



May 2018

Privacy Notice

Pentera Trust Company Limited

Pentera Trust Company Limited and its subsidiaries (“PTCL”) are private companies incorporated in Jersey and regulated by the Jersey Financial Services Commission.

This Privacy Statement has been issued to reflect the requirement for a more clear and transparent statement to you, as data subject, under the Data Protection (Jersey) Law 2018 (‘JDPL’) and the General Data Protection Regulation (‘GDPR’) as applicable.

This Privacy Statement may be amended from time to time and any updates are available on our website. www.penteratrust.com

PTCL as data controller

PTCL is the data controller and data processor for the information or personal data you provide to us. If you have any queries about how we control or process your data please contact mail@penteratrust.com.

What information do we ask for and why?

PTCL collects the personal data of individuals with whom we have a client related connection whether it be through a trust, company, limited partnership or other relationship. PTCL will also collect data for any potential new client relationships.

The personal data collected may include, for instance, contact details, identity documents, address verifications, bank account details, financial information and source of funds/wealth, investment objectives, assets owned, tax identification numbers and details of employment and professional qualifications. We may also collect the above information on your family members, associates, employees and personal advisors.

Other, more sensitive, information (known as ‘special category data’) may also be processed if this is relevant for the purposes of the services we provide to you.

Why we process your data

There are a number of different reasons for the processing of your data which are necessary for the purpose of providing a service to you, these include:

- Our legal obligation under anti money laundering and counter-terrorist financing legislation and by our regulator, the Jersey Financial Services Commission to obtain customer due diligence which includes identification documentation.
- It is in our legitimate interest to analyse the risk of our client base and business. We have a legal obligation to take reasonable steps to prevent, detect crime or fraud and any unlawful misconduct, act or omission.
- It is in our legitimate interest to manage our business and comply with the regulations and policies, whether external and applicable to our industry, or our internal policies which we



have put in place to assist with our corporate governance, organisational management and compliance to applicable legislation.

- The processing of your data is in your legitimate interest as it will enable us to conduct business with you, provide appropriate services and to deal with your requests.
- It may be that we have a contractual relationship with you and the processing of your personal data is necessary for the completion of any pre-contractual or contractual obligations.
- In specific circumstances we may rely on your consent to process your data/ special category data and processing will cease if you should withdraw that consent unless there is another lawful basis for which we are processing that data.

How do we collect personal data?

PTCL will primarily gather personal data from the data subject, their appointed advisors or third parties related to the data subject through services provided. In the case of family members we may have a primary relationship with a member of the family who acts as a representative and provide the relevant data required under our legal obligations and in both our legitimate interests.

PTCL will gather information from publically available sources and our compliance screening application to conduct appropriate background checks.

Information is also gathered when we communicate with you by telephone, email, fax or you use our website.

Other non-client relationships

PTCL is required to gather data on individuals connected to those organisations we deal with in a professional capacity which may include advice and services for PTCL and/or its clients. In this respect the personal data we would maintain includes contact details, details of employment, professional qualifications and bank account details. It may be that that in accordance with Anti-Money Laundering and Countering the Finance of Terrorism regulations we will require further due diligence documentation and this would include copies of identification and address verification documents.

Should you, as data subject, not wish for PTCL to process your data our services to you will be limited.

Third Parties

PTCL may share your personal data with third parties to enable us to conduct our business and provide a service to you. Prior to the transfer of data PTCL will ensure that there is clear rationale for the data transfer to a third party. These third parties include but are not limited to, banking providers, investment managers or direct investments, professional advisors such as lawyers, tax advisors and auditors. We may have an obligation to provide your data to regulators, other relevant governmental or supervisory bodies, registrars and tax authorities in the relevant jurisdictions.

GDPR is applicable to those countries in the European Union ('EU'). Where data is transferred to a third party that is located outside the EU and that country does not have an adequacy ruling by the European Commission we will only transfer your personal data where we have conducted appropriate analysis on the third party and are comfortable that they have the appropriate technical and organisational measures to protect the data. This evaluation and the implementation of an agreement/contract with the third party will include putting in provisions for the use of your personal data which will be in accordance with the purpose for which the data was collated.

If required we will obtain your consent to transfer the data to the third country.



PTCL may be required to share your data in accordance with the applicable law and regulations and in this case we will do so without undue delay.

Data Retention Policy

PTCL has a data retention policy and we will retain personal data for as long as necessary:

- for the purposes for which the data was collected
- to enable us to establish or defend legal rights or obligations or to satisfy any reporting or accounting obligations
- as required by data protection laws and any other applicable laws or regulatory requirements.

In accordance with the rights of a data subject and other obligations we may be required to delete or destroy certain data. In the absence of these requirements we will continue to hold data until it is viewed by PTCL as no longer being required and if needed the data can be collected without delay or difficulty.

Our data retention policy is kept under review.

Security and Location

PTCL has policies and procedures in place to ensure that from a technical and a structural perspective the personal data we process is secure.

All our data is processed in Jersey at our offices in St Helier and we have an offsite secure storage facility. We employ an independent IT service provider who maintains a separate server where our data is backed-up.

Our IT infrastructure is secure and access is only permitted by staff via a secure system or by our IT service providers who are also subject to the same data protection legislation.

We have security systems in place for our premises and data storage location to prevent unauthorised access.

Our IT systems are maintained by our IT service provider who ensure that the systems are secure and the correct firewalls, antivirus/ malware protection in place, Emails are scanned for viruses and spam.

We conduct staff training to ensure that all employees of PTCL are kept up to date and informed of their obligations to you and your personal data and that they maintain the appropriate confidentiality and security measures in accordance with our data protection policies and procedures.

Visitors to our website

PTCL is committed to protecting and respecting your privacy on line. We do not request you to provide any information through our website.

PTCL does not control and is not responsible for the privacy policy of any website or organisation to which our website provides links. By including references, hyperlinks or other connections to such third party websites PTCL does not imply any endorsement of them or any association with their owners or operators.



The rights of an individual over their personal data

As a data subject you have rights under the data protection legislation in relation to your personal data. Should you wish to exercise your right of access to data, to have your data corrected, updated or erased, to be restricted or transferred to another party, or to object to processing please contact us at the details provided below.

In cases where your consent has been provided to process the data and you wish to withdraw that consent please also contact us at mail@penteratrust.com

Please be aware that there are exceptions to these rights under certain circumstances and in accordance with other applicable legislation

Access to Personal Information

PTCL tries to be as open as it can be in terms of giving people access to their personal information. Individuals can find out if we hold any personal information by making a 'subject access request' or equivalent under the relevant legislation or regulation. If we do hold information about you we will:

- give you a description of it;
- tell you why we are holding it;
- tell you who it could be disclosed to; and
- let you have a copy of the information in a commonly used electronic form.

To make a request to PTCL for any personal information we may hold you can email us at mail@penteratrust.com or write to us at the address provided below.

If you agree, we will try to deal with your request informally, for example by providing you with the specific information you need over the telephone.

If we do hold information about you, you can ask us to correct any mistakes by, once again, emailing mail@penteratrust.com.

Complaints, queries and contact details

PTCL tries to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate.

Should you wish you exercise your rights as a data subject, have a complaint or have any queries in respect of the processing of your data please contact the Information Security Officer at mail@penteratrust.com

If your matters are not resolved by PTCL in satisfactory manner you are entitled to contact the local data protection authority, the details for whom are set out below:

Office of the Information Commissioner
Address: Brunel House, Old Street, St Helier, Jersey, JE2 3RG.
Tel: +44 (0)1534 716530
Email: enquiries@oicjersey.org