

ESTERA GLOBAL PRIVACY NOTICE
FOR PRIVATE CLIENTS

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CONTENTS

Who we are	3
Data we collect and hold about you	3
Purposes for which we use the data and the legal basis for doing so	4
Sharing your data	6
Transferring your data overseas.....	6
How long we keep your data.....	7
How we protect your data	7
Your rights and options	7
Contact us.....	7
Changes to this privacy notice	8

ESTERA GLOBAL PRIVACY NOTICE FOR PRIVATE CLIENTS

Estera (“we”, “us”, “our”) is an international provider of fiduciary and administration services. The privacy and security of our clients’ data is of critical importance to us. This global privacy notice (“notice”) explains how we collect, manage and protect your personal data if you are a private client receiving trust or foundation related services from us. It also sets out your rights as a data subject.

References in this notice to “you” or “your” are references to you as our client, and not to you as a representative of our client. If you are not a private client, but you believe that we collect personal data about you then please refer to our other privacy notices available on our website.

Who we are

Estera provides corporate, trust, fund and accounting services to clients across the globe. We operate in multiple jurisdictions through our local, regulated, group entities. The data controller of your personal data is the Estera group entity named in the Terms of Business you have agreed with us.

Although we have offices, entities and clients located outside the European Union, we apply the same data protection standards to all locations and clients as set out in this global privacy notice.

All Estera group entities are owned by Estera Holdings (Jersey) Limited. A full list of our regulated group entities is available at [this link](#). The contact details for the Estera office in each jurisdiction is available on [our website](#). You can also contact our group Data Protection Officer using the contact details provided below.

Data we collect and hold about you

We collect and process your data for various purposes connected with our services, including, for instance, data we require to manage our provision of services to you and to meet our legal and regulatory obligations.

The types of data we collect, and process includes:

- > **Name and Contact Details:** Information we require for the purposes of managing our relationship, including your names and your postal addresses, email addresses and telephone numbers.
- > **Due Diligence & Regulatory Details:** Information we require to meet our legal and regulatory obligations, particularly anti-money laundering legislation, and assess the risk associated with providing services to you, including:
 - Identity information including your current and former names, aliases, date of birth, country of birth, place of birth, gender, nationality and a copy of your valid passport and/or birth certificate (including issue date and expiry date, where applicable).
 - Documents providing proof of your identity and address, such as copies of government issued documents, bank statements, utility bills and similar documents.
 - Detailed tax status information, including your tax domicile, tax identification number, copies of tax returns and tax advice received.
 - Proof of the source of your wealth and funds, such as pension plans, property sales agreements and loan documents.
 - Occupation and employment information, including details of legal entities you are employed by or affiliated with.
 - Details of criminal convictions and disqualifications, history of bankruptcy and details of investigations by a formal official body and/or if you are named on a sanctions list.
 - Details of involvement in high-risk or high-profile activities.

- Other due diligence information gathered from checking tools we use and from searching information in the public domain.
- **Other information:** Additional information you provide to us or created by us when providing services to you.

The types of data we collect may include data relating to your race, ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, your sex life or sexual orientation and data relating to criminal convictions or offences ('sensitive personal data').

We collect personal data when you give it to us and from information we learn about you through our relationship. We also collect data about you from third parties, including your professional advisers, due diligence and risk assessment screening service providers and from the public domain, including from internet searches.

Purposes for which we use the data and the legal basis for doing so

When providing services to you, we may use data about you for the following purposes and on the following lawful bases:

PURPOSE	LAWFUL BASIS FOR PROCESSING
<p>Carrying out due diligence on our clients and performing risk assessments. Including carrying out standard due diligence checks, enhanced due diligence checks, politically exposed person checks and performing risk assessments in relation to your financial standing and eligibility for our services.</p>	<p>Necessary to comply with legal obligations to which we are subject.</p> <p>Our legitimate business interest to assess the risk associated with providing you with our services.</p> <p>When processing sensitive personal data, we do so with your explicit consent.</p>
<p>Legal & regulatory compliance and compliance with law enforcement requests. Including performing checks and monitoring transactions for the purpose of preventing and detecting crime and to comply with laws relating to money laundering, fraud, terrorist financing, bribery and corruption, and international sanctions. Also, sharing information on suspected financial crimes, fraud and threats with law enforcement and regulatory bodies.</p>	<p>Necessary to comply with legal obligations to which we are subject.</p> <p>When processing sensitive personal data, we do so with your explicit consent.</p>
<p>Providing our fiduciary and administration services to you. Covering any services we provide to you as a private client.</p>	<p>Necessary for the performance of the agreement to which you are a party.</p>

PURPOSE	LAWFUL BASIS FOR PROCESSING
<p>Managing and developing our relationship with you. This includes providing account management, contacting you for feedback and inviting you to participate in customer satisfaction surveys.</p>	<p>Our legitimate business interest to develop our relationship, collect your feedback, assess your level of client satisfaction and to improve our services.</p>
<p>Sending you marketing about our fiduciary and administration services, our news and events. Including sending you our news emails, information about our services, related information which may be of interest to you and to invite you to our events.</p>	<p>Our legitimate business interest to send you marketing and promotional materials from time to time.</p> <p>Where we have obtained your consent to send marketing then we instead rely on consent as the legal basis.</p> <p>You can tell us to stop sending you marketing information at any time by objecting or withdrawing your consent. You can do so by contacting us at DPO@estera.com or by using the Unsubscribe link in any marketing email you receive from us.</p>
<p>Internal management, administrative and organisational purposes. This includes maintaining internal records and carrying out other business administration tasks.</p>	<p>Our legitimate business interest to process your personal data in order to manage our business processes.</p>
<p>Statistics and other data analysis. This includes creating forecasts and business plans, improving our services and developing new services.</p>	<p>Our legitimate business interest to process your personal data to develop and improve our business through aggregated and anonymised reporting and analysis.</p>
<p>Sharing data with entities in our group. Including sharing client records and results of due diligence exercises with our global entities.</p>	<p>Our legitimate business interest to identify and develop shared clients across our group and the jurisdictions in which we operate and to utilise existing due diligence and risk assessment information when providing an existing client with services in a new jurisdiction.</p>
<p>Sharing data with other third parties. Including third parties who process personal data on our behalf.</p>	<p>Our legitimate business interest to share your data with trusted third parties who provide us with services relevant to our provision of services to you, including professional advisers, screening service providers and IT service providers.</p>

Where we do not base our use of personal data about you on one of the above legal bases, we will ask for your consent before we process the personal data (these cases will be clear from the context).

In some instances, we may use personal data about you in ways that are not described above. Where this is the case, we will provide a supplemental privacy notice that explains such use. You should read any supplemental notice in conjunction with this notice.

To the extent that we rely upon consent as the legal basis under which we use your data, then you are permitted to withdraw your consent at any time.

Sharing your data

We may share your data with:

- > Other entities in our group. We do this because we are an international organisation and work with clients across multiple jurisdictions. Sharing client records and the results of due diligence and risk assessments enables us to provide our services more efficiently and develop our relationship with you. Access to shared data is limited only to personnel who need access to carry out their assigned duties.
- > Third parties who process data on our behalf to provide us or you with products or services for the purposes outlined above. These third parties include:
 - Professional advisers: Including lawyers and tax advisers.
 - Screening service providers: Including due diligence and financial crime screening database providers, such as Thompson Reuters World-Check.
 - IT service providers: Including hosting and cloud service providers, such as Microsoft.
 - Other suppliers and providers of services to us: Including banks, our sub-contractors and agents.
- > Other third parties, where required or permitted by law, for example:
 - Regulatory authorities.
 - Government departments.
 - In response to a request from law enforcement authorities or other government officials.
 - When we consider disclosure to be necessary or appropriate to prevent physical harm or financial loss or in connection with an investigation of suspected or actual illegal purpose.
 - In the context of organisational restructuring.

Transferring your data overseas

When sharing data about you with other entities in our group, or if it is necessary to provide you with our services, your data will be transferred outside the country or territory in which it was collected. If your data is collected within the European Economic Area ('EEA'), this means that your data may be transferred outside of it, including to a country or organisation that may not have data protection standards equivalent to those in the EEA. If your data is collected outside of the EEA, this means that your data may be transferred into it.

Where we transfer personal data to countries outside the EEA, we will only do so where:

- > The country or organisation we are transferring your data to is recognised by the European Commission as providing adequate data protection standards; or
- > We have implemented appropriate safeguards to ensure the protection of your personal data, such as standard data protection clauses adopted by the European commission.

If you would like to receive a copy of the information relating to the safeguards we put in place when we transfer your personal data outside the EEA then you can contact our Data Protection Officer using the details provided below.

How long we keep your data

The period for which we may retain your data is generally ten years but will depend on the purposes for which the data was collected, whether you have requested the deletion of the data, and whether any legal obligations require the retention of the data (for example, for regulatory compliance). We will not retain data about you for longer than is necessary to fulfil the purposes for which the data was collected.

How we protect your data

We implement appropriate technical and organisational measures to protect data that we process from unauthorised disclosure, use, alteration or destruction. For more information about the steps we are taking to protect your data, please contact us at DPO@estera.com.

Your rights and options

Depending on where you are resident, you may have some or all of the following rights under applicable data protection laws in respect of your data that we hold:

- › You have the right of access to your personal data and can request copies of it and information about our processing of it.
- › If the personal data we hold about you is incorrect or incomplete, you can ask us to rectify or add to it.
- › Where we are using your personal data with your consent, you can withdraw your consent at any time.
- › Where we are using your personal data because it is in our legitimate interests to do so, you can object to us using it this way.
- › Where we are using your personal data for direct marketing, including profiling for direct marketing purposes, you can object to us doing so and opt out of all future marketing.
- › You can ask us to restrict the use of your personal data if:
 - It is not accurate.
 - It has been used unlawfully but you do not want us to delete it.
 - We do not need it any-more, but you want us to keep it for use in legal claims; or
 - If you have already asked us to stop using your data but you are waiting to receive confirmation from us as to whether we can comply with your request.
- › In some circumstances you can compel us to erase your personal data.

You will not 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 clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

If you wish to exercise your rights, please contact us at DPO@estera.com.

You can also lodge a complaint with the national data protection authority in an EU member state of your habitual residence, place of work or place of an alleged infringement. You can find the contact details for the national data protection authorities [at this link](#).

Contact us

If you have any questions, or wish to exercise any of your rights, then you can contact our Data Protection Officer by email at DPO@estera.com or by post at Data Protection Officer, Estera, 13-14 Esplanade, St Helier, Jersey JE1 1EE.

Changes to this privacy notice

We may update this notice (and any supplemental privacy notice), from time to time as shown below. We will notify of you the changes where required by applicable law to do so.

Last modified May 2018



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