



PRIVACY NOTICE

This privacy notice was published on 10th July 2024.

Capitalised terms used herein are defined in Schedule 1.

1 Privacy Policy and Notice

- 1.1 The RFS Group places a high priority on safeguarding your privacy. Please review this privacy notice as it contains important information about us and about the methods and rationale behind the collection, utilisation, retention, and sharing of your Personal Data. Additionally, it outlines your rights concerning your Personal Data and provides guidance on addressing any concerns.
- 1.2 The purpose of this privacy notice is to address the handling of Personal Data when you engage with us as a Data Subject, encompassing your role as a client or customer. As an entity collecting, utilising, or assuming responsibility for your Personal Data, we must comply with Data Protection Laws.
- 1.3 The primary establishment of the RFS Group, responsible for determining the purposes and methods of processing Personal Data, is in Jersey. The Office of the Information Commissioner, Jersey, serves as the primary supervisory authority for RFS. Jersey's legal framework for data protection has been certified as 'adequate' under the EU Data Law, indicating equivalence to the required standards.
- 1.4 You can contact [our DPO/name/role] by post, email or telephone if you have any questions about this privacy policy or the information we hold about you, to exercise a right under the Data Protection Laws or to make a complaint. Our contact details are enquiries@rfs-international.com. Please contact us directly if you have any queries or concerns about our use of your Personal Data.
- 1.5 You can also complain to the Office of the Information Commissioner, Jersey, known as "JOIC". You can lodge a complaint with JOIC:
 - 1.5.1 using the JOIC website: <https://jerseyoic.org>
 - 1.5.2 by email: enquiries@jerseyoic.org
 - 1.5.3 by calling: 01534 716530
- 1.6 We may update this privacy notice from time to time. The current privacy notice can be found on our website at the following address: [Home - RFS International \(rfs-international.com\)](https://www.rfs-international.com).



2 **Reasons for processing**

2.1 Under Data Protection Laws, we can only use your Personal Data if we have a proper reason, including:

2.1.1 where you have given consent;

2.1.2 to comply with our legal and regulatory obligations;

2.1.3 for the performance of a contract with you or to take steps at your request before entering into a contract;

2.1.4 in the substantial public interest;

2.1.5 to protect your vital interests; or

2.1.6 where necessary for the purposes of our legitimate interests (as described in clause 2.2) or those of a third party.

2.2 A legitimate interest is when we have a business or commercial reason to use your non-sensitive Personal Data, as long as your rights and interests do not override this. We will carry out an assessment when relying on legitimate interests to balance our interests against your own.

2.3 Where our basis for Processing your Personal Data is your consent, you can withdraw such consent without penalty.

3 **Information processed**

3.1 We will Process Personal Data in accordance with the law and your reasonable expectations. Depending on the nature of our interaction with you, the Personal Data we will Process may encompass:

3.1.1 contact information, including your postal address, email address(es), telephone number(s), company details and, where applicable, social media contact information;

3.1.2 identity information, including your current and former names, gender, date and place of birth, nationality, passport information (or similar photo ID information) and birth certificate;



- 3.1.3 preference information, including dietary restrictions and preferred correspondence language;
 - 3.1.4 verification information, including government-issued documents, bank statements, and utility bills;
 - 3.1.5 taxation information, including domicile, tax identification number(s), tax returns and tax advice;
 - 3.1.6 source-of-wealth information, including pension plans, property sale documentation and loan documents;
 - 3.1.7 financial information, including bank account information, assets held and on what basis (e.g. legal/beneficial ownership);
 - 3.1.8 trusts information (if applicable), including settlor details and letters of wishes;
 - 3.1.9 employment information;
 - 3.1.10 criminal records or allegations information, including details of any official body's investigation of you and sanctions applying against you;
 - 3.1.11 insolvency/bankruptcy information (as applicable);
 - 3.1.12 debtor information;
 - 3.1.13 connected-persons information, including information about familial relationships;
 - 3.1.14 politically exposed person information, including your political activities and relationships;
 - 3.1.15 information in the public domain;
 - 3.1.16 correspondence between you, your agents/representatives, and us;
 - 3.1.17 billing, transaction and payment information; and
 - 3.1.18 technical data, including information about how you use our website, IT, communication and other systems.
- 3.2 Further information on how we process cookie data can be obtained by contacting our DPO – Michelle Le Herissier.



3.3 We collect and use this Personal Data to provide services to you. If you do not provide the Personal Data we ask for, it may delay or prevent us from providing such services to you.

4 **Collection**

4.1 We collect most of this Personal Data directly from you in person, by telephone, video call, text or email and via our website. However, we may also collect information:

4.1.1 from publicly accessible sources;

4.1.2 directly from a third party, including:

- (a) settlors;
- (b) sanctions screening providers;
- (c) customer due diligence providers;
- (d) professional suppliers;

4.1.3 from a third party with your consent;

4.1.4 from cookies on our website;

4.1.5 via our IT systems, for example:

- (i) from door entry systems and reception logs and
- (ii) through automated monitoring of our websites and other technical systems, such as our computer networks and connections, CCTV and access control systems, communications systems, email and instant messaging systems.

4.2 We may, from time to time, record telephone calls.

5 **Use**

5.1 We may use your data in the following ways and for the following reasons:

5.1.1 When we are providing trusts services or other agreed services to you:



- (a) The reason for the processing is to perform our contract with you or to take steps at your request before entering into a contract.
- 5.1.2 Preventing and detecting fraud or other unlawful financial activity against you or us:
 - (a) The reason for the processing is to minimise fraud or other unlawful financial activity that could be damaging for you and/or us.
- 5.1.3 Conducting checks to identify our customers and verify their identity / screening for financial and other sanctions or embargoes / other activities necessary to comply with professional, legal and regulatory obligations that apply to our business, e.g. under health and safety law or rules issued by our regulators:
 - (a) The reason for the processing is to comply with our legal and regulatory obligations.
- 5.1.4 Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies:
 - (a) The reason for the processing is to comply with our legal and regulatory obligations.
- 5.1.5 Operating IT systems, software and business applications:
 - (a) The reason for the processing is to provide agreed services to you safely and efficiently.
- 5.1.6 Ensuring security and internet use policies are adhered to:
 - (a) The reason for the processing is to ensure we are following our own internal procedures to deliver the best service to you.
- 5.1.7 Operational reasons, such as improving efficiency, training and quality control:
 - (a) The reason for the processing is to be as efficient as possible so we can deliver the best service to you at the best price.
- 5.1.8 Ensuring the confidentiality of commercially sensitive information:
 - (a) The reason for the processing is to protect trade secrets and other commercially valuable information and to comply with our legal and regulatory obligations.



5.1.9 Statistical analysis to help us manage our business, e.g. in relation to our financial performance:

- (a) The reason for the processing is to be as efficient as possible so we can deliver the best service to you at the best price.

5.1.10 Preventing unauthorised access and modifications to systems:

- (a) The reason for the processing is to prevent and detect criminal activity that could be damaging to you or us and to comply with our legal and regulatory obligations.

5.1.11 Client/customer communication:

- (a) The reason for the processing is to perform our contract with you or to take steps at your request before entering into a contract, to comply with our legal and regulatory obligations, to make sure that we can keep in touch with our clients and customers about existing orders and new products and to update our records.

5.1.12 Statutory returns:

- (a) The reason for the processing is to comply with our legal and regulatory obligations.

5.1.13 Ensuring safe working practices, staff administration and assessments:

- (a) The reason for the processing is to comply with our legal and regulatory obligations and to ensure we are following our own internal procedures and working efficiently to deliver the best service to you.

5.1.14 Marketing our services and those of selected third parties to existing and former customers; third parties who have previously expressed an interest in our services; and third parties with whom we have had no previous dealings:

- (a) The reason for the processing is to promote our business to existing and future clients.

5.1.15 External audits and quality checks:

- (a) To comply with our legal and regulatory obligations.

5.1.16 Conducting surveillance over electronic/telephonic communication; recording CCTV footage:



- (a) The reason for the processing is to assure service quality, for training, and to detect and prevent potentially unlawful conduct.

5.1.17 To enforce or defend rights:

- (a) The reason for the processing is to ensure our rights and the rights of those under our scope of responsibility are protected, to liaise with regulatory authorities, and to ensure we meet our reporting obligations and commitment to government agencies that have jurisdiction.

6 **Special Category Data**

6.1 Where we Process your Special Category Data, we will also ensure we are permitted to do so under the Data Protection Laws for the following reasons:

- 6.1.1 to protect your (or someone else's) vital interests where you are physically or legally incapable of giving consent;
- 6.1.2 to comply with another law;
- 6.1.3 to prevent unlawful acts, including money laundering or other financial misconduct, and the financing of terrorism;
- 6.1.4 to establish, exercise or defend legal claims; or
- 6.1.5 where we have your explicit consent.

7 **Sharing data**

7.1 We will share your Personal Data with companies within the RFS Group and third parties we use to help deliver our services to you.

7.2 As required, we also share your Personal Data with:

- 7.2.1 other third parties we use to help us run our business, e.g. marketing agencies or website hosts;
- 7.2.2 organisations with whom we co-host marketing events;
- 7.2.3 professional advisors, including lawyers, regulatory specialists, and tax advisers;
- 7.2.4 IT service providers;



- 7.2.5 our insurers and banks;
 - 7.2.6 intermediaries;
 - 7.2.7 third parties you approve, e.g. social media sites you choose to link your account to or third-party payment providers;
 - 7.2.8 government agencies to whom we have a disclosure obligation; and
 - 7.2.9 competent courts and tribunals who issue an order with which we are obliged to comply.
- 7.3 We only allow our service providers to handle your Personal Data if we are satisfied they take appropriate measures to protect it. We also impose contractual obligations on service providers to ensure they can only use your Personal Data to provide services to us and to you.
- 7.4 On occasion, we may also need to:
- 7.4.1 share Personal Data with external auditors;
 - 7.4.2 disclose and exchange information with law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations; and
 - 7.4.3 share some Personal Data with other parties, such as potential buyers of some or all of our business or during a restructuring. Information will be anonymised, but this may not always be possible. However, the recipient of the information will be bound by confidentiality obligations.

8 **Data Retention**

- 8.1 We will keep your Personal Data while you have a relationship with us or we provide services. We will then keep your Personal Data for as long as necessary:
- 8.1.1 to respond to any questions, complaints or claims made by you or on your behalf;
 - 8.1.2 to show that we treated you fairly;
 - 8.1.3 to keep records required by law.
- 8.2 Different retention periods may apply for different types of Personal Data. We reserve the right to keep all Personal Data for as long as the longest period required in relation to any particular



item of your Personal Data, in order that we may manage your Personal Data efficiently. Once the relevant period has ended we will delete or anonymise the data.

9 **Data Erasure**

9.1 By signing the Engagement Letter you agree that in the event that you cease to be a client of RFS, all personal data held by RFS at our offices and those of our group companies, third party agencies, service providers (including CRM systems and servers), representatives and agents may be deleted with no additional or separate notification to you.

10 **Data sent abroad**

10.1 Personal data may be held at our offices and those of our group companies, third-party agencies, service providers (including CRM systems and servers), representatives and agents.

10.2 To deliver services to you, it is sometimes necessary for us to transfer your Personal Data to another jurisdiction, eg in order to share it:

10.2.1 with our offices or other companies within our Group;

10.2.2 with your and our service providers located abroad;

10.2.3 if you are based in another jurisdiction from where we are;

10.2.4 where there is an international dimension to the services we provide.

10.3 We may transfer data to other jurisdictions on a routine basis or on an ad-hoc basis, as and when particular needs arise. We shall transfer data lawfully and in accordance with applicable requirements.

10.4 Safeguards will include using what are known as 'standard contractual clauses', which are approved contractual clauses to protect Personal Data. You may approach [our DPO/name/role] for more information.

11 **Contacting you**

11.1 The utilisation of your Personal Data for marketing purposes involves sending you updates about our services, such as exclusive offers, promotions, or new services, via email, text message, telephone, or post.

11.2 In situations where we have a legitimate interest in utilising your Personal Data for marketing purposes, your consent is not typically required. However, if consent is necessary, it will be explicitly and separately requested.



- 11.3 You can opt out of receiving marketing communications at any time. This can be accomplished by contacting us at enquiries@rfs-international.com.
- 11.4 If you request additional services in the future or there are changes in the law, regulation, or our business structure, we may request your confirmation or update of your marketing preferences.
- 11.5 We will always treat your Personal Data with respect and refrain from selling or sharing it with other organisations outside of RFS's group for marketing purposes.

12 **Rights**

- 12.1 You may have the following rights in relation to your data, which you can exercise free of charge:
 - 12.1.1 Access - The right to be provided with a copy of your Personal Data
 - 12.1.2 Rectification - The right to require us to correct any mistakes in your Personal Data
 - 12.1.3 Erasure (also known as the right to be forgotten) - The right to require us to delete your Personal Data in certain situations.
 - 12.1.4 Restriction of processing - The right to require us to restrict processing of your Personal Data in certain circumstances.
 - 12.1.5 The right to object:
 - (a) at any time to your Personal Data being processed for direct marketing (including profiling); and
 - (b) in certain other situations to our continued processing of your Personal Data, e.g. processing carried out for the purpose of our legitimate interests
 - 12.1.6 Not to be subject to automated individual decision making - The right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or similarly significantly affects you.
- 12.2 In most cases, we will have a maximum of four weeks to respond to your request. However, it is important to note that in certain situations this timeframe can be extended by an additional eight weeks. The specificity and focus of your request will directly impact the speed at which we can assist you.



12.3 Where we hold or Process Personal Data in connection with the management of a trust or otherwise provide services to or in connection with a trust there may be situations in which the rights described above do not apply, where the Personal Data in question are exempt from applicable statutory transparency and subject rights provisions.

13 **Safety of Data**

13.1 The organisation has implemented appropriate security measures, both organisational and technical, to prevent any accidental loss, unlawful use, or unauthorised access to Personal Data. Access to Personal Data is strictly limited to individuals with a genuine business need, and they must process the information in an authorised manner and maintain confidentiality. Furthermore, the organisation has established procedures to address any suspected data security breaches.

13.2 In case of a suspected data protection breach, where legally required, you and the relevant supervisory authority will be promptly notified.



SCHEDULE

1 Definitions

- 1.1 **Data Protection Laws** means the EU Data Law, the Jersey Data Law, the Data Protection Authority (Jersey) Law 2018 and/or any other relevant and applicable equivalent legislation, including the Data Protection Authority (Jersey) Law 2018, as amended from time to time.
- 1.2 **Data Subject** means the person who is the subject of the Personal Data in question.
- 1.3 **DPO** means the Data Protection Officer.
- 1.4 **EU Data Law** means the General Data Protection Regulation 2016/679.
- 1.5 **Jersey Data Law** means the Data Protection (Jersey) Law 2018.
- 1.6 **Personal Data** under the Data Protection Laws means any information that identifies or could identify you and which is about you.
- 1.7 **Processing** means operations performed on Personal Data, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
- 1.8 **RFS or the RFS Group** means the RFS group of companies as set out in our Terms. When we mention 'we', 'us' or 'our' in this privacy notice, we are referring to the RFS corporate entity controlling your Personal Data.
- 1.9 **Special Category Data** means Personal Data revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs, trade union membership, genetic and biometric data (when processed to identify an individual uniquely), data concerning health, sex, life or sexual orientation, and in Jersey, criminal records or alleged criminal conduct.