



Maples Entity Services Portal Privacy Notice

Version 1.1
July 2023

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

Many 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.

The purpose of this Privacy Notice is to provide you with an explanation as to why and how the Maples Group ("**Maples**", "**we**", or "**us**") handles personal information about you in operating 'eServices' and 'Phoenix', the web-based portals operated by the Maples Group, accessible through <https://www.mapleservices.com/> and <https://phoenix.maples.com/> respectively, which enable clients of the Maples Group to view and manage their entity information and corporate records (together the "**Portals**"). Further information regarding the Portals can be found at <https://maples.com/en/Services/Entity-Formation-and-Management-Services/>.

This Privacy Notice will apply only in respect of the operation of the Portals and it will apply to you only if you fall into either of the following types of persons:

- **Authorised Users.** Individuals who are authorised to access the Portals. You will fall into this category if: you work for a company which conducts business with Maples or a client of Maples and you are granted access to the Portals in connection with your work; or you are a private client and you are given access to the Portals as part of the services you receive from Maples.
- **Other Relevant Individuals.** Individuals whose personal information are made accessible through the Portals in connection with the business Maples conducts with its clients. Typically, these are individuals who are directors, officers, partners, trustees, shareholders, and other like persons who exercise control (through ownership or otherwise) over the entities that receive services from the Maples Group and have their corporate records uploaded to the Portals.

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 may have under any applicable law, including, without limitation, the Cayman Islands' Data Protection Act ("**CDPA**") and European Union's Regulation (EU) 2016/679 of 27 April 2016 ("**GDPR**").

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

The entity within the Maples Group which is legally responsible for the proper handling of your personal information which is collected, stored, shared, or otherwise processed through the Portals will vary depending on your circumstances.

If you are an Authorised User and you gain access to the Portals as part of the services you or your company receives from the Maples Group, the entity responsible for the proper handling of your personal information will be the Maples Group entity that has contracted with you or your company to provide the services.

If you are an Other Relevant Individual, the entity responsible for the proper handling of your personal information will be the Maples Group entity which has contracted to provide the services to the relevant company, partnership, or trust in respect of which your personal information is handled through the Portals.

For example:

- You work as a company secretary for a corporation which has several affiliates based in the Cayman Islands. These affiliates have contracted with Maples Corporate Services Limited to receive registered office services, and the Portals are included in the services. You are granted access to the Portals so you can access the corporate records of these affiliates. In this case, you are an Authorised User and the entity responsible for the proper handling of your personal information will be Maples Corporate Services Limited.

- You are a director of an Irish corporation which has contracted with Maples Fiduciary Services (Ireland) Limited to receive company secretarial services, and the Portals are included in the services. Your personal information forms part of the corporate records of this Irish corporation which is held on and can be accessed via the Portals. In this case, you are an Other Relevant Individual and the responsible entity will be Maples Fiduciary Services (Ireland) Limited.

If you are not sure which particular Maples Group entity is the responsible entity, please reach out to your usual Maples Group contact.

What sort of personal information about me does Maples collect?

The types of personal information which we collect in connection with the operation of the Portals will vary depending on a number of factors, including your personal circumstances, the nature of your relationship with us, and the context in which the Portals are used to handle your personal information.

As such, it is not possible to precisely describe the personal information we collect but the personal information we obtain through the Portals can be grouped into the following categories:

- **Contact Details.** Your contact details such as title, name, postal address, email address, and phone number.
- **Log-in Details.** Information you use to log into the Portals.
- **Access Log.** Information concerning your access to and use of the Portals.
- **Service Records.** Information about you which we obtain from our clients to provide incorporation services, registered office services, registered agent services, company secretarial services, and other similar services to our clients. Service Records often take the form of corporate records such as structure charts, registers of shareholders, registers of directors/officers/managers, minutes of board meetings, board resolutions, and so on.

Where we have control over the personal information we collect, 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 below.

Please note that most of the time, it is for our clients who use our services to decide whether or not your personal information will be included in Services Records and consequently, we don't fully control the extent to which your personal information is uploaded to the Portals.

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

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

- **Service Delivery.** To operate and maintain the Portals, and facilitate the services we provide to our clients using the Portals.
- **Service Development.** To improve the services we provide and devise new services, and in particular, to improve the security and usability of the Portals.
- **Client Relationship Management.** To manage, maintain, and develop our relationship with our clients who use the Portals.
- **Business Administration.** To facilitate the effective management and administration of our business, including in relation to matters such as analysis and forecast of demand for the Portals, enforcement of the terms of use that apply to the Portals, and monitoring the access to and detecting/preventing unauthorised access to the Portals.
- **Legal and Regulatory Compliance.** To ensure our compliance 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.

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

- **Contractual Necessity.** We need to handle your personal information in order to discharge the contractual obligations we owe to you. This will be the case only where you are a private client who has directly contracted with us to receive services from us, and we handle your

personal information for the purpose of Service Delivery. Where CDPA is applicable, this justification will correspond to paragraph 2, Schedule 2 of CDPA, and where GDPR is applicable, this justification will correspond to Article 6(1)(b) of GDPR.

- **Legitimate Business Interest.** We need to handle your personal information in order to meet our own requirement to operate, manage, and develop our business. 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/institutional clients, and also for the purposes of Service Development, Client Relationship Management, and Business Administration. Where CDPA is applicable, this justification will correspond to paragraph 6, Schedule 2 of CDPA, and where GDPR is applicable, this justification will correspond to Article 6(1)(f) of GDPR.
- **Legal and Regulatory Requirement.** We need to handle your personal information for the purpose of Legal and Regulatory Compliance. Where CDPA is applicable, this justification will correspond to paragraph 3, Schedule 2 of CDPA, and where GDPR is applicable, this justification will correspond to Article 6(1)(c) of GDPR.

How does Maples obtain my personal information?

If you are an Authorised User, we collect your personal information directly from you, or indirectly from the company you work for. If you are an Other Relevant Individual, we collect your personal information from our clients who use the Portals.

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

Where Maples collects your personal information because you are an Authorised User, the provision of your personal information is not mandatory but if you refuse to provide your personal information (especially your Contact Details and Log-in Details), we may be unable to grant you access to the Portals and this may in turn restrict or inhibit our ability to provide services.

Please note that if you are an Other Relevant Individual, in most cases neither you nor us will have any control over your personal information that gets uploaded to the Portals. This is because most of the time it is for our clients who use the Portals to decide whether or not your personal information will be included in corporate records which will be uploaded to the Portals.

Does Maples use my personal information for marketing purposes?

No. We will not use any of the personal information we obtain through the Portals for any marketing purpose.

Does Maples share my personal information with others?

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 above. Whenever we share your personal information, whether internally or externally, we will ensure that such sharing is kept to the minimum necessary.

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:

- Our clients who are authorised to access the Portals in connection with the services they receive from us (this could be your employer).
- Those who provide maintenance and support services that underpin the Portals, for example data centre operators, IT service providers, administrative support service providers, information security consultants, etc. Access to your personal information such parties have tends to be limited since they won't be granted access to Service Records held within the Portals save in exceptional circumstances.
- 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).

Where does Maples store my personal information?

The data uploaded to the Portals, including the personal information handled through the Portals, are hosted and backed up in data centres that are located in **Ireland** which are operated on behalf of Maples.

Due to the international nature of our business operations and that of our clients, your personal information held on the Portals may be transferred (or accessed from) outside Ireland by any of the different categories of recipients described above, who could be located anywhere in the world.

These overseas destinations may not have laws that protect your personal information in the same way the data protection law of Ireland or the country of your residence does. 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.

Where we share your personal information across international borders, we will, wherever possible, take all appropriate steps that are within our control to ensure that such cross-border sharing of your personal information is permissible under the applicable data protection law.

Please note that we do not exercise any control over the way in which our clients conduct their business and we will not be able to control how your personal information may be transferred or accessed across international borders by our clients who use the Portals.

Will my personal information be kept secure by Maples?

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.

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.

If you are an Authorised User, please note that your access to and use of the Portals is monitored as part of the technical measures we deploy to keep the Portals secure. If we detect any suspicious activity associated with your user account, we may revoke your access to the Portals and bring the matter to the attention of the relevant client of Maples (which could be your employer) without any notice to you.

What would Maples do if a data breach happens?

In the unlikely and unfortunate event your personal information stored on the Portals 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 CDPA, GDPR, or other applicable law which requires us to notify you of the breach.

Does Maples use cookies?

Yes, the Portals use cookies. However, only those cookies which are strictly necessary to operate the Portals (e.g. cookies which are used to keep Authorised Users logged into the Portals) are deployed on the Portals.

How long will Maples retain my personal information?

We will retain personal information of Authorised Users for at least as long as Authorised Users remain authorised to access the Portals. We will retain personal information of Other Relevant Individuals for at least as long as our clients require the relevant Services Records which contain such personal information to be made accessible via the Portals.

Thereafter, in the absence of any specific legal, contractual, or regulatory record-keeping requirement which applies, we may retain such 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 operation of the Portals or the provision of our services. Where we do so, the retention period applied to your personal information will reflect the relevant limitation periods.

Will this Privacy Notice change in the future?

This Privacy Notice was last revised on **3 July 2023**. We may revise this Privacy Notice from time to time to reflect changes in the law or how we operate the Portals. However, where such revision becomes necessary in the future, we will announce the changes on our website at <https://maples.com/privacy>. For an explanation of historical changes made to this Privacy Notice, please refer to the change log set out at the end of this Privacy Notice.

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

Many data protection laws (including CDPA and GDPR) grant to individuals various rights in respect of their own personal information. Depending on which country's data protection law applies to your personal information, you might have certain legal rights in respect of your personal information handled by us, which may include the following:

- The right to ask us to confirm whether or not we handle any personal information about you.
- The right to ask us to provide you with copies of your personal information we hold.
- 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).
- The right to ask us to correct any inaccuracy or incompleteness in your personal information we hold.
- The right to ask us to delete your personal information we hold.
- 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.
- 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 vary from country to country, plus they are not absolute and can be 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 of some countries allow us to charge a fee in certain limited circumstances. In such cases, we reserve the right to charge you a fee for processing your request.

Who can I contact about my personal information?

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 Maples Group contact in the first instance.

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.

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 relevant data protection authority or privacy regulator.

If the Maples Group entity responsible for the proper handling of your personal information which is processed through the Portals is **Maples Corporate Services Limited, or any other Maples Group entity based in the Cayman Islands**, the relevant authority is:

The Office of the Ombudsman
PO Box 2252, Grand Cayman KY1-1107, Cayman Islands
<http://ombudsman.ky/data-protection>

If the Maples Group entity responsible for the proper handling of your personal information which is processed through the Portals is **any Maples Group entity based outside the Cayman Islands**, the relevant authority will be: (i) the authority which is based in the country in which you live or work (if you live or work in Europe); or (ii) the authority which is based in the country where the relevant Maples Group entity is located, which are as follows:

- **Bermuda**

Privacy Commissioner
Maxwell Roberts Building, 1 Church Street, Hamilton HM11, Bermuda
<https://www.privacy.bm/>

- **British Virgin Islands**

As at the date of this Privacy Notice, the details of the Office of the Information Commissioner to be established under the BVI's Data Protection Act is yet to be confirmed.

- **Canada**

Commission d'accès à l'information du Québec
Bureau 900, 2045 rue Stanley, Montréal, Québec H3A 2V4, Canada
<http://www.cai.gouv.qc.ca/>

- **DIFC**

The Commissioner of Data Protection
DIFC Authority, The Gate, Level 14, DIFC, P.O. Box 74777, Dubai, UAE
<https://www.difc.ae/business/operating/data-protection/>

- **Hong Kong**

Office of the Privacy Commissioner for Personal Data
Unit 1303, 13/F, Dah Sing Financial Centre, 248 Queen's Road East, Wanchai, Hong Kong
<https://www.pcpd.org.hk/>

- **Ireland**

Data Protection Commission
21 Fitzwilliam Square South, Dublin 2, D02 RD28, Ireland
<https://dataprotection.ie/>

- **Jersey**

Office of the Information Commissioner
5 Castle Street, St. Helier, Jersey JE2 3BT
<https://oicjersey.org/>

- **Luxembourg**

Commission Nationale pour la Protection des Données
15 Boulevard du Jazz, L-4370 Belvaux, Luxembourg
<https://cnpd.public.lu/>

- **Netherlands**

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

- **Singapore**

Personal Data Protection Commission
10 Pasir Panjang Road, #03-01 Mapletree Business City, Singapore 117438
<https://www.pdpc.gov.sg/>

- **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	2019-08-01	Original version prepared as part of CDPA implementation.
1.1	2023-07-03	Revision to reflect: (a) the introduction of the new 'Phoenix' portal; (b) the change to the official title of the Cayman data protection law; and (c) the changes to the details of the various privacy regulators.