

Nedgroup Trust provides our clients with a range of trust, company and pension services. This privacy notice explains why and how Nedgroup Trust processes the personal data of our clients (and, where relevant, their family members and/or related parties) and prospective clients ("you" or "your").

#### WHO IS RESPONSIBLE FOR YOUR PERSONAL DATA AND HOW CAN YOU CONTACT THEM?

Nedgroup Trust incorporates Nedgroup Trust Limited, and its joint licensees, which are all licensed under The Regulation of Fiduciaries, Administration Businesses and Company Directors, etc (Bailiwick of Guernsey) Law, 2000, and Nedgroup Trust (Jersey) Limited (and its affiliates), which are regulated by the Jersey Financial Services Commission (referred to in this document as "Nedgroup Trust", "we", "our" or "us").

Nedgroup Trust is the data controller of your personal data. If you have any comments or questions about how we process your personal data, you can contact our Data Protection Representative in the jurisdiction in which your entity is held and where we are registered with the relevant data protection authorities as follows:

- Nedgroup Trust Limited; PO Box 192, Fairbairn House, Rohais, St Peter Port, Guernsey, GY1 3LT. Registered with the Office of the Data Protection Commissioner (with registration number 10931).
- Nedgroup Trust (Jersey) Limited; 31 The Esplanade, St Helier, Jersey, JE1 1FT. Registered with The Office of the Information Commissioner (with registration number 16741).

Alternatively, you can contact us by email via:  
dataprotection@nedbankprivatewealth.com

#### WHAT PERSONAL DATA DO WE COLLECT ABOUT YOU?

Depending on the services you select, we may collect the following types of personal data about you:

- **Biographical and contact information**, including your name, date of birth, place of birth, country of residence, nationality, occupation and contact information such as residential address, email address, online identifiers and telephone number (and those of your family members and related parties, where relevant);
- **Identification and due diligence information**, including your passport information, proof of address, national insurance number (or other tax identification number) and due diligence information such as the results of anti-money laundering and countering the financing of terrorism 'know your client' background checks; and
- **Financial and wealth related information**, including bank account details and information relating to your financial situation such as your assets, net worth, income, source of funds and wealth, plans for your pension and retirement and your investment objectives.

We may also collect special categories of personal data, including more sensitive personal data, such as information concerning your health or medical conditions ("**special category data**") as well as data relating to criminal convictions and offences, where relevant for the purposes set out below.

#### OUR LEGAL BASES AND PURPOSES FOR USING YOUR PERSONAL DATA

We may process your personal data because it is **necessary for the performance of a contract** with you or in order to take steps at your request prior to entering into a contract. In this respect, we may use your personal data:

- to interact with you before you become our client, for example when you express your interest in our services and request us to send you promotional material or answer enquiries about our services;
- once you have engaged us and become our client, to provide you with the services as set out in our Terms and Conditions or any other contractual document;
- for the purposes of processing investments or other financial transactions and distributing financial statements, notices and reports in relation to services provided to you;
- corresponding and interacting with you (or others acting on your behalf) about our services, including dealing with any concerns or feedback that you may have; and
- maintaining records of your transactions.

We may also process your personal data for our **compliance with our legal obligations**. In this respect, we may use your personal data:

- to confirm your identity and carry out due diligence checks, including to confirm your source of wealth and funds for anti-money laundering and countering the financing of terrorism 'know your client' purposes;
- to fulfil our legal, international tax reporting obligations, including any future obligations arising from changes to international tax legislation;
- to meet our other compliance and regulatory obligations, including in order to comply with any requirement of any applicable statute, regulation or regulatory rule to which we are subject including detecting and preventing financial crime such as fraud, money laundering, terrorist financing, bribery, corruption, tax evasion or facilitation of tax evasion and to prevent the provision of financial and other services to persons who may be subject to economic or trade sanctions, on an ongoing basis in accordance with Nedgroup Trust's anti-money laundering and countering the financing of terrorism checks and procedures ("**Regulatory Assessments**");
- to transfer information to competent authorities (including tax authorities), courts and bodies in order to provide the Services and to comply with law or comply with requests from such regulatory bodies.

We may also process your personal data because it is necessary for our or a third party's **legitimate interests**. Our legitimate interests include our commercial interests in operating our business in a client focused, efficient and sustainable manner, in accordance with all applicable legal and regulatory requirements. In this respect, we may use your personal data:

- for outsourcing selected "back office" functions to third parties (for example, suppliers of hosted software solutions or cloud storage providers) for the purposes of efficient, fast and secure access to data;

- to monitor and evaluate the performance and effectiveness of our services;
- for our promotional purposes\* (see Note below), including in order to keep you informed (by letter, telephone, email and other electronic means) of our services which may be of interest to you. We will try to use your preferred method, although sometimes the law requires us to send certain communications by post; and

We may retain your personal data (including personal data processed in order to conduct Regulatory Assessments for as long as required to perform the Services, provide future services entered into by Nedgroup Trust, or as required by law.

\*Note: If you do not wish to receive such marketing information, please let us know now or at any time in the future, and your details will be removed from our mailing list(s).

We may also process your personal data where:

- it is necessary for reasons of **substantial public interest** (for example, where the due diligence checks we carry out involve our processing data relating to criminal convictions and offences);
- it is necessary for the **establishment, exercise or defence of legal claims** (for example, to protect and defend our rights or property, and/or the rights or property of our clients, or of third parties); and
- we have your specific or, where necessary, explicit **consent** to do so (for example, where we process sensitive personal data concerning your health or medical conditions for the purpose of making adjustments when we meet with you or to provide you with a more responsive, tailored service).

#### FROM WHERE DO WE COLLECT PERSONAL DATA ABOUT YOU?

We collect your Personal data from these sources:

Data you give to us:

- From information you provide to us when you interact with us before becoming a client, for example when you contact us to request information about our services;
- When you ask us to provide services to you and provide us with your personal data (and your family members' or related parties' personal data, where relevant) in client application forms (and in accompanying identification documents).

Data we collect when you use our services:

- In the other ways you interact with us during your time as our client, for example when you meet with us or we have formal correspondence and other communications with you in connection with the services provided to you.

Data from third parties when you use our services:

- From third parties and publicly available sources, for example when we carry out due diligence checks on you before we can accept you as a client;
- From third party intermediaries / introducers and your agents and representatives where they are interacting with us on your behalf.

#### MONITORING OF COMMUNICATIONS

Nedgroup Trust records and monitors the use of the firm's telephone and email communications equipment. We will keep a record of these recordings and electronic communications for as long as is required by the relevant regulations. This means that your communications with us may be monitored for the following purposes:

- for training purposes, allowing us to improve the quality of our communications with you;
- as evidence of your instructions and to ensure that we are providing a high quality service to you;
- in order to comply with our legal obligations and with regulatory rules or requirements;
- for the establishment, exercise or defence of disputes or legal claims (where relevant); and
- for preventing or detecting crime (including fraud).

#### WHO WE SHARE YOUR PERSONAL DATA WITH

In order to provide our services to you, we may disclose your personal data:

- if you are a client introduced by one of Nedbank's South Africa relationship managers, then your personal data may be shared with other organisations in the Nedbank group, including our parent company Nedbank Group Limited (a South African registered company);
- to third parties we may engage to perform, or assist in the performance of, our services or to advise us including those based in the UK or elsewhere in the EEA (notwithstanding any previous indication we may have given you that we will store your personal data in a particular country or territory), for example parties who we engage with to perform anti-fraud, or due diligence checks;
- to counterparties or, where you are a beneficiary or policyholder in respect of a portfolio, fund or account which is legally owned by a third party provider, to such third party provider;
- if you are a joint client (a joint accountholder), to the other client named in any relevant Terms and Conditions or any other contractual document in so far as relates to the accounts that you are joint accountholders on;
- to your representatives, such as any third party introducer or advisor/manager, and those who are administering your finances for you; and
- in circumstances where we are required or authorised by law (including applicable data protection and tax laws), court order, regulatory or governmental authorities to disclose your personal data.

### TRANSFERRING YOUR PERSONAL DATA OVERSEAS

Where relevant for your services, your personal data may be transferred to and processed outside of the European Economic Area ("EEA") in countries or territories that do not provide the same level of protection for personal data as the EEA does. Where this happens, we will put appropriate measures in place to ensure the adequate protection of your personal data.

In these circumstances, your personal data will only be transferred on one of the following grounds:

- the country or territory to which the transfer is made ensures an adequate level of protection for personal data. In particular, transfers of personal data between Guernsey, the Isle of Man, Jersey and the UK are covered by the European Commission's decisions on the adequate protection of personal data;
- Nedgroup Trust/Nedbank and the recipient of the personal data outside the EEA will sign a form of model data protection clauses (standard contractual clauses) approved by the European Commission; or
- there exists another situation where the transfer is permitted under applicable law (for example, where we have your explicit consent to make the transfer).

You can obtain more details of the protection given to your personal data when it is transferred outside the EEA (including a copy of the standard contractual clauses which Nedgroup Trust/Nedbank will enter into with recipients of your personal data) by contacting us using the details set out on page 1.

### HOW LONG DO WE KEEP YOUR PERSONAL DATA?

We will retain your personal data for as long as we are providing you with the services referred to in any relevant Terms and Conditions or any other contractual document, and for as long as necessary or required for legal and regulatory purposes after the relationship between you and us has ended, or if your application for a particular service or services is declined or abandoned. These data retention periods vary depending on relevant legal and regulatory requirements, but are often judged based on the minimum period of time necessary before a legal claim is capable of being time barred.

For more information about the data retention periods applicable to your personal data, please contact us at the relevant address on page 1.

### YOUR RIGHTS IN RELATION TO YOUR PERSONAL DATA

Under the GDPR, which took effect on 25 May 2018, you have the following rights in relation to our processing of your personal data. Please note that these rights are not absolute, and we may be entitled to refuse requests where exceptions apply:

- to obtain access to, and copies of, the personal data that we hold about you;
- to require us to correct the personal data we hold about you if it is incorrect;

- to require us to erase your personal data in certain circumstances;
- to require us to restrict our data processing activities in certain circumstances;
- to object, on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on your rights;
- 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 your transmitting that personal data to another data controller (for example, another investment firm);
- where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal.

If you have given your consent and you wish to withdraw it, please contact us using the contact details set out on page 1. Please note that where our processing of your personal data relies on your consent and where you then withdraw that consent, we may not be able to provide all or some aspects of our services to you and/or it may affect the provision of those services.

If you are not satisfied with how we are processing your personal data, you can raise a concern with the Information Commissioner relevant to your account with us. You can also find out more about your rights under data protection legislation (including a right to appeal any decisions) from the relevant Information Commissioner's Office websites at:

- In Guernsey, the Office of the Data Protection Commissioner: <https://dataci.gg/>
- In Jersey, the Office of the Information Commissioner: [www.oicjersey.org](http://www.oicjersey.org)

### CHANGES TO THIS PRIVACY NOTICE

This privacy notice was updated on 5 July 2018 and supersedes any previous privacy notice or similar terms provided by, or on behalf of, Nedgroup Trust in connection with the services we provide to you. If we change this privacy notice, to keep you fully aware of our processing of your personal data and related matters, we will publish the new version via the literature downloads page in the client information section of our website: [www.nedgrouptrust.com](http://www.nedgrouptrust.com).

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Nedbank Private Wealth is a registered trade name of Nedbank Private Wealth Limited. Nedbank Private Wealth Limited is not licensed to take deposits under the Banking Supervision (Bailiwick of Guernsey) Law, 1994 and it is not a member of the Guernsey Banking Deposit Compensation Scheme.