

Dated: 31 January 2020



PRIVACY POLICY

Capital Trustees Limited
30/1 Cornwall's Lane
P.O. Box 1404, Gibraltar
www.capitaltrustees.gi

STATEMENT

Everyone has rights about the way in which their personal data is handled. During our business relationship we will collect, store and process personal data about our clients, persons connected to entities under our management (e.g. trust protectors, trust beneficiaries, company directors and ultimate beneficial owners), staff/directors, suppliers, advisors and other third parties, whether these be current, past or prospective. We recognise that the correct and lawful treatment of this data will maintain confidence in the organisation and will provide for successful business operations. We remain committed to the responsible use and safeguard of this information and data.

When using the term “personal data” or “personal information” in our Privacy Policy, we are referring to the information that relates to you and allows us to identify you, either directly or in combination with other information we may hold.

INFORMATION COLLECTED

Capital Trustees Limited, and its subsidiary companies from time to time, (collectively referred to as “CTL”, “we”, “us” or “our”) collects various personal information as part of our client onboarding procedure and, during course of our business relationship, to enable us to provide services to you.

The personal data and information we collect is to comply with Gibraltar legislation. Please note that we may be required to disclose your personal information where we have a legal duty to do so.

We do not knowingly collect information from children under 16 years old. If we become aware that a child under 16 has provided us with personal information, we will delete such information from our files. Any such information will only be held by us with the consent of the child’s parent or guardian and where it is relevant to the services that we provide.

We may also receive your personal information from suppliers and/or third parties who already provide services to you and that you have authorised to share with us. If we receive personal data about you from other sources, we shall consider whether this data is disclosable to you or not. Data cannot be disclosed if it would lead to us committing an offence under the Proceeds of Crime Act 2015 or similar legislation and regulations.

We will only process personal data for the specific purposes of providing our business services and for any other purposes specifically permitted by the Data Protection Act and the General Data Protection Regulations. All data is processed fairly and lawfully and in accordance with the rights of the data subject.

Any data which is not necessary for the above purposes will not be requested or collected.

COOKIES & WEBSITE

We use cookies on our website. Cookies are small text files that are stored by your browser or mobile device.

During your visit to our website we may collect information about your computer which includes your IP address, geographical location, browser type, referral source, length of visit and number of page views. This information is compiled and analysed on an aggregated and anonymous basis.

In addition to the above, we collect and use information that you voluntarily provide via the website. We use this information to determine whether we can enter into a business relationship with you.

HOW WE USE YOUR DATA

The purpose of obtaining and processing your personal information is to enable us to provide services to our clients. The types of personal information that we may collect is described in Appendix 1.

The legal basis for processing your personal information is to:

- i. Comply with our legal and regulatory obligations;
- ii. Perform a contract with the data subject or take steps to enter into a contract.

CATEGORIES OF PERSONAL DATA

- i. Information and documentation relating to identity, location, family, employment background and financial details;
- ii. Information received from your advisors or agents if we hold your permission to do so;
- iii. Information may also be obtained from sources available in the public domain.

CONSEQUENCES OF NON-PROVISION OF YOUR PERSONAL DATA

If personal information is not provided it would impede our ability to enter into a business relationship with you or to retain an existing relationship.

LOCATION & STORAGE OF YOUR PERSONAL DATA

Your personal data that we collect is stored electronically (on a computer and/or via online client relationship management application) and/or in a paper-based filing system.

- i. All computer data files are stored centrally on a local server in Gibraltar and we have appropriate security measures in place to ensure that your data is not lost, used or accessed, altered or disclosed in an unauthorised manner.
- ii. Papers/files are stored in secure filing cabinets at our office premises in Gibraltar.
- iii. Where information is held by third parties, whether these are based within or outside of the EEA, we will ensure a similar degree of protection is afforded to it to safeguard your data.

We will notify you and the local regulator if any data security procedure is breached and/or if we suspect that your personal data has been compromised or accessed by an unauthorised individual or third party.

SECURITY OF YOUR PERSONAL INFORMATION

Although we take appropriate measures to safeguard the confidentiality of your personal information in our custody and control, and we require similar safeguarding measures from our service providers, we need you to understand that we are unable to guarantee that your personal information will never be disclosed or accessed in a manner that is inconsistent with this Privacy Policy. We have implemented the appropriate measures to maintain the confidentiality of all personal information in our custody and control, including only providing access to personal information to employees and authorised third parties and service providers who require such information for the purposes described in this Privacy Policy. We maintain administrative, technical, and physical safeguards to protect against unauthorised access, use, loss, modification, disclosure, and any form of unlawful processing of personal information in our custody and control, and our service providers are bound to maintain similar safeguards. These measures also aim at preventing unnecessary collection and further processing of personal information.

Please be aware that no security measures are perfect or impenetrable. We cannot guarantee that information about you will not be accessed, viewed, disclosed, altered, or destroyed by breach of any of our administrative, physical, and electronic safeguards, subject to requirements under applicable law to ensure or warrant information security.

RETENTION OF DATA

We do not keep personal data longer than necessary for the purpose or purposes for which they were collected. We will take all reasonable steps to destroy, or erase from our systems, all data which is no longer required.

Different retention periods apply for different types of data and according to Gibraltar law. The longest we will normally hold any personal data is 6 years from the date that our client relationship ends.

THIRD PARTIES & DISCLOSURE OF YOUR PERSONAL DATA

We will not disclose, rent, sell or otherwise transfer your personal information without your consent, except as otherwise set out in this Privacy Policy or in any specific disclosure given to you when obtaining personal information from you.

Certain personal information may be transferred among our family of companies or other third parties solely for the purposes of processing your service request and to provide the appropriate customer service. These third parties may store and process your personal information elsewhere worldwide where privacy laws may not be as protective as those in your jurisdiction. Our service providers are required to maintain the confidentiality and security of your personal information and to use it only in compliance with applicable data privacy laws and are prohibited from using or disclosing your personal information for any purpose other than providing the services on our behalf or as otherwise not prohibited by applicable law.

We may provide your personal information in response to a search warrant or other legally valid inquiry or order, or to an investigative body in the case of a breach of an agreement or contravention of law, or as otherwise required by law.

CHANGES TO THIS PRIVACY POLICY

This Privacy Policy may be updated periodically to reflect changes to our personal information practices. The revised Privacy Policy will be posted on our website with the date of its last modification. We will treat your personal information in accordance with the Privacy Policy that is in place at the time and we encourage you to check whenever you use our services to see if our Privacy Policy has been updated.

This Privacy Policy was last updated on 24 May 2018.

YOUR RIGHTS

You have rights under data protection laws in relation to your personal data. Your principal rights are:

- i. The right to access;
- ii. The right to rectification;
- iii. The right to erasure;
- iv. The right to restrict processing;
- v. The right to object to processing;
- vi. The right to data portability
- vii. The right to complain to a supervisory authority; and

viii. The right to withdraw consent.

It is important that the information that we hold on you is up to date and current therefore we encourage you to contact us if any of your personal data changes during your relationship with us. Should you wish to exercise any of these rights, please contact us using the details provided below.

WITHDRAWING CONSENT

If you wish to withdraw your consent to process data, you can do so in writing, but such a withdrawal may affect the way in which we deal with you and/or any related entities.

Please note that we are contractually obliged to retain certain information in accordance with legislation.

CONTACT US

Should you have any queries or concerns regarding how we use your personal information or if you would like to exercise your rights regarding your personal data, please contact us by any of the means listed below. Information requests will be free from charge. We may however charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. This amount will be determined at the time of such request. All requests will be processed and dealt with within 28 days.

Legal entity:	Capital Trustees Limited
Name of data privacy manager:	David Frier
Email:	data@capitaltrustees.gi
Telephone:	(+350) 200 62252
Postal address:	30/1 Cornwall's Lane, P.O. Box 1404, Gibraltar

COMPLAINTS

We will conduct a reasonable investigation of and will attempt to resolve any complaints in accordance with the principles contained in this Privacy Policy.

In addition, you have the right to lodge a complaint to the Gibraltar Regulatory Authority which is the Gibraltar supervisory authority for data protection issues: <http://www.gra.gi/data-protection>.

We are subject to and comply with data privacy laws in Gibraltar concerning the collection, use, distribution, disclosure and portability of personal information.

APPENDIX 1 - PERSONAL INFORMATION

The following non-exhaustive list includes the types of Personal Data that we may collect about you and, in some circumstances, your spouse, civil partner, dependants and associates:

- Full name
- Previous name
- Address
- Contact details
- Gender
- Nationality
- Marital (or relationship) status
- Tax Identification Number
- Social Security Number
- Occupation
- Passport and/or national identity card details
- Bank account details
- Source of Wealth

SENSITIVE PERSONAL DATA

Such information is held only where this is directly relevant to the provision of services, and subject to the consent of the data subject (such consent which may be withdrawn at any time).