW TO CONTACT US**

AGS welcomes your enquiries and comments, but please be aware that if you are not a client, AGS may not be able to treat the information you send us as confidential or privileged. If you wish to contact us regarding our Services, please contact one of the AGS offices near you. You can find a list of AGS offices

on our main website at [www.global-ags.com](http://www.global-ags.com)

If you would like to contact AGS with questions about our privacy or data protection practices, please email the AGS Privacy Officer: Carey Cooper - Privacy Officer at [GDPR@global-ags.com](mailto:GDPR@global-ags.com)

**EU Representative**

AGS have appointed Saltire Data Protection Services Limited to act as our representative in the European Union as required under Article 27 EU GDPR. You can always contact us directly if you are located in the EU and wish to raise any issues or queries you may have relating to the processing of your personal data. However, if you wish to contact Saltire Data Protection Services Limited you can do so by clicking this form: <https://app.saltiredataprotection.eu/enquiry/rs/applebyagshl>

**UK Representative**

AGS have appointed Shepherd and Wedderburn LLP to act as our representative in the United Kingdom as required under Article 27 UK GDPR. You can always contact us directly if you are located in the UK and wish to raise any issues or queries you may have relating to the processing of your personal data. However, if you wish to contact Shepherd and Wedderburn LLP you can do so by clicking this form: <https://app.saltiredataprotection.co.uk/enquiry/rs/applebyagshl>

**12. UPDATES TO PERSONAL DATA**

AGS will use reasonable efforts to keep your personal information up to date. However, you will need to notify AGS without delay in the event of any change in your personal circumstances, or those of others mentioned above, so that your information can be updated. You should do this through your usual AGS contact or via [GDPR@global-ags.com](mailto:GDPR@global-ags.com)

**13. COMPLAINTS**

AGS is committed to working with you to obtain a fair resolution of any complaint or concern about your privacy. If, however, you believe that AGS has not been able to adequately assist with your complaint or concern, you have the right to complain to the data protection authority/regulator, as applicable, in your jurisdiction. Set out below the contact details for the relevant authority/regulator in each AGS jurisdiction:

Bermuda	Bermuda Privacy Commissioner Maxwell Roberts Building, 4 <sup>th</sup> Floor 1 Church Street Hamilton HM11 Telephone: +1 441 543 7748 Email: <a href="mailto:privcom@privacy.bm">privcom@privacy.bm</a>
Cayman Islands	Information Commissioner’s Office PO Box 2252 Grand Cayman, KY1-1107 Cayman Islands Telephone: +1 345 946 6283 Email: <a href="mailto:info@ombudsman.ky">info@ombudsman.ky</a>
Hong Kong	Privacy Commissioner for Personal Data 12/F Sunlight Tower

248 Queen's Road East  
Wanchai, Hong Kong  
Telephone: +852 2827 2827  
Email: [enquiry@pcpd.org.hk](mailto:enquiry@pcpd.org.hk)

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Jersey The Office of the Information Commissioner  
2<sup>nd</sup> Floor  
5 Castle Street  
St Helier  
Jersey JE2 3BT  
Telephone: +44 (0)1534 716530  
Email: [enquiries@jerseyoic.org](mailto:enquiries@jerseyoic.org)

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Mauritius Data Protection Commissioner  
Level 5, SICOM Tower  
Wall Street, Ebène Cyber City  
Ebène  
Republic of Mauritius  
Telephone: +230 460 0251  
Email: [dpo@govmu.org](mailto:dpo@govmu.org)

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Seychelles The Office of the Information Commissioner  
PO Box 1342  
KLA Residence  
3<sup>rd</sup> Floor, Room 9  
Mont Fleuri  
Seychelles  
Telephone: +248 430 3188  
Email: [enquiries@infocom.sc](mailto:enquiries@infocom.sc)

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#### 14. CHANGES TO THIS PRIVACY NOTICE

AGS may update this Privacy Notice from time to time and you are encouraged to review this page periodically. If any material changes are made to the way your personal information is collected, used, and/or shared, you will be notified by notices of the changes being posted in a clear and conspicuous manner on the AGS website at [www.global-ags.com](http://www.global-ags.com).