
Privacy Notice - for clients and others

Effective 25 May 2018

Introduction

Bedell Cristin respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

Please also use the [Glossary](#) to understand the meaning of some of the terms used in this Notice.

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1. Important information and who we are

Purpose of this notice

This privacy notice aims to give you information on how Bedell Cristin collects and processes your personal data.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

Controller

Bedell Cristin is an organisation of separate legal practices and entities comprising partnerships and companies, each established to provide legal services under the Bedell Cristin name from the various locations in which it is based. References to Bedell Cristin should be taken to mean, where relevant, the various Bedell Cristin branded partnerships and group companies, details of which can be found [here](#).

This means that when we mention "Bedell Cristin", "we", "us" or "our" in this privacy notice, we are referring to the relevant Bedell Cristin branded partnership or group company responsible for processing your data. If you use our services, it will be clear from our engagement letter which entity will be the controller for your data.

Contact us

We have appointed a data protection coordinator who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact our data protection coordinator at dataprotection@bedellcristin.com.

You have the right to make a complaint in relation to data protection issues at any time to the UK's Information Commissioner's Office, the Jersey Data Protection Authority or the Guernsey Data Protection Authority. We would, however, appreciate the chance to deal with your concerns before you approach one of these supervisory authorities so please [contact us](#) in the first instance.

Changes to the privacy notice and your duty to inform us of changes

This privacy notice is effective from 25 May 2018. We will post any material changes that we may make to this privacy notice in the future on our website and, where appropriate, we will notify you of the change by email.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

2. The data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We will collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- **Identifying information** (i.e. information used to identify a specific individual, such as name, date of birth, place of birth, nationality, passport number and place of issue, principal residential address)
- **Contact information** (e.g. your postal address, telephone number, email address.)
- **Family information** (e.g. family structure, siblings, offspring, marriages, divorces, relationships)
- **Financial information** (e.g. source of wealth, personal assets, bank account numbers, spending and income details)
- **Professional information** (e.g. job titles, employment history)

In certain circumstances, we will also collect, use, store and transfer **Special Categories of data** about you, including:

- information concerning your racial or ethnic origin (e.g. in relation to a discrimination claim);
- data concerning your health (e.g. in relation to a personal injury claim);
- data concerning your sex life or sexual orientation (e.g. in relation to a discrimination claim or divorce proceedings); and
- data relating to criminal records or alleged criminal activity (e.g. in relation to criminal proceedings or as part of our client due diligence).

If you fail to provide personal data

Where we need to collect personal data due to the requirements of applicable law or professional standards and you fail to provide that data when requested, we may have to decline a request for services or, if we are already acting, stop providing you with our services. We will notify you if this is the case at the time.

3. How is your personal data collected?

We use different methods to collect data from and about you, including through:

- **Direct interactions.** You may give us your personal information by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - apply for our services;
 - respond to our requests for due diligence materials;
 - answer questions or give us instructions related to our services;
 - subscribe to our industry updates or publications; or
 - request marketing to be sent to you.
- **Third parties or publicly available sources.** We may collect personal data about you from various third parties and public sources as set out below:
 - publicly available sources such as organisations' websites, companies registries, regulatory bodies and published materials;
 - searches of electronic databases researched and maintained by professional service providers to help identify and manage financial, regulatory and reputational risk, such as World-Check;
 - information from other service providers and advisers including trust companies, fund administrators, accountants, tax advisers and lawyers;
 - information from a company or other legal entity of which you are an owner or controller; and
 - information from your colleagues, fellow officers and/or any organisation to which you belong.

4. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the **contract** we are about to enter into or have entered into with you.
- Where it is necessary for our **legitimate interests** (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a **legal or regulatory obligation**.
- Where it is necessary for the purposes of **legal proceedings**.

Click [here](#) to find out more about the types of lawful basis that we will rely on to process your personal data.

Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by using the 'unsubscribe' or 'preferences' option in the email or text message or by contacting us [here](#).

Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are, where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please [contact us](#) if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Area	Type of data	Lawful basis for processing including basis of legitimate interest
To take you on as a new client, including our anti-money laundering checks	(a) Identifying (b) Contact (c) Financial (d) Transaction (e) Special category data (e.g. political opinions or criminal	(i) Necessary to comply with a legal obligation (ii) Performance of a contract with you

	records)	
To provide you with our services	(a) Identifying (b) Contact (c) Financial (d) Transaction (e) Special category data (e.g. political opinions or criminal records)	(i) Legitimate interest (ii) Legal proceedings
To be remunerated for our services (e.g. issuing invoices, arranging for payment, collecting debts)	(a) Identity (b) Contact (c) Financial (d) Transaction	(i) Legitimate interest (ii) Performance of a contract with you
To manage our relationship with you which will include notifying you about changes to our terms or this privacy notice	(a) Identifying (b) Contact	(i) Legitimate interest (ii) Performance of a contract with you (ii) Necessary to comply with a legal obligation

Marketing from us

You will receive marketing communications from us if you have requested information from us or used our services or if you provided us with your details (e.g. a business card) in a marketing context and, in each case, you have not opted out of receiving that marketing.

You can ask us to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by [contacting us](#) at any time.

Where you opt-out of receiving these marketing messages, this will not apply to personal data provided to us for other purposes

Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please [contact us](#).

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5. Disclosures of your personal data

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- [Internal Third Parties](#) as set out in the [Glossary](#).
- [External Third Parties](#) as set out in the [Glossary](#).
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. International transfers

We will share your personal data with [Internal Third Parties](#). This will involve transferring your data outside Jersey, Guernsey and the European Economic Area (EEA).

Furthermore, many of our [External Third Parties](#) are based outside Jersey and the EEA so their processing of your personal data will involve a transfer of data outside Jersey, Guernsey and the EEA.

Whenever we transfer your personal data out of Jersey, Guernsey or the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see [European Commission: Adequacy of the protection of personal data in non-EU countries](#).
- We may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see [European Commission: Model contracts for the transfer of personal data to third countries](#).
- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between Europe and the US. For further details, see [European Commission: EU-US Privacy Shield](#).

If none of these safeguards are available in respect of a proposed transfer of your personal data out of Jersey, Guernsey or the EEA, we will explain the possible risks to you of the proposed transfer, following which, if you provide your explicit consent, we may proceed with the transfer.

Please [contact us](#) if you want further information on the specific mechanism used by us when transferring your personal data outside Jersey, Guernsey and the EEA.

7. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

8. Data retention

How long will you use my personal data for?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Professional conduct rules in Jersey require that Bedell Cristin Jersey and Bedell Cristin London retain all files or records of any material matter for at least 11 years from the last material entry on the file or record.

In some circumstances you can ask us to delete your data: see [Request erasure](#) below for further information.

9. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please read the sections below to find out more about these rights:

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- [Request access to your personal data](#)
 - [Request correction of your personal data](#)
 - [Request erasure of your personal data](#)
 - [Object to processing of your personal data](#)
 - [Request restriction of processing your personal data](#)
 - [Request transfer of your personal data](#)
 - [Right to withdraw consent](#)

If you wish to exercise any of the rights set out above, please [contact us](#).

No fee usually required

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 is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within four weeks. Occasionally it may take us longer than 4 weeks if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

10. Glossary

External third parties

- Service providers who provide anti-money laundering screening services, client-facing application software, archiving and destruction services, business management software, telecommunications services, information technology services and marketing assistance to Bedell Cristin.
- Professional service providers including lawyers, bankers, auditors and insurers who provide legal, banking, accounting and insurance services to Bedell Cristin or our clients.
- Regulatory and tax authorities, the judiciary.

Internal third parties

Other Bedell Cristin branded partnerships and group companies, based in the British Virgin Islands, Guernsey, Jersey, Singapore and the United Kingdom.

Lawful basis

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

Consent means a freely given, specific, informed and unambiguous indication of your wishes by which you, by a statement or by a clear affirmative action, signify agreement to the processing of your personal data.

Legal proceedings means processing your personal data where the processing is necessary for the purpose of, or in connection with, any legal proceedings or is necessary for the purpose of obtaining legal advice or is otherwise necessary for the purposes of establishing, exercising or defending legal rights.

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your

consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Special category data

- data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership;
- genetic or biometric data that is processed for the purpose of uniquely identifying a natural person;
- data concerning health;
- data concerning a natural person’s sex life or sexual orientation; or
- data relating to a natural person’s criminal record or alleged criminal activity.

Your legal rights

You have the right to:

- **Request access** to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data’s accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.