

## **DEACON CAPITAL ASSET MANAGEMENT LLP (“DCAM”)**

### **Client Privacy Notice**

#### **Why are you receiving this notice?**

The General Data Protection Regulation (“**GDPR**”) applies to the collection, processing and storage of personal data undertaken by organisations within the European Economic Area (EEA), as well as to organisations outside the EEA that handle personal data relating to the offering of services to individuals in the EEA.

The GDPR has two key purposes: (a) to set guidelines for the collection, processing and protection of personal data and (b) to give individuals certain rights in relation to their personal data (such as to access and correct it and object to further processing).

This Privacy Notice is intended to ensure that an individual client of DCAM or, where the client is not an individual, as in a corporate structure whether a Private Holding Company (PHC) underlying a trust or not, the client’s beneficial owner(s), settlor(s) of a trust, individual directors and / or trustees, beneficiaries and protectors of a trust, officers and / or employees as applicable (“**you**”, or “**your**”) are aware of how DCAM (“**we**”, “**us**” or “**our**”) may collect, how we collect it, what we use it for and with whom we share it in accordance with the GDPR. “Personal data” means any information relating to you, but does not include data where you can no longer be identified from it such as anonymised aggregated data.

We will be a data controller in respect of your relationship with us as a client. A data controller is responsible for deciding how to hold and use personal data about you. We may process your personal data ourselves or through others acting as data processors on our behalf. For the avoidance of doubt, DCAM does not use cookies on its website nor does its platform provider.

We may provide supplemental privacy notices on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why your personal data is being used. These supplemental notices should be read together with this Privacy Notice.

If you have any questions about this Privacy Notice you can contact [DataProtectionOfficer@deaconcapital.com](mailto:DataProtectionOfficer@deaconcapital.com).

#### **What information do we collect about you and what do we use it for?**

Personal data held by us or on our behalf may include, but is not necessarily limited to, your name, main residential address, secondary residential addresses, place of business, email address, other contact details, corporate contact information, signature, nationality, country of residence, place of birth, date of birth, tax identification, tax jurisdiction, employment and job history, education details, regulatory status, credit history, correspondence records, passport copy, existing bank account details, financial information contained within source of wealth (SoW) with supporting documents, KYC documents, source of funds (SoF), estate planning detail covering family members, the bank documents where the Designated Account(s) under our management is / are held, extract of the Trust Deed when applicable, and details relating to your investment experience, activity including investment objective and risk profile and restrictions or preferences. The purposes for which we may collect, store and use personal data about you and the ‘lawful basis’ for processing such data are set out in the table below. The law specifies certain ‘lawful bases’ for which we are allowed to use your personal data.

Purpose	Lawful basis for processing
<p><b><u>Business Development – Client Acquisition:</u></b></p> <p>To undertake business development and marketing activities to promote our services. DCAM does not undertake direct electronic marketing.</p>	<p>Our legitimate interests in promoting our products and services and growing our business.</p> <p>Consent to DCAM contact, as prospect clients are either known to DCAM from existing client circles and / or by referral.</p>
<p>To undertake pre-screening steps, including, but not limited to:</p> <ul style="list-style-type: none"> <li>▪ determining your eligibility to enter into an agreement with us, whether on the Discretionary Investment Management service, Wealth Management Consulting service, Capital Restructuring service and / or the Real Estate Investment Services;</li> <li>▪ required due diligence;</li> <li>▪ ascertaining your investment objective, risk profile, investment preferences, as applicable to each of our services.</li> </ul>	<p>Consent to DCAM to proceed.</p> <p>Compliance / Regulatory requirements:</p> <ul style="list-style-type: none"> <li>▪ In order to satisfy ourselves, prior to proceeding with any proposals or discussions, with initial AML, Sanction Lists screening &amp; conduct CDD checks.</li> <li>▪ Confirm that the Professional client categorisation is met (“per se professional” or an “elective professional client”)</li> <li>▪ Other compliance related issues and / or legal obligations as might be the case.</li> </ul> <p>To understand the business background, logic, circumstances in order to establish sufficient knowledge to base advise upon.</p>
<p>To raise a proposal, covering the applicable service area that make suggestions and recommendations to you about the selected service(s) and way forward.</p>	<p>By consent and as agreed with prospect client.</p>
<p><b><u>Client Sign-on:</u></b></p> <ul style="list-style-type: none"> <li>▪ To finalise Client Profile / CDD forms, covering all KYC aspects, SoW, SoF, Investment Objective / Risk Parameters.</li> </ul>	<p>Compliance with applicable legal obligations and our legitimate interests in complying with law and regulation applicable to us and our processors.</p>

<p>This includes but not limited to anti-money laundering checks and related actions considered appropriate to meet any legal obligations relating to the prevention of fraud, money laundering, terrorist financing, bribery, corruption, tax evasion and to ensure that the provision of financial and other services are not provided to persons who may be subject to economic or trade sanctions, on an on-going basis, in accordance with our compliance procedures subject to regulatory requirements.</p> <ul style="list-style-type: none"> <li>▪ To execute the contractual engagement documentation between DCAM and the Client, as applicable to each service area selected by the Client.</li> </ul>	<p>The agreements that define the terms and commercial basis of your contract with us.</p>
<p><b><u>New Bank account where Client Designated Account is held:</u></b></p> <p>(Only applicable to the Discretionary Investment Management service)</p> <ul style="list-style-type: none"> <li>▪ Assist Client with the Bank opening account process of the Client segregated account, at the Bank that the Client select, including the LPOA in order for DCAM to discharge its duties under its Agreement, and coordinate with the Bank dedicated team to that effect; or</li> <li>▪ When the Client is a PHC, whether underlying a trust or not, coordinate with the Directors or Trustees from the appointed Fiduciary Trust Company (FTC) by the beneficial owner, in order to lend any assistance to the Directors and / or Trustees to establish the Bank account;</li> <li>▪ Provide the compliance department of the Bank (or the FTC) with DCAM CDD Form and supporting documentation, in order for the Bank and / or the FTC to discharge their legal and regulatory obligations in their respective jurisdictions; On an on-going basis.</li> </ul>	<p>As consented by the Client via the execution of the Bank LPOA, and compliance with applicable legal obligations and our legitimate interests in complying with law and regulation applicable to us and our processors.</p>
<p><b><u>On –an going basis:</u></b></p> <ul style="list-style-type: none"> <li>▪ the management and administration of your account as considered necessary or appropriate for the performance of your contract with us;</li> <li>▪ Raising our reports to you;</li> <li>▪ Annual Client Reviews that include the updating of your records.</li> </ul>	<p>The performance of your contract with us as a client and Regulatory requirements</p> <p>Our legitimate interests in maintaining relations with our clients and in conducting our business in a proper manner.</p>
<p>To coordinate with the Bank(s) and when applicable the FTC, as in regard to tax related information reporting requirements to tax authorities.</p>	<p>Compliance with applicable legal obligations legislation like FATCA or CRS.</p>

To disclose information to other third parties such as auditors, administrators, custodians, brokers, legal counsel, technology providers and regulatory authorities to comply with any legal obligation imposed on us or in order to pursue our legitimate business interests.	Compliance with applicable legal obligations.  Our legitimate interests in conducting our business in a proper manner.
Monitoring and recording calls and other communications related to the processing and verification of instructions, quality and business analysis, compliance with applicable laws and regulations, maintaining our rights and responsibilities directly or through third party delegates.	Our legitimate interests in maintaining relations with our clients and in conducting our business in a proper manner.  Compliance with applicable legal obligations.
To provide client relations in respect of your account including provision of periodic reporting, seeking consents for changes to terms and for other corporate governance purposes.	The performance of your contract with us as a client.  Compliance with applicable legal obligations.

In addition to the uses above, please note that we may also process your information where required by law to do so or if we reasonably believe that it is necessary to protect our rights and/or to comply with judicial or regulatory proceedings, a court order or other legal process.

#### Special categories of personal data

There are more limited bases for processing special category personal data. This is personal data which reveals or contains racial or ethnic origin, political opinions, religious and philosophical beliefs, trade union membership, genetic data, biometric data, health data, sex life and sexual orientation.

We do not intend to actively collect special category data about you. Whilst we will use reasonable efforts to limit our holding of such data, please be aware that we may hold such data incidentally. For example, where:

- you volunteer special category data to us or one of our processors, such as if you send us an email containing special category data;
- documents gathered for legal / regulatory purposes contain special category data, such as a passport copy which references ethnic origin or a due diligence search from public sources which includes special category data.

#### What if you do not provide the personal data requested?

In some circumstances, if you do not provide us with certain information when requested, we may be limited or restricted in our ability to deal with you and may in some cases be prevented from complying with our legal obligations. Where we require your personal information to comply with anti-money laundering or other legal and regulatory requirements, failure to provide this information means we may not be able to accept you or retain you as a client.

### Change of purpose

We will only use your personal data for the purposes for which we collected it (as identified in the 'Purpose' column above), unless we reasonably consider that we need to use it for another reason which is compatible with the original purpose. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

### **How is this information collected?**

We typically collect personal data about you when you provide information to us or others acting on our behalf when communicating or transacting with us in writing, electronically, or by phone. For instance when you request information on our services, our presentations, related documentation or other forms of literature.

In addition, we may receive personal information about you from third parties, such as:

- public sources or information vendors; for instance "Complinet" or "Worldcheck" or similar services
- your bank(s);
- your legal, financial, tax or other professional advisers;
- introducers or other intermediaries who market or provide services to you.

### **With whom will your information be shared?**

We may share your personal data with a third party where this is required by law, where it is necessary to perform our contract with you, or where we have another legitimate interest in doing so.

We may need to share your personal data with:

- other entities within our group as part of our regular reporting activities in company performance, in the context of a business reorganisation or group restructuring exercise or for assistance in relation to marketing and business development;
- the Bank(s), where your Designated Account is held;
- professional advisers including lawyers, bankers, auditors and insurers to the extent such information is relevant to their performance of their services;
- regulators;
- tax authorities;
- cloud service providers;
- parties undertaking anti-money laundering checks; and
- any of our service providers where such information is relevant to their performance of such services.

We may share your personal data with third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal data with a regulator or to otherwise comply with applicable law or judicial process or if we reasonably believe that disclosure is necessary to protect our rights and/or to comply with judicial or regulatory proceedings, a court order or other legal process.

Although you as a Client and/or the Directors or Trustees of your personal corporate structure, when applicable, might not be residing in an EEA country, our providers and the Banks we have an established relationship with are all within the EEA.

We may transfer the personal data we collect about you to Bahrain, British Virgin Islands, Cayman Islands, Guernsey, Isle of Man, Jersey, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, Singapore, Switzerland, United Arab Emirates. Those countries may not have the same standard of data protection laws as the EEA. Other countries might become relevant but only at your written request.

Where this is the case, we will (or we will require a processor to) put in place appropriate safeguards such as the EEA-approved standard contractual clauses to ensure that your personal data is treated in a manner that is consistent with and respects the EEA laws on data protection. If you require further information about this you can request it from [DataProtectionOfficer@deaconcapital.com](mailto:DataProtectionOfficer@deaconcapital.com).

### **How long will your information be retained?**

We will retain your personal data for as long as necessary to fulfil the purposes for which it was collected, including for the purposes of satisfying any legal, regulatory, accounting or reporting requirements and our legitimate interests in maintaining such personal information in our records. This will normally include any period during which we are dealing or expect to deal with you and what we consider to be a suitable period thereafter for our internal record-keeping purposes. In doing this we will have regard to 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. Generally, we will keep information relevant to our dealings with you for 7 years following full redemption or longer as required by applicable law or regulation.

In some circumstances we may anonymise your personal data so that it can no longer be associated with you, in which case it is no longer personal data.

Once we no longer require your personal data for the purposes for which it was collected, we will securely destroy your personal data in accordance with applicable laws and regulations.

### **Accuracy of information**

It is important that the personal data we hold about you is accurate and current. Please let us know if your personal data which we hold changes during your relationship with us.

### **Your rights in relation to your information**

You have rights as an individual which you can exercise in relation to the information we hold about you under certain circumstances. These rights are to:

- request **access** to your personal data (commonly known as a “data subject access request”) and request certain information in relation to its processing;
- request **rectification** of your personal data;
- request the **erasure** of your personal data;
- request the **restriction** of processing of your personal data;
- **object** to the processing of your personal data; and
- request the **transfer** of your personal data to another party.

In exercising your rights above, you may be required to terminate your engagement with us.

If you want to exercise one of these rights please contact us at [DataProtectionOfficer@deaconcapital.com](mailto:DataProtectionOfficer@deaconcapital.com).

You also have the right to make a complaint at any time to a supervisory authority for data protection issues.

### Fees

You will not usually have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is manifestly 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 data 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 data 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 [DataProtectionOfficer@deaconcapital.com](mailto:DataProtectionOfficer@deaconcapital.com). Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose(s) to which you originally consented unless we now have an alternative legal basis and / or regulatory basis for doing so.

### **Changes to this privacy notice**

We reserve the right to update this Privacy Notice at any time, and will make an updated copy of such Privacy Notice available to you and notify you when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal data.

### **Further information**

This Privacy Notice was written with brevity and clarity in mind and is not an exhaustive account of all aspects of our collection and use of personal data. If you require any further information, please do not hesitate to contact [DataProtectionOfficer@deaconcapital.com](mailto:DataProtectionOfficer@deaconcapital.com).