

## PRIVACY POLICY

Appleby (Bermuda) Limited, Appleby BVI, Appleby (Cayman) Ltd., Appleby (Guernsey) LLP, Appleby Hong Kong, Appleby (Isle of Man) LLC, Appleby Jersey, Appleby Seychelles and Appleby (JV) Ltd & Cie and its representative office in Shanghai and our affiliated businesses (collectively, "Appleby") are committed to being a responsible custodian of the information you provide to us and the information we collect in the course of operating our business and providing legal services.

This Privacy Policy sets out how Appleby may collect, use and share information and describes:

- The types of information, including personal information, we may collect;
- How we may use and share the information we collect;
- Legal grounds for using personal information;
- The measures we have in place to protect and safely store the information we collect;
- Retention of the information we collect;
- Your choices and rights in respect of the information we hold;
- How to contact us;
- Complaints; and
- Changes to this privacy policy

### **The types of information, including personal information, we may collect**

We collect your personal information when you provide it to us. "Personal Information" is any information that can be used to identify you or that we 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 our legal services on an individual's or organisation's behalf; and
- Information we collect automatically through cookies and similar tracking technologies through our website, mobile applications or other online services (please refer to our online services privacy policy for further details).

We may also collect, store and use the following "special categories" of more sensitive personal information 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 for the purpose of uniquely identifying a natural person;
- Marital or family status; or
- Data concerning a natural person's sex life or sexual orientation.

### **Personal Information you provide to us voluntarily**

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

### **Information we may collect from third party sources**

We may receive information about you from other sources, including third parties and publically available information that help us: update, expand, and analyse our records; identify new customers or prevent or detect fraud. We 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 our social media content. Please note that the information we may receive from those third party sites is governed by the privacy settings, policies, and/or procedures of the applicable platform, and we strongly encourage you to review them before submitting any information to them.

### **How we may use and share the information we collect**

We may use the information we collect:

- To respond to your enquiries;
- To provide you with legal and other services that you request;
- To send you e-alerts and other legal 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 our list of contacts;

- For Appleby's business purposes, including improving the provision of our legal 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 our events, promotional campaigns and publications;
- To evaluate and recruit personnel; and
- As we believe reasonably necessary or appropriate to: comply with our legal obligations; respond to legal process or requests for information issued by government authorities or other third parties; or protect your, our, or others' rights.

### **How we may share the information we collect**

Appleby is a global provider of offshore legal services. Our offices and business entities share information with each other for business purposes such as billing, internal administration, promoting our events and services, and providing you or your organisation with legal services. We do not sell, rent, or otherwise share any information with unaffiliated entities except as expressly described in this Privacy Policy or with your prior permission. We may share anonymised information that does not reasonably identify you or your organisation only as permitted by applicable law.

We may also share information we collect with:

- Employees of Appleby but their use shall be limited to the performance of their duties and in line with the reason for processing. Our employees are required to keep that information confidential and are not permitted to use it for any purposes other than to provide legal services, to deal with requests which are submitted to us or for the purposes of facilitating our use of that information in accordance with this Privacy Policy.
- Third-party service providers engaged by us to perform services on our 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 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 us; as provided for under contract; or as we deem reasonably necessary to provide our legal services. In these circumstances, we take reasonable efforts to notify you before we disclose 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 we are acquired by or merged or amalgamated with another company or we sell, liquidate, or transfer all or a portion of our assets.

### **Legal grounds for using personal information**

We rely on the following legal grounds to process personal information, namely:

- Consent – We may use personal information as described in this Privacy Policy subject to your consent. To withdraw your consent to such use, you can contact us via our Contact Us page. Where required by applicable laws, we will rely on your consent for direct marketing and to collect information from your device or computer.
- Performance of a contract – We 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 us. For example, when you engage Appleby to provide legal services we will use your personal information to respond to provide you with such services.
- Legal obligation – We may need to collect and use personal information to comply with legal obligations to which Appleby 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 or other legal obligations.
- Legitimate interests – We may use your personal information for our legitimate interests to provide legal services and to improve our services. Consistent with our legitimate interests and any choices that we offer or consents that may be required under applicable laws, we may use personal information for our marketing purposes and other technical information as described in this Privacy Policy.

### **Measures we take to protect and safely store the information we collect**

Appleby is a global provider of offshore legal services and we may store or process the information we collect in jurisdictions where we or our service providers have facilities, including but not limited to Bermuda, BVI, Cayman Islands, Guernsey, Hong Kong, Isle of Man, Jersey, Mauritius, Seychelles and Shanghai. There is an adequacy decision by the European Commission (“EC”) in respect of Guernsey, Jersey and the Isle of Man so these jurisdictions are 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 we 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 we have put in place standard data protection clauses with all members of the Appleby group or service providers who we may share information with 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 Guernsey, Jersey and the Isle of Man. If you require further information about this protective measure, you can contact us via our Contact Us page.

In addition we deploy administrative, technical, and physical safeguards designed to comply with applicable legal requirements and safeguard the information that we collect. 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 Appleby.

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

### **Retention of the information we collect**

We retain the information we collect for no longer than is reasonably necessary to fulfil the purposes for which we collect the information and to comply with our legal obligations.

### **Your choices and rights**

To withdraw your consent to the use of your information as described in this Privacy Policy you can contact us via our Contact Us page. Please note that in some circumstances this may mean that we can no longer provide our services to you. If you no longer wish to receive marketing communications from us, you can also let us know via our Contact Us page. The electronic marketing communications we send you also contain opt-out mechanisms that allow you to opt-out from receiving those communications, update your contact information or change your preferences at any time. We will honour your choice and refrain from sending you such announcements. You may also opt back in to receive those communications at any time.

If you no longer wish to receive marketing communications from us, you can let us know by sending us an email via our Contact Us page. The electronic marketing communications we send you also contain opt-out mechanisms that allow you to opt-out from receiving those communications at any time. We 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 we hold about you and to obtain information about how we process it;
- the right to withdraw your consent to our processing of your information, which you can do at any time. We may continue to process your information if we have another legitimate reason or legal obligation for doing so;
- in some circumstances, the right to receive certain information you have provided to us in an electronic format and / or request that we transmit it to a third party;
- the right to request that we rectify your information if it is inaccurate or incomplete;
- in some circumstances, the right to request that we erase your information. We may continue to retain your information if we are entitled or required to retain it;
- the right to request that we restrict our processing of your information in some circumstances. There may be situations where you object to, or ask us to restrict, our processing of your information but we are entitled to continue processing your information and / or to refuse that request.

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

If you would like to discuss or exercise the rights you may have, you can contact us via our Contact Us page.

### **How to contact us**

We welcome your enquiries and comments. But please note that if you are not a client, we may not be able to treat the information you send us as confidential or privileged. If you wish to contact us regarding legal or other

services, please contact one of our offices near you. You can find a list of our offices on our main website at [www.applebyglobal.com](http://www.applebyglobal.com)

If you would like to contact us with questions about our privacy or data protection practices, please send us an email via our Contact Us page or by writing to:

Mr Robert Woods, Privacy Officer  
GDPR@applebyglobal.com

### Complaints

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

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Bermuda	Department of ICT Policy and Innovation Government Administration Building, 3 <sup>rd</sup> Floor 30 Parliament Street Hamilton HM12 Telephone: +441 294 2774 Email: <a href="mailto:ictpolicy@gov.bm">ictpolicy@gov.bm</a>
British Virgin Islands	British Virgin Islands Financial Services Commission Pasea Estate P.O. Box 418 Road Town, Tortola, VG 1110 British Virgin Islands Telephone: +1 284 494 1324 Email: <a href="mailto:webmaster@bvifsc.vg">webmaster@bvifsc.vg</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>
Guernsey	The Office of the Data Protection Commissioner Guernsey Information Centre North Esplanade St. Peter Port Guernsey, GY1 2LQ Telephone: +44 1481 742074 Email: <a href="mailto:enquiries@dataci.org">enquiries@dataci.org</a>

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## POLICIES AND PROCEDURES

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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

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Isle of Man                      The Information Commissioner  
First Floor, Prospect House  
Prospect Hill  
Douglas  
Isle of Man  
IM1 1ET  
Telephone: +44 1624 693260  
Email: ask@inforights.im

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Jersey                              The Office of the Information Commissioner  
Brunel House  
Old Street  
St Helier  
Jersey JE2 3RG  
Telephone: +44 1534 716530  
Email: enquiries@oicjersey.org

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Mauritius                        Data Protection Office  
5<sup>th</sup> Floor, SICOM Tower  
Wall Street  
Ebène  
Republic of Mauritius  
Telephone: +230 460 0253  
Email: dpo@govmu.org

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Seychelles                        Department of information Communications Technology  
PO Box 737  
3<sup>rd</sup> Floor, Caravelle House  
Manglier Street  
Victoria  
Seychelles  
Telephone: +248 4 28 66 00  
Email: webmaster@ict.gov.sc

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Shanghai                        Shanghai Municipal People's Government  
200 People Avenue Post

Shanghai 200003  
Telephone: +86 21 2311 1111

**Changes to this Privacy Policy**

We may update this Privacy Policy from time to time and we encourage you to review this page periodically. If we make any material changes in the way we collect, use, and/or share the personal information that you have provided, we will notify you by posting notice of the changes in a clear and conspicuous manner on the Appleby website [www.applebyglobal.com](http://www.applebyglobal.com).

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