



MAPLES
GROUP

Maples Group Privacy Notice - Fiduciary Services (EU+JE+UK)

Version 1.1 (October 2018)



MAPLES GROUP

1 What does this Privacy Notice do and does it apply to me?

- 1.1 Most countries have data protection laws that protect the privacy of individuals by regulating the way in which businesses handle personal information. Among other things, data protection laws require businesses that handle personal information to be open and transparent about why and how they handle personal information.
- 1.2 The purpose of this Privacy Notice is to inform you why and how the Maples Group ("**Maples**", "**we**", or "**us**") handles personal information about you in connection with the services provided in Europe through our fiduciary services division.
- 1.3 This Privacy Notice will apply to you only if you are at least one of the following types of persons:
 - (a) **Private Clients.** Individuals who directly receive services from us in connection with their own personal affairs.
 - (b) **Client Business Contacts.** Individuals who are employed or otherwise engaged by legal entities which receive services from us ("**Corporate Clients**") and interact with us in the course of our business.
 - (c) **Business Owners.** Individuals who are in control of our Corporate Clients and their affiliates / subsidiaries by virtue of being the beneficial owners (regardless of the form of ownership), as well as individuals who exercise control over our Corporate Clients and their affiliates / subsidiaries through executive powers vested in them (regardless of whether or not they hold any ownership interest in our Corporate Clients or their affiliates / subsidiaries).
 - (d) **Service Beneficiaries.** Individuals who directly or indirectly benefit from the services we provide to our Private Clients or Corporate Clients, for example partners, spouses, and dependants of our Private Clients, officers / directors of our Corporates Clients that receive corporate secretarial services from us, individuals who hold shares in our Corporate Clients, and individuals who invest in investment funds which are established by our Corporate Clients and supported by us.
 - (e) **Other Relevant Individuals.** Individuals who do not belong to any of the foregoing categories but interact with us in connection with (or are otherwise affected by) the

services we provide or the business we conduct. Depending on the circumstances, such individuals can include, without limitation, the following:

- (i) individuals who work for other entities that interact with us in connection with the services we provide to our Private Clients or Corporate Clients;
- (ii) individuals who work for entities that provide goods and services to us; and
- (iii) individuals who have no business relationship with us but register on our website to receive emails updates and alerts from us.

1.4 Nothing in this Privacy Notice creates any new relationship between you and us, or alters any existing relationship between you and us. Nothing in this Privacy Notice affects any right you have under any applicable law, including Regulation (EU) 2016/679 (the General Data Protection Regulation, or "**GDPR**") and any other data protection law that applies to you.

2 Who is responsible for the proper handling of my personal information?

2.1 The particular entity within the Maples Group which is legally responsible for the proper handling of your personal information by our fiduciary services division (known as 'data controller' for the purposes of data protection law) are as follows:

- (a) Where we handle your personal information primarily in connection with the services provided by our Dublin office, the responsible entity is:
 - (i) MFD Secretaries Limited, 32 Molesworth Street, Dublin 2, D02 Y512, Ireland (where we handle your personal information in connection with company formation / registration service, registered office service, and other like corporate secretarial service we provide in Ireland)
 - (ii) MaplesFS Trustees Ireland Limited, 32 Molesworth Street, Dublin 2, D02 Y512, Ireland (where we handle your personal information in connection with trustee and nominee services we provide in Ireland using a trust structure that involves this entity)
 - (iii) Maples Fiduciary Services (Ireland) Limited, 32 Molesworth Street, Dublin 2, D02 Y512, Ireland (where we handle your personal information in connection with the provision of fiduciary, corporate administration, accounting, tax compliance and other ancillary services provided by our fiduciary services division in Ireland)
- (b) Where we handle your personal information primarily in connection with the services provided by our Jersey office, the responsible entity is:

Maples Fiduciary Services (Jersey) Limited, 2nd Floor The Le Gallais Building, 54 Bath Street, St. Helier, Jersey JE1 1FW, Channel Islands
- (c) Where we handle your personal information primarily in connection with the services provided by our London office, the responsible entity is:

- (i) Maples Fiduciary Services (UK) Limited, 200 Aldersgate Street, London EC1A 4HD, United Kingdom (in connection with all services provided by our fiduciary services division in the UK); and
 - (ii) MaplesFS UK Group Services Limited, 200 Aldersgate Street, London EC1A 4HD, United Kingdom (where we handle your personal information in connection with trustee and nominee services we provide in the UK using a trust structure that involves this entity)
- (d) Where we handle your personal information primarily in connection with the services provided by our Luxembourg office, the responsible entity is:
- MaplesFS (Luxembourg) S.A., 6D route de Trèves, Senningerberg, L-2633 Luxembourg
- (e) Where we handle your personal information primarily in connection with the services provided by our Amsterdam office, the responsible entity is:
- Maples Fiduciary Services (Netherlands) B.V., Tower A, Level 12, Strawinskylaan 1209, 1077 XX Amsterdam, Netherlands

3 What sort of personal information about me does Maples collect?

- 3.1 The types of personal information which we collect will vary significantly depending on numerous factors, including your personal circumstances, the nature of your relationship with us, and the nature of the services we are asked to perform.
- 3.2 The personal information we obtain can be grouped into the following categories:
- (a) **Contact Details.** Your contact details such as title, name, postal address, email address, and phone number.
 - (b) **KYC Records.** Information about you which we (or the Corporate Clients who receive our services) are obliged to check for legal or regulatory reasons, such as your date of birth, country of residence, nationality, any ownership interest in any entity or asset you hold, and other like information concerning your identity and background (which may include, where applicable, sensitive information such as any criminal record you have and any sanction or embargo enacted against you).
 - (c) **Service Records.** Information about you which we obtain in order to provide services to our Private Clients and Corporate Clients. Depending on the circumstances and the nature of your relationship with us, such information may include, without limitation, your assets and liabilities, any directorship / partnership you hold, action we take towards you based on instruction we receive from our Corporate Clients, and information about your personal circumstances.
 - (d) **Other Records.** Other information about you which we may obtain as part of our day-to-day business operations, including but not limited to, your attendance at conferences, seminars, and other events hosted or sponsored by Maples, and your preference with respect to marketing communication sent by Maples.

3.3 We will collect your personal information only where we are legally permitted to do so, and only to the extent it is appropriate and necessary for one or more of the purposes described in Section 4.

4 **Why does Maples collect my personal information and what are the legal justifications?**

4.1 We handle your personal information for one or more of the following purposes:

- (a) **Service Delivery.** To facilitate the provision of our fiduciary and related services. Further information about the relevant services we provide is available online at <https://www.maples.com/services/fiduciary-services>
- (b) **Service Development.** To improve our services and devise new services.
- (c) **Service Marketing.** To promote the services we offer and related services offered by the wider Maples Group.
- (d) **Client Relationship Management.** To manage, maintain, and develop our relationship with our clients.
- (e) **Business Administration.** To facilitate the effective management and administration of our business, including in relation to matters such as business planning, budgeting, and forecasting, as well as enforcement of our terms and conditions of service and collection of our fees.
- (f) **Legal and Regulatory Compliance.** To ensure that we (and our Corporate Clients) comply with all relevant legal and regulatory requirements, including, without limitation, legal requirements relating to money laundering, bribery and corruption, tax evasion, sanctions / embargoes, and export control.

Important Note: If you are a Private Client or a Business Owner, we will use your personal information to conduct various checks to ensure that we comply with all applicable legal and regulatory requirements, before we formally accept you (or your business) as a client and from time to time after you (or your business) is accepted as our client. For example we might check if you are included in official list published by the authorities which lists persons with whom we are by law not allowed to do business, or we might check if you are a politically exposed person in respect of whom we are required to undertake enhanced due diligence. If you are a Service Beneficiary, we may use your personal information to conduct such checks at the relevant junctures (e.g. when you are appointed as a director of a legal entity we manage on our Corporate Client's behalf) where we are asked to do so by the relevant Corporate Client.

4.2 In handling personal information for the aforementioned purposes, we rely on the following legal justifications:

- (a) **Contractual Necessity.** This justification comes from Article 6(1)(b) of GDPR and we rely on it where we handle your personal information in order to discharge the contractual obligations we owe to you. This is typically the case where you are a Private Client and we handle your personal information for the purpose of Service Delivery.

- (b) **Legitimate Business Interest.** This justification comes from Article 6(1)(f) of GDPR and we rely on it where we need to handle your personal information in order to meet our own requirement to operate, manage, and develop our business (provided that we can strike the right balance between our interests and your interests; you can learn more about how we do this by contacting us – see Section 15). This is typically the case where we handle your personal information for the purposes of Service Delivery with respect to services we provide to our Corporate Clients, and also for the purposes of Service Development, Service Marketing, Client Relationship Management, and Business Administration.

Important Note: Where we rely on Legitimate Business Interest to handle your personal information and you feel that what we are doing with your personal information is unwarranted in light of your personal circumstances, you have the legal right to object. Please see Section 14 for further information.

- (c) **Legal and Regulatory Requirement.** This justification comes from Article 6(1)(c) of GDPR and we rely on it where we handle your personal information for the purpose of Legal and Regulatory Compliance.

4.3 The following table indicates, in general terms, how the different types of personal information (see paragraph 3.1) relating to different categories of individuals (see paragraph 1.3) typically correlate to the different purposes for which we handle personal information (see paragraph 4.1).

| Category of individuals whose personal information is handled by us. | Types of personal information handled. | Purposes for which we handle personal information. | | | | | |
|--|--|--|---------------------|-------------------|--------------------------------|-------------------------|-------------------------------|
| | | Service Delivery | Service Development | Service Marketing | Client Relationship Management | Business Administration | Legal & Regulatory Compliance |
| Private Clients | Contact Details | x | x | x | x | x | x |
| | KYC Records | | | | | | x |
| | Service Records | x | x | | x | x | x |
| | Other Records | | | x | x | x | |
| Client Business Contacts | Contact Details | x | x | x | x | x | |
| | KYC Records | | | | | | |
| | Service Records | x | x | | x | x | |
| | Other Records | | | x | x | x | |
| Business Owners | Contact Details | x | x | x | x | x | x |
| | KYC Records | | | | | | x |
| | Service Records | | | | | x | |
| | Other Records | | | | | | |
| Service Beneficiaries | Contact Details | x | | | | | x |
| | KYC Records | | | | | | x |
| | Service Records | x | x | | | | x |
| | Other Records | | | | | | |
| Other Relevant Individuals | Contact Details | x | | x | | x | x |
| | KYC Records | | | | | | x |
| | Service Records | x | | | | x | |
| | Other Records | | | | | x | |

5 How does Maples obtain my personal information?

- 5.1 We endeavour to collect your personal information directly from you wherever possible. However, the nature of the services we perform and the context in which we handle your personal information can often result in us collecting your personal information indirectly from third party sources.
- 5.2 Additionally, there may be circumstances where we are required to seek your personal information from independent sources (for example where we need to use your personal information to comply with legal requirement to validate your identity and background).
- 5.3 Sources from which we may obtain your personal information can be described as follows:
- (a) Those who have referred you to us, such as your business contact, or another entity or undertaking in the wider Maples Group.
 - (b) Your spouse, partner, or parent who is our Private Client.

- (c) Your lawyer, accountant, tax advisor, wealth manager, and other such advisors who provide your personal information to us on your behalf.
- (d) Publicly accessible websites, registers, and databases, including official registers of companies and businesses, database of journals and news articles, and social media such as LinkedIn.
- (e) Providers of background check and business risk screening services, such as credit reference agencies, operators of fraud and financial crime databases, and operators of sanctions / embargoes databases (in some cases they can include authorities such as government departments and the police).
- (f) The relevant Corporate Client to whom we provide the service and who entrusts us with your personal information. Depending on the context, this could be, for example, the business which is owned or controlled by you, the business for which you work, or the investment fund / entity which is supported by us.

6 Do I have to allow Maples to collect my personal information?

- 6.1 Where we handle your personal information by relying on the legal justification of Contractual Necessity or Legal and Regulatory Requirement, the provision of your personal information will in most cases be mandatory.
- 6.2 In such cases, if you refuse to provide your personal information when requested by us, your refusal can adversely affect our ability to provide our services and in an extreme case, we may have to decline to provide our services (especially if you are a Private Client, a Business Owner, or a Service Beneficiary, and you refuse to supply us with the KYC Records we have requested).
- 6.3 In all other cases, it is not mandatory for you to provide any personal information which we ask you to provide or for you to agree to us handling your personal information in any particular way.

7 Does Maples use my personal information for marketing purposes?

- 7.1 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 wider Maples Group. However, we will do so only if you are:
 - (a) someone who has done business with us or the wider Maples Group as a Private Client, a Client Business Contact, or by being involved in transactions which also involved us or another entity or undertaking in the wider Maples Group;
 - (b) someone who has indicated an interest in the services we offer or the related services offered by the wider Maples Group, for example by registering on our website to receive email updates and alerts from us, or exchanging business cards with us at a conference, event, or a business meeting; or
 - (c) someone who has never done any business with us but whom we have identified (based on business-related information such as your position and title, the company you work for, etc.) as potentially having an interest in the business-related service offered by us and the wider Maples Group.

- 7.2 Where we contact you for such purpose, we will typically contact you by email or postal mail (including via third party marketing service providers acting on our behalf) but where the situation warrants, we may contact you by telephone. We will always observe the applicable direct marketing rules when contacting you and we will always respect your marketing preferences.
- 7.3 If you wish to stop receiving promotional emails and updates from us, you can make use of the 'unsubscribe', 'opt out', or 'update your marketing preference' link we include within our promotional emails and updates. If for whatever reason such links are not functioning or missing, or if you feel that we have otherwise failed to respect your marketing preference, please alert your contact person within Maples, or alternatively, contact us using the details provided in paragraph 15.2.

8 Does Maples share my personal information with others?

- 8.1 We will share your information with others only if and to the extent it is appropriate and necessary to do so for one or more of the purposes outlined in Section 4. Whenever we share your personal information, whether internally or externally, we will ensure that such sharing is kept to the minimum necessary.
- 8.2 The extent to which we share your personal information will vary depending on your circumstances and relationship with us, but your personal information will be shared with one or more of the following categories of recipients:
- (a) Our Corporate Clients (if you are a Client Business Contact this could be your employer, and if you are a Service Beneficiary this could, for example, be the company which you serve in your capacity as a director, or the investment funds in which you have invested and which are supported by us).
 - (b) Companies, trusts, and partnerships that belong to the Maples Group, including those who perform any of the support roles described in paragraph (c) and / or (d), as well as those who provide ancillary services as described in paragraph (e).
 - (c) Those who support our business operation, for example data centre operators, IT service providers, administrative support service providers, insurers, accountants, consultants, auditors, etc.
 - (d) Providers of background check and business risk screening services, such as credit reference agencies, operators of fraud and financial crime databases, and operators of sanctions / embargoes databases. Generally speaking, your personal information will be shared with recipients who fall into this category only if you are a Private Client, a Business Owner, or a Service Beneficiary (where we are required to do so as part of the services we provide to our Corporate Clients).
 - (e) Third parties with whom we must by necessity interact in order to provide or facilitate the provision of our services. Depending on the context, such third parties can include those who provide services or facilities which complement the services we provide (e.g. exchanges, venues, distributors, brokers, fund managers, platform operators, legal advisors, etc.) as well as third parties who participate in or contribute to transactions and arrangements in which our clients become involved (e.g. counterparties in corporate finance transactions involving our clients, and their advisors)

- (f) Government departments and agencies, police, regulators, courts, tribunals, and other like authorities with whom we are legally obliged to share your personal information, or with whom we decide to cooperate voluntarily (but only to the extent we are legally permitted to do so).

Important Note: 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 to or requested by the authorities (e.g. when doing so is illegal or might prejudice an on-going investigation).

9 Does Maples transfer my personal information outside Europe?

- 9.1 Due to the international nature of the Maples Group's business operation and the markets in which the we operate, your personal information may be transferred outside Europe to any of the different categories of recipients described in Section 8, who could be located anywhere in the world, including, without limitation, the Cayman Islands, Dubai, the USA, Canada, Hong Kong, and Singapore.
- 9.2 These overseas destinations, in particular those outside Europe, may not have laws that protect your personal information in the same way data protection laws of Europe do. This does not mean that your personal information is inevitably put at risk but it can mean that there is less formal legal protection for your personal information.
- 9.3 Where we share your personal information with recipients who are located outside Europe, we will, wherever possible, take all appropriate steps that are within our control to ensure that adequate legal safeguards are in place for your personal information which are shared with such recipients (for example, by obtaining contractual assurances from the recipients). Additionally, if we agree to restrict the cross-border transfer of your personal information in any particular way with the relevant Private Client or Corporate Client, we will comply with such restriction.
- 9.4 Where we are unable to put in place such adequate safeguards, we may (in the absence of any agreement to the contrary with the relevant Private Client or Corporate Client) nevertheless share your personal information with such recipients (especially where we would otherwise be prevented from providing our services to the relevant Private Client or Corporate Client) but we will do so only to the extent the applicable legal exemptions permit, and we will ensure that any of your personal information we share with such recipients is kept to the minimum necessary.

10 Will my personal information be kept secure by Maples?

- 10.1 We take information security very seriously and we use a broad range of tools and techniques to prevent and detect incidents that might adversely affect information we hold, such as unauthorised access or disclosure, and accidental change or loss, whether they are caused by external factors or internal factors.
- 10.2 The tools and techniques we use include technical measures such as firewalls, backup and disaster recovery systems, antimalware, and encryption, as well as other measures such as vetting of suppliers who are entrusted with our information, awareness training for our workforce, and the continuous evaluation and enhancement of our information security controls. We also conduct a broad range of monitoring over our IT and communication systems.

11 What would Maples do if a data breach happens?

- 11.1 In the unlikely and unfortunate event your personal information under our control becomes compromised due to a breach of our security, we will act promptly to identify the cause and take the necessary steps to contain and mitigate the consequences of the breach. Where appropriate, we will also notify you of the breach in accordance with GDPR and any other applicable law which requires us to notify you of the breach.

12 How long will Maples retain my personal information?

- 12.1 The personal information about you which we collect will typically be retained at least for as long as your personal information continues to be relevant to the services we provide. For example, where we obtain your personal information in connection with the provision of corporate secretarial services we provide because you are a director of our Corporate Client, we will retain your personal information at least for as long as you remain a member of the board of directors of that Corporate Client.
- 12.2 Once your personal information ceases to be relevant to the services we provide (in the context of corporate administration and / or secretarial support we provide, this could happen, for example, when the Corporate Client decides to liquidate a particular legal entity we manage), we will retain your personal information as part of our business records for the duration of the applicable retention period which will be determined by reference to any legal or regulatory record keeping requirement that applies to us.
- 12.3 For example, if your personal information forms part of minutes, board packs, and other like company secretarial records we retain on behalf of an investment fund which is subject to the requirements of the Alternative Investment Fund Managers Directive, we will typically be required to retain it for at least 5 years.
- 12.4 In the absence of any specific legal or regulatory record-keeping requirement which applies, we may retain your personal information for an appropriate period where we consider this to be necessary to protect ourselves from any legal claim or dispute that may arise in connection with the relevant services we have provided. Where we do so, the retention period applied to your personal information will reflect the relevant limitation periods.

13 Will this Privacy Notice change in the future?

- 13.1 This Privacy Notice was last revised on **1 October 2018**. We may revise this Privacy Notice from time to time to reflect changes in law or changes in how we run our business, but where such revision becomes necessary in the future, we will announce the changes on our website at <https://www.maples.com/privacy/> and bring them to your attention to the extent it is practicable to do so. For an explanation of historical changes made to this Privacy Notice, please refer to the change log set out in the last page of this Privacy Notice.

14 What rights do I have in respect of my personal information?

- 14.1 Under GDPR, you have certain legal rights in respect of your personal information handled by us. These include the following:
- (a) The right to ask us to confirm whether or not we handle any personal information about you.

- (b) The right to ask us to provide you with copies of your personal information we hold.
- (c) The right to ask us to provide you with soft copy of personal information you provided to us (or to forward them to any other person you specify).
- (d) The right to ask us to correct any inaccuracy or incompleteness in your personal information we hold.
- (e) The right to ask us to delete your personal information we hold.
- (f) The right to ask us to refrain from handling your personal information where you feel that the handling of your personal information by us is unwarranted, for example due to inaccuracies in your personal information or lack of proper legal justification.
- (g) The right to object to how we handle your personal information, for example by asking us not to use your personal information to profile you or to subject you to automated decision-making. You can also object to us using your personal information for direct marketing purposes.

Important Note: The rights you have in respect of your personal information are not absolute and are subject to a range of legal conditions and exemptions. If and to the extent a relevant legal condition or exemption applies, we reserve the right not to comply with your request. Additionally, while the rights you have can normally be exercised free of charge, the law allows us to charge you in certain limited circumstances. In such cases, we reserve the right to charge you a fee for processing your request.

15 Who can I contact about my personal information?

- 15.1 If you would like to exercise any of the rights you have in respect of your personal information, or if you have any question or concern regarding the way in which we handle your personal information, then please reach out to your usual contact person within Maples in the first instance.
- 15.2 If you have a complaint regarding the way in which we handle your personal information, please contact our local Compliance Officer in the first instance. You can do so by emailing your complaint to privacy@maples.com.
- 15.3 We will endeavour to respond satisfactorily to any request, query, or complaint you may have in respect of your personal information, but if you are dissatisfied with our response and wish to make a formal complaint, or if you simply wish to learn more about your rights, you can contact the data protection authority of the country in which you live or work (if you live or work in Europe) or alternatively, the data protection authority of the country where the relevant entity / undertaking of the Maples Group is located:

Ireland

Data Protection Commission
Canal House, Station Road, Portarlington, Co. Laois, R32 AP23, Ireland
<https://dataprotection.ie/>

Jersey

Office of the Information Commissioner
Brunel House, Old Street, St Helier, Jersey JE2 3RG
<https://oicjersey.org/>

Luxembourg

Commission Nationale pour la Protection des Données
1, avenue du Rock'n'Roll, L-4361 Esch-sur-Alzette, Luxembourg
<https://cnpd.public.lu/>

Netherlands

Autoriteit Persoonsgegevens
Postbus 93374, 2509 AJ Den Haag
<https://autoriteitpersoonsgegevens.nl/>

United Kingdom

The Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
<https://ico.org.uk/>

Change Log

| Version | Date | Remark |
|---------|------------|---|
| 1.0 | 2018-05-10 | Original version prepared as part of GDPR implementation. |
| 1.1 | 2018-10-01 | Added coversheet and reformatted. Added change log. Added details of new Jersey entity in 2.1. Revised 8.2(e) to clarify that this category of recipients encompasses third parties with whom we must by necessity interact to provide or facilitate the provision of services. Added details of Jersey regulator in 15.3. Reflected change in the name of the Irish regulator in 15.3. |