

# HIGHVERN FUND SERVICES IRELAND LIMITED HIGHVERN CORPORATE ADMINISTRATION SERVICES IRELAND LIMITED (“HIGHVERN IRELAND”)

## PRIVACY POLICY – EXTERNAL

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### INTRODUCTION

Highvern Ireland is committed to ensuring your privacy and personal information is protected and remains private.

This Privacy Policy will explain how we collect, hold, use and disclose personal information about you in connection with fund administration and trust or company services provided by Highvern Ireland.

From time to time we may need to make changes to this privacy policy. This could be because of government regulation or new technologies or other developments in data protection laws. You should check the Highvern Ireland website at [Privacy Statement | Highvern](#) periodically to view the most up to date privacy policy.

### OUR PRIVACY PRINCIPLES

All processing of personal information is conducted in accordance with the data protection principles set out in relevant legislation. Our policies and procedures are designed to ensure compliance with the following principles:

1. Personal information you provide is processed fairly, lawfully and in a transparent manner;
2. Personal information you provide is collected for a specific purpose and is not processed in a way which is incompatible with the purpose which Highvern Ireland collected it;
3. Your personal information is adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed;

4. Your personal information is kept accurate and, where necessary kept up to date with every effort to erase or rectify without delay;
5. Your personal information is kept no longer than is necessary for the purposes for which the personal information is processed;
6. We take appropriate steps to keep your personal information secure;
7. Your personal information is processed in accordance with your rights;
8. We will only transfer your personal information to another country or an international organisation outside the European Economic Area where we have taken the required steps to ensure that your personal information is protected;

We will ensure that we maintain adequate records of processing and evidence that we have complied with this policy and related policies and procedures.

#### **WHAT PERSONAL INFORMATION DO WE COLLECT?**

The types of personal information that we collect will vary depending on a number of factors including the nature of your relationship with us and the services we are requested to perform. This may include:

- Contact Details
  - Name, contact information - email, postal address and telephone number
- KYC Information

This includes information necessary to ensure legal and/or regulatory obligations in connection with the services we provide are complied with. Information may include:

- Date of birth, country of residence, nationality
- Government Identification Documents e.g., passport copy, driver's license
- Financial information e.g., source of funds and source of wealth, bank account details;
- Public domain information including matters revealed by client screening processes;
- Service and Other Records
  - Information about the services we provide to you, including any preferences you have expressed in relation to these services;
  - To facilitate investments you make or redeem from funds we administer or actions we make on your behalf based on instructions from corporate clients;
  - CCTV or similar security information should you visit our premises;
  - Any other information about you which we may obtain as part of our day-to-day business operations, including but not limited to events hosted by Highvern Ireland;
  - Information obtained through our use of our cookies.

In certain limited circumstances we may request or receive sensitive personal information about you, such as details about your health if you require correspondence in braille, or your health or religion if you attend our event and have certain dietary preferences.

- Sensitive personal information – now called Special Category
  - if you require documents in larger font or braille this could indicate your health status
  - if you attend one of our events we may request details of your dietary preferences which could indicate your health status or religious beliefs

We will only collect your information where legally permitted to do so and only to the extent it is appropriate and necessary for the purposes described below.

### **HOW DO WE COLLECT YOUR PERSONAL INFORMATION?**

We mainly collect information from you directly via telephone, electronic communications and to a lesser extent written correspondence (post). However, this may also be collected indirectly from third parties as a result of the nature of the services we provide. Such information is requested during the following processes conducted by Highvern Ireland:

- client introductions,
- client on-boarding including due diligence,
- on-going client due diligence,
- client specific activities and transactions,
- transfer agency processes and
- for legal matters, e.g., to execute and perform contractual agreements

Depending on the nature of our relationship with you, we may also collect your personal information from a number of different sources including publicly available information. For example:

- through companies which validate identity for financial crime purposes;
- from third party registers maintained by regulators such as the Central Bank of Ireland;
- through business interactions between your company and Highvern Ireland;
- other electronic verification checks or screening systems to ensure all regulatory obligations are met
- other third parties including fund service providers, lawyers, tax advisers, investment managers and other professional advisors retained by the relevant client

### **HOW AND WHY DO WE USE YOUR PERSONAL INFORMATION?**

This is dependent on our relationship with you:

- if you are a prospective client or existing client, we use your personal information to onboard you as a client and to provide fund administration and/or trust or company services;
- if you are a financial services firm, we use your personal information to provide you with information about our services and events or in order to service a common client;

- if you are an employee of a firm that we have a business relationship with, we use your personal information as part of our normal course of business;
- if you are a candidate for a job, we use your personal information as part of our recruitment process;
- to prevent fraud and comply with our regulatory obligations;
- if you are viewing our website, we use your personal information contained in cookies.

## **MARKETING**

We may from time to time use your personal information to promote to you the services we offer and other related services offered by the Highvern Group. However, we will only do so if you are:

1. Someone who has done business with us or the Highvern Group as a private client, a client business contact or by being involved in transactions which also involved us or another entity in the Highvern Group.
4. You have expressed an interest in the services we offer or are offered by the Highvern Group e.g. at business meetings, events etc.
3. You have not done any business with us but we have identified based on business related information (e.g. the company you work for, your position) as potentially having an interest in the services provided by Highvern Ireland or Highvern Group.

The above will mainly be performed via mail or occasionally by telephone as warranted by the situation. We will ensure compliance with direct marketing rules and will always respect your marketing preferences.

## **WHAT IS THE LEGAL BASIS FOR COLLECTING PERSONAL INFORMATION?**

We may process your personal information for a number of different purposes. However, we need a reason to use and process your personal information which is called a legal basis – further details are given below.

Reasons for collecting personal information includes:

- Performance of a contract
  - Such processing is necessary for the performance of a contract to which you are party
- Servicing Clients including but not limited to:
  - Marketing Materials and events – to promote Highvern Ireland and Highvern Group
  - Business relationships – manage, maintain and develop our relationship with clients
  - Day to day operations – to facilitate the management and administration of all aspects of our business
- Legal and Regulatory Obligations:
  - to ensure all legal obligations are met including requests from regulators

With reference to the above, we rely on the following legal justifications:

1. Contractual Necessity – GDPR Article 6(1)(f)  
This typically applies where you are a private client and we handle your personal information in order to perform the services specified in the contract.
2. Legitimate Business Interest – GDPR Article 6(1)(f)  
This is relied upon in order to meet our own requirements to operate, manage and develop our business to ensure we protect clients and provide the highest level of service
3. Legal and Regulatory Requirement – GDPR Article 6(1)(c)  
We ensure that all legal and regulatory requirements are adhered to at all time.

### **WHO DO WE SHARE YOUR PERSONAL INFORMATION WITH?**

We will only disclose your personal information in accordance with applicable laws and regulations.

This may include (non-exhaustive list):

- our corporate clients e.g., if you are a client business contact then this could be your employer;
- any person with legal or regulatory power over us (such as the Department of Justice and Equality, An Garda Síochána, Office of the Revenue Commissioners) that may require disclosure on legal grounds;
- service providers engaged by us to help us run our business. Such service providers may include, for example, cloud or archive storage providers (engaged by us to provide electronic or physical storage facilities for our business data and your information), or providers of software or other IT resources, tax advisers etc;
- any member of the Highvern Group which means our affiliates, our ultimate holding company and its subsidiaries (from time to time) including those who are engaged by us to perform support services e.g. finance, marketing etc.
- Providers of background checks and risk screening services.

Please note that where we share your personal information with the authorities, we may, depending on the circumstances be forbidden from advising you of the fact that your personal information was disclosed or requested by the authorities.

### **HOW LONG DO WE KEEP RECORDS FOR?**

We will only keep your personal information for as long as reasonably necessary to fulfil the relevant purposes set out in this Privacy Policy and in order to comply with our legal and regulatory obligations.

We typically keep personal data for 5 years from the date on which our services are terminated. In some cases, depending on the applicable regulation this might be longer or where there may be a dispute or a legal action.

### **YOUR RIGHTS**

Under GDPR, you have the following rights in relation to our use of your personal information including:

1. Right to access your personal information:  
You are entitled to a copy of the personal information we hold about you and certain details of how we use it. This can be done by contacting Highvern Ireland using the contact details below.

2. Right to rectification:  
We take reasonable steps to ensure that the personal information we hold about you is accurate and complete. However, if you do not believe this is the case, please contact Highvern Ireland and request an update or amendment.
4. Right to restriction of processing:  
In certain circumstances, you are entitled to ask us to stop using your personal information. We will implement and maintain appropriate procedures to assess whether a request to restrict the processing of your data can be implemented.
5. Right to data portability:  
In certain circumstances, you have the right to ask that we transfer any personal information that you have provided to us to another third party of your choice. Once transferred, the other party will be responsible for looking after your personal information.
6. Right to object to direct marketing:  
You can ask us to stop sending you marketing messages at any time.
7. Right not to be subject to automated decision making:  
We make certain decisions using automated systems, such as checking identity for financial crime purposes. You have the right to request that one of our employees makes that decision.
8. The right to withdraw consent:  
For certain limited uses of your personal information, we will ask for your consent. Where we do this, you have the right to withdraw your consent to further use of your personal information.
9. Right to lodge a complaint:  
You have a right to complain to the Data Protection Commission (DPC) at any time if you object to the way in which we use your personal information.

More information can be found on the DPC's website: [www.dataprotection.ie](http://www.dataprotection.ie).

You can make any of the requests set out above using the contact details in this policy. Please note that in some cases we may not be able to comply with your request for reasons such as our own obligations to comply with other legal or regulatory requirements. However, we will always respond to any request you make and if we can't comply with your request, we will tell you why.

#### **HIGHVERN IRELAND CONTACT DETAILS**

If you wish to exercise any of your rights or have a question or concern, please reach out to your Highvern Ireland contact in the first instance.

If you wish lodge a complaint, please email the Compliance team at:

Veronica Morrissey – Risk and Compliance Officer, Ireland

[Veronicamorrissey@highvern.com](mailto:Veronicamorrissey@highvern.com)