

Mourant Group – Privacy Notice

General

This Privacy Notice sets out how the Mourant Group processes data, whether on individuals (including personal data in respect of individuals who are clients, intermediaries or other third parties the Mourant Group interact with, or any individual who is connected to those parties) or otherwise. Where the data held are on individuals, this document also sets out the rights of those individuals in respect of that personal data.

Any questions in relation to this Privacy Notice or requests in respect of personal data should be directed to dataprotection@mourant.com in the first instance.

Who we are

The Mourant Group is an international law firm and governance services provider operating in six jurisdictions globally.

The relevant Mourant Group entity with the primary relationship will be confirmed in an engagement letter in relation to any client relationship.

Our offices include jurisdictions outside the European Union which have not been deemed adequate for European Union Data Protection purposes (namely the Cayman Islands, British Virgin Islands and Hong Kong). However, please note that the Mourant Group operates a global Data Protection Policy, and those offices are required to meet the same standard as our other offices.

Details of the Mourant Group entities are provided at the end of this Privacy Notice.

The data we hold

The Mourant Group processes data in order to provide legal and governance services. The type of data we may collect and process includes:

- Contact details (including names, postal addresses, email addresses and telephone numbers);
- Information required for the Mourant Group to meet legal and regulatory requirements, in particular in respect of anti-money laundering legislation, including information on source of funds and source of wealth;
- Information provided in the course of the provision of legal and governance services (for example, information on professional relationships and background, financial wealth and assets held, transactions entered into, tax status, disputes and court proceedings engaged in);
- Financial information, such as payment related information;
- Professional interests and events attended (including images or video obtained during visits to events hosted by us or at our offices);
- Meetings attended and visits to our offices;
- Any other information you may provide to us.

Purposes of processing

We use data (including personal data of individuals) for the following purposes (the below also confirming the lawful basis we are relying on in each case):

Purpose	Lawful Basis for Processing
<p>To enter into client relationships and provide legal and governance services</p>	<p>Any one or more of the following:</p> <p>The legitimate interests of the Mourant Group as a provider of legal and governance services to process personal data for the purpose of providing those services</p> <p>In instances where an individual has been provided with this Privacy Notice and provides personal data thereafter, the processing may be carried out on the basis of consent. Consent may be withdrawn at any time by writing to dataprotection@mourant.com</p> <p>The processing is necessary for legal proceedings, the obtaining of legal advice or establishing, exercising or defending legal rights</p> <p>Where the client is an individual: to fulfil the contract we have entered into with the individual to provide legal and/or governance services</p>
<p>To manage our client, intermediary and other business relationships</p>	<p>The legitimate interests of the Mourant Group to seek to ensure its business is conducted efficiently and with a view to enhancing client service</p>
<p>To ensure the security of Mourant systems, staff and premises (including the use of CCTV equipment)</p>	<p>The legitimate interests of the Mourant Group in protecting its systems, staff and premises from being misused or the victim of any criminal activity</p>
<p>To provide access to our Client Portal, Law Portal or Economic Substance Classification Portal</p>	<p>The legitimate interests of the Mourant Group and the user of the Portal for the communication and storage of relevant material or use of the Economic Substance Classification Portal (such use being subject to the terms and conditions of the relevant Portal)</p> <p>In instances where any user of any Portal has been provided with this Privacy Notice and provides personal data thereafter, the processing may be carried out on the basis of consent. Consent may be withdrawn at any time by writing to dataprotection@mourant.com</p>
<p>To provide our contacts with marketing material, to invite contacts to events which may be of interest to them and to participate in competitions and to manage such mailings and events</p>	<p>The legitimate interests of the Mourant Group as a provider of legal and governance services to process personal data to communicate with persons on topics and events which may be of interest to those individuals.</p> <p>The right of those individuals to unsubscribe from mailings and/or manage preferences will be noted within all mailings and any requests to unsubscribe may be made via links available in the mailings or by writing to enquiries@mourant.com</p>

Purpose	Lawful Basis for Processing
To meet all legal, regulatory and ethical obligations applicable to the Mourant Group (including in respect of managing potential conflicts of interest)	<p>The legitimate interests of the Mourant Group as a provider of legal and governance services to process data to the extent necessary to ensure it meets all legal, regulatory and ethical obligations incumbent on it.</p> <p>In certain instances, the processing of data may also be necessary for the exercise of functions of public authorities and/or necessary for compliance with a legal obligation to which the Mourant Group is subject</p>
For the purposes of internal know-how and training	The legitimate interests of the Mourant Group as a provider of legal and governance services to process data for the purposes of internal know-how and staff training. The Mourant Group will use reasonable endeavours to ensure any personal data contained in the material which is not integral to the understanding of the material is redacted.

In certain instances, personal data processed may include "Special Category Data" (which includes information on a person's race, ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic or biometric data processed for the purpose of uniquely identifying a natural person, health data, data on a person's sex life or sexual orientation or data relating to a person's criminal record or alleged criminal activity). In such instances, legal bases for processing that data may include explicit consent (where the Special Category Data has been provided to the Mourant Group by the data subject for any of the above-listed purposes) or the processing being necessary for compliance with a legal obligation or the purposes of legal proceedings or legal advice.

Sources and Recipients of data

The sources of data may include clients, intermediaries, data subjects directly, third parties connected to the data subject (for example, their employer or another service provider who provides services to the data subject) or open-source material.

The provision of data to one entity in the Mourant Group may result in that data being accessible by all other members of the Mourant Group. Reasonable endeavours are made to ensure that data is only accessible by those with a need for access to fulfil the purposes set out above. Requests for access to be restricted in any particular manner should be made to dataprotection@mourant.com and will be considered and, where possible with reference to legal and regulatory obligations, actioned.

The following is a list of potential recipients of data (in each case including respective employees, directors and officers):

- Other members of the Mourant Group;
- Other providers of services (legal, governance or otherwise, including any bank or financial institution providing services in relation to any matter on which the Mourant Group is instructed) where disclosure to that provider of services is considered necessary to fulfil the purposes set out above;
- Any sub-contractors, agents or service providers of the Mourant Group;
- Courts or tribunals;

- Third parties with whom the Mourant Group engages for the hosting of events or other marketing initiatives;
- Law enforcement agencies where considered necessary for the Mourant Group to fulfil legal obligations applicable to it;
- Regulators or other governmental or supervisory bodies with a legal right to the material or a legitimate interest in any material;
- Any registrar of a public register where the data is to be included in a public registry;
- Potential parties with whom the Mourant Group intends to merge or sell any part of the Mourant Group.

Where the Mourant Group is entering into an engagement with a third party pursuant to which data may be processed by that third party, we will seek to enter into an agreement with that third party setting out the respective obligations of each party and will seek to be reasonably satisfied that the third party has measures in place to protect data against unauthorised or accidental use, access, disclosure, damage, loss or destruction.

In the event that we transfer personal data from one jurisdiction to another, we will ensure, prior to carrying out the transfer, that the third party recipient meets the relevant data protection requirements applicable to the data being transferred. This may include only transferring the data where we are satisfied that:

- the jurisdiction to which the data is being transferred has Data Protection laws similar to those applicable to the data being transferred;
- the recipient has agreed through contract to protect the information in accordance with the Data Protection standards applicable to the data being transferred;
- we have obtained consent from relevant data subjects to the transfer; or
- if transferred to the United States of America, the transfer will be to organizations that are part of the Privacy Shield.

Rights of data subjects

Data subjects who have data held by the Mourant Group may have certain rights in respect of their personal data.

Any such data subject wishing to exercise any rights under applicable data protection laws (including the right to withdraw any consent to processing previously given; the right of access to data; or to have data corrected, updated, rectified or erased; or for access to data to be restricted or provided to any third party; or to object to any particular processing) should send the request in the first instance to dataprotection@mourant.com.

In any case in which a data subject chooses not to provide any personal data or where any of the rights set out above are exercised to limit the processing of personal data the Mourant Group may be unable to provide relevant services, or there may be a restriction on the services which can be provided.

Retention

The Mourant Group only keeps data for as long as necessary to fulfil the purposes (as set out above) for which we collected it. The Mourant Group policy is to retain data in relation to a client matter for 11 years from the conclusion of that matter. This is subject to certain exceptions (including where the matter relates to wills & probate, property and conveyancing (in Jersey and Guernsey only) and trusts (where, in each case, records may be kept indefinitely) or in instances

where the personal data is relevant to a dispute after closure of the matter or where the data cannot be deleted for legal, regulatory or technical reasons).

Any requests for further information in relation to the continued processing of specific data, and requests for destruction of data, should be made to dataprotection@mourant.com.

Mourant Group Entities

Full details of all Mourant Group entities are included in the Legal and Regulatory Notice and Disclaimer section of our website.

Mourant LP is the ultimate data controller for the Mourant Group. In addition, the below lists the primary operating entities within the Mourant Group which are also registered as a data controller in the listed jurisdictions. In respect of any instruction with the Mourant Group, the primary data controller will be the entity issuing the engagement letter:

Jersey:

Mourant LP, Mourant Ozannes, Mourant Governance Services (Jersey) Limited and Mourant Services (Jersey) Limited each of which is a registered data controller with the Data Protection Authority in Jersey. Any complaint may be brought to the attention of the Authority.

Guernsey:

Mourant LP, Mourant Ozannes and Mourant Governance Services (Guernsey) Limited, each of which is a registered data controller with the Data Protection Commissioner in Guernsey. Any complaint or appeal may be brought to the attention of the Commissioner.

London:

Each of Mourant LP, Mourant Ozannes and Mourant Governance Services (UK) Limited are registered as data controllers with the Information Commissioner's Office in the UK for matters where services are provided from our London office or where data is processed on an EU citizen. In addition, Mourant Ozannes, London Office is the appointed representative for any member of the Mourant Group processing personal data on EU citizens which is not established in the European Union. Any complaint may be brought to the attention of the Information Commissioner.

Cayman/BVI/Hong Kong:

The above offices are not required to register as a data controller in their respective jurisdictions. As noted above, these offices are, however, subject to the Mourant Group Data Protection Policy and so apply the same data protection standards as the other offices.

In respect of Cayman; Mourant Ozannes, Mourant LP and Mourant Governance Services (Cayman) Limited, are subject to the Data Protection Law, 2017. Any complaint may be brought to the attention of the Office of the Ombudsman.

In respect of Hong Kong; Mourant Ozannes, Mourant LP and Mourant Governance Services (Hong Kong) Limited, are subject to The Personal Data (Privacy) Ordinance. Any complaint may be brought to the attention of the Commissioner.

Contact Details

The Mourant Group has a Data Protection Officer and all enquiries in respect of this Privacy Notice or any request to exercise any of the rights set out above should be directed to the Data Protection Officer via dataprotection@mourant.com or by post at:

Data Protection Officer, Mourant Ozannes, 22 Grenville Street, St. Helier, Jersey, JE4 8PX, Channel Islands

Changes to this Privacy Notice

We keep this Privacy Notice under review and any updates will appear on our website at www.mourant.com.

We last updated this Privacy Notice on 26 September 2019.

How to contact us

If you have any questions about this Privacy Notice or any data which we hold about you, please contact: dataprotection@mourant.com.

If we are unable to address your questions or concerns to your satisfaction, you may be able to make a complaint to a data protection regulatory body, who is an independent regulator. This is subject to there being such a body within the relevant jurisdiction. Please see below for jurisdictional contact details.

<p>Cayman Islands Contact Details</p> <p>Office of the Ombudsman 5th Floor, Anderson Square 64 Shedden Road PO Box 2252 George Town Grand Cayman KYI-1107 Cayman Islands info@ombudsman.ky</p>	<p>Jersey Contact details</p> <p>Jersey Office of the Information Commissioner 2nd Floor 5 Castle Street St. Helier Jersey JE2 3BT +44 (0) 1534 716530 enquiries@jerseyoic.org</p>
<p>Guernsey Contact details</p> <p>Office of the Data Protection Authority St Martin's House Le Bordage St. Peter Port Guernsey GY1 1BR +44 (0) 1481 742074 enquiries@odpa.gg</p>	<p>UK Contact details</p> <p>Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF 0303 123 1113 Live chat service - ico.org.uk/livechat</p>
<p>Hong Kong contact details</p> <p>Room 1303, 13/F, Sunlight Tower, 248 Queen's Road East, Wanchai, Hong Kong. 2827 2827 complaints@pcpd.org.hk</p>	