

VISTRA MONACO PRIVACY NOTICE

Effective Date: from 25 May 2018

This Privacy Notice explains how particular companies in the Vistra Group collect, use and disclose your personal data, and your rights in relation to the personal data it holds.

VISTRA PRIVATE OFFICE SAM & VISTRA MONACO CORPORATE SERVICES SAM

VISTRA PRIVATE OFFICE SAM & VISTRA MONACO CORPORATE SERVICES SAM (in this Privacy Notice, “us”, “we” and “our”) is the data controller of your personal data and is subject to the EU General Data Protection Regulation 2016/679 (the “GDPR”) and all applicable Monaco Data Protection Laws and Regulations.

Contact person is Ms. Uliana Kmitowska

E-mail: Uliana.Kmitowska@vistra.com

Telephone: +377 97 77 85 95

This Privacy Notice supersedes any previous Privacy Notice or equivalent which you may have been provided with or seen prior to the Effective Date stated above.

Your rights

Under the GDPR you have the following rights:

- To obtain access to, and copies of, the personal data that we hold about you;
- To require that we cease processing your personal data if the processing is causing you damage or distress;
- To require us not to send you marketing communications;
- To require us to erase your personal data;
- To require us to restrict our data processing activities;
- To receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of you transmitting that personal data to another data controller; and
- To require us to correct the personal data we hold about you if it is incorrect.

Please note that the above rights are not absolute, and we may be entitled to refuse requests where exceptions apply.

You can find out more about your rights at www.ccin.mc If you have any questions about how we use your personal data, or you wish to exercise any of the rights set out above, please contact us using the following:

By post Attn: Ms Uliana Kmitowska, Vistra Private Office SAM & Vistra Monaco Corporate Services SAM, Monte Carlo Palace, 5/7 Boulevard des Moulins, MC 98000, Monaco

By email: Uliana.Kmitowska@vistra.com

By telephone: +377 97 77 85 95

If you are not satisfied with how we are processing your personal data, you can make a complaint to www.ccin.mc

How we collect your data

We collect your personal data in a number of ways, for example:

- From the information you provide to us when you meet us;
- From information about you provided to us by your company or an intermediary;
- When you communicate with us by telephone, fax, email or other forms of electronic communication. In this respect, we may monitor, record and store any such communication;
- When you complete (or we complete on your behalf) client on-boarding or application or other forms;
- From other companies in the Vistra Group;
- From your agents, advisers, intermediaries, and custodians of your assets;
- From publicly available sources or from third parties, most commonly where we need to conduct background checks about you.

The categories of personal data we collect

We collect the following categories of personal data about you:

- Your name and contact information such as your home or business address, email address and telephone number;
- Biographical information which may confirm your identity including your date of birth, tax identification number and your passport number or national identity card details, country of domicile and/or your nationality;
- Information relating to your financial situation such as income, expenditure, assets and liabilities, sources of wealth, as well as your bank account details;
- Information about your knowledge and experience in the investment field;
- An understanding of your goals and objectives in procuring our services;
- Information about your employment, education, family or personal circumstances, and interests, where relevant; and

- Information to assess whether you may represent a politically exposed person or money laundering risk.

The basis for processing your personal data (other than with your consent), how we use that personal data and whom we share it with

(i) Performance of a contract with you

We process your personal data because it is necessary for the performance of a contract to which you are a party or in order to take steps at your request prior to entering into a contract.

In this respect, we use your personal data for the following:

- To prepare a proposal for you regarding the services we offer;
- To provide you with the services as set out in our Terms of Engagement with you or as otherwise agreed with you from time to time;
- To deal with any complaints or feedback you may have;
- For any other purpose for which you provide us with your personal data. In this respect, we may share your personal data with or transfer it to the following:
 - Your agents, advisers, intermediaries, and custodians of your assets who you tell us about;
 - Third parties whom we engage to assist in delivering the services to you, including other companies in the Vistra Group;
 - Our professional advisers where it is necessary for us to obtain their advice or assistance, including lawyers, accountants, IT or public relations advisers;
 - Other third parties such as intermediaries who we introduce to you. We will wherever possible tell you who they are before we introduce you;
 - Our data storage providers

(ii) Legitimate interests

We also process your personal data because it is necessary for our legitimate interests, or sometimes where it is necessary for the legitimate interests of another person.

In this respect, we use your personal data for the following:

- For marketing to you. In this respect, see the separate section on Marketing below;
- Training our staff or monitoring their performance;
- For the administration and management of our business, including recovering money you owe to us, and archiving or statistical analysis;
- Seeking advice on our rights and obligations, such as where we require our own legal advice;

In this respect we will share your personal data with the following:

- Our advisers or agents where it is necessary for us to obtain their advice or assistance;
- With third parties and their advisers where those third parties are acquiring, or considering acquiring, all or part of our business.

(iii) **Legal obligations**

We also process your personal data for our compliance with a legal obligation which we are under.

In this respect, we will use your personal data for the following:

- To meet our compliance and regulatory obligations, such as compliance with anti-money laundering laws;
- As required by tax authorities or any competent court or legal authority.

In this respect, we will share your personal data with the following:

- Our advisers where it is necessary for us to obtain their advice or assistance;
- Our auditors where it is necessary as part of their auditing functions;
- With third parties who assist us in conducting background checks;
- With relevant regulators or law enforcement agencies where we are required to do so.

Marketing

We will send you marketing about similar services we provide, as well as other information in the form of alerts, newsletters and invitations to events or functions which we believe might be of interest to you.

We will communicate this to you in a number of ways including by post, telephone, email, SMS or other digital channels.

If you object to receiving marketing from us at any time, please contact us:

- By post Attn: Uliana Kmitowska, Monte Carlo Palace, 5/7 Boulevard des Moulins, MC 98000 Monaco
- By email: Uliana.Kmitowska@vistra.com
- By telephone: +377 97 77 85 95

Transfer and processing of your personal data outside Monaco and the European Union

When sharing your personal data with third parties as set out in this Privacy Notice, it may be transferred outside of Monaco and the European Union. In these circumstances, your personal data will only be transferred on one of the following bases:

- the country that we send the personal data to is approved by Monaco and / or the European Union as providing an adequate level of protection for personal data;

- the transfer is to a recipient in the United States of America who has registered under the Monaco/US or EU/US Privacy Shield;
- the recipient has entered into a Monaco and European Commission standard contractual clauses with us; or
- you have explicitly consented to the same.
- In the absence of either an adequacy decision or the implementation of standard contractual clauses as mentioned above, a cross-border transfer may still take place in one of the following cases:
 - the transfer is necessary for the performance of our contractual or trustee services;
 - the transfer is required by applicable laws (eg. reporting obligations under fiscal laws);
 - the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject between ourselves and another natural or legal person;
 - the transfer is necessary for important reasons of public interest;
 - the transfer is necessary for the establishment, exercise or defense of legal claims;

To find out more about transfers by us of your personal data outside the European Union and the countries concerned please contact us:

- By post Attn: Uliana Kmitowska, Monte Carlo Palace, 5/7 Boulevard des Moulins, MC 98000 Monaco
- By email: Uliana.Kmitowska@vistra.com
- By telephone: +377 97 77 85 95

Retention of your data

We will only retain your personal data for as long as we have a lawful reason to do so.

In particular:

- where we have collected your personal data as required by anti-money laundering legislation, including for identification, screening and reporting, we will retain that personal data for ten years after the termination of our relationship, unless we are required to retain this information by another law or for the purposes of court proceedings; or
- otherwise, we will in most cases retain your personal data for a period of ten years after the termination of our contractual or other relationship with you in case any claims arise out of the provision of our services to you.