

INTRODUCTION

Welcome to Assure Hedge (UK) Limited's privacy notice (*previous version 2019*).

Assure Hedge (UK) Limited respects your privacy and is committed to protecting your personal data. This privacy notice will let you know how we look after your personal data when you visit our website and when you use our services and tells you about your privacy rights and how the law protects you.

This privacy notice is provided in a layered format so you can click through to the specific areas set out below. Please also use the Glossary to understand the meaning of some of the terms used in this privacy notice.

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1. Important information and who we are

1.1 Purpose of this privacy notice

This privacy notice aims to give you information on how Assure Hedge (UK) Limited collects and processes personal data we collect from you or that you provide to us or that we obtain from third parties. This personal data may be obtained through the provision of our services in accordance with our terms and conditions, through our clients and potential client's use of the website (<https://www.assurehedge.com/>) or through other direct communications between us and our clients or potential clients.

The website and our services are not intended for children and we do not knowingly collect data relating to children.

It is important that you read this privacy notice together with our terms and conditions (a copy of which can be obtained upon request) and 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.

1.2 Controller

Assure Hedge (UK) Limited is the controller and responsible for your personal data (collectively referred to as "Assure Hedge", "we", "us" or "our" in this privacy notice).

We have appointed a data protection lead 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 the data protection lead using the details set out below.

1.3 Contact details

Our full details are:

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|---------------------------------------|--|
| Full name of legal entity: | Assure Hedge (UK) Limited |
| Name or title of data protection lead | Compliance Manager |
| Email address: | compliance@assurehedge.com |
| Postal address: | 45 Eagle Street, Holburn, London, England, WC1R 4FS |
| Telephone number: | +44 20 8068 7318 |

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO) which is the United Kingdom's supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us using the details set out in the table above in the first instance.

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

We may update our privacy policy from time to time. Any changes we make to our privacy policy in the future will be posted on this page and, if you are a current client, notified to you by email. This version was last updated on 4 January 2021. Prior versions can be obtained by contacting us.

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.

1.5 Third-party links

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

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

- **Identity Data** means first name, maiden name, last name or similar identifier, marital status, title, date of birth and gender.
- **Contact Data** means residential address, email address and telephone numbers.
- **Financial Data** means bank account details.
- **Transaction Data** means details about payments to and from you and details of contracts you have entered into.
- **Usage Data** means information about how you use our website, products and services.
- **Marketing and Communications Data** means your preferences in receiving marketing from us and your communication preferences.

We do not collect any special categories of personal data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

1.7 If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, execute a payment on your behalf). In this case, we may have to terminate the contract you have with us but we will notify you if this is the case at the time.

2. How is your personal data collected?

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

- (a) **Direct interactions.** You may give us your Identity Data, Contact Data, Financial Data, Transaction Data and Marketing and Communications Data by filling in forms or by corresponding with us via our website or by post, phone, email or otherwise.

- (b) **Automated technologies or interactions.** As you interact with our website, we may automatically collect Usage Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies.
- (c) **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:
 - (i) Identity Data, Contact Data, Financial Data and Transaction Data from our client who shares your personal data with us so that (a) you can use our services on their behalf; and (b) they can pay money to you (for example, for payment for goods and/or services if you are their supplier);
 - (ii) Usage Data from analytics providers such as Google;
 - (iii) Identity Data, Contact Data and Financial Data from electronic identity verification providers or credit check providers such as Creditcheck based inside the UK;
 - (iv) Identity Data and Contact Data from publicly available sources such as Companies House and Electoral Registers based inside the UK and the EU.

3. Use of personal data

3.1 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:

- (a) where we need to perform the contract we are about to enter into or have entered into with you;
- (b) 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; and
- (c) where we need to comply with a legal or regulatory obligation.

Please see paragraph 3.2 (purposes for which we will use your personal data) 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 third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us using the details set out in paragraph 1.3.

3.2 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 using the details set out in paragraph 1.3 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.

| Purpose/Activity | Type of data | Lawful basis for processing including basis of Legitimate Interest |
|---|--|--|
| To register you or your employer / company as a new client | (a) Identity Data (b) Contact Data | Performance of a contract with your employer / company |
| To process and deliver the services including: (a) managing payments, fees and charges (b) collecting and recovering money owed to us | (a) Identity Data (b) Contact Data (c) Financial Data (d) Transaction Data | (a) Performance of a contract with you (b) Necessary for our Legitimate Interests (to recover debts due to us) |
| To enter into contracts relating to currency with you and to execute payments on your behalf (send money to beneficiaries) | (a) Identity Data (b) Contact Data (c) Financial Data (d) Transaction Data | (a) Performance of a contract with you. (b) Necessary for our Legitimate Interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (c) Necessary to comply with a legal obligation including Regulation (EU) 2015/847 on information accompanying transfers of funds (commonly referred to as the revised wire transfer regulation). |
| To manage our relationship with you which will include: (a) notifying you about changes to our terms and conditions or privacy policy (b) asking you to leave a review or take a survey | (a) Identity Data (b) Contact Data (c) Usage Data (d) Marketing and Communications Data | (a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our Legitimate Interests (to keep our records updated and to study how clients use our services) |

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|--|--|---|
| <p>To enable you to partake in a prize draw, competition or complete a survey.</p> | <p>(a) Identity Data (b) Contact Data (c) Usage Data (d) Marketing and Communications Data</p> | <p>(a) Performance of a contract with you (b) Necessary for our Legitimate Interests (to study how clients use our services, to develop them and grow our business)</p> |
| <p>To administer and protect our business and this website (including for the purposes of fraud prevention, credit risk reduction, prevention of money -laundering, troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p> | <p>(a) Identity Data (b) Contact Data (c) Usage Data</p> | <p>(a) Necessary for our Legitimate Interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation</p> |
| <p>To receive support to run our business (including administrative support and compliance support) and corporate direction.</p> | <p>(a) Identity Data (b) Contact Data (c) Financial Data (d) Transaction Data</p> | |
| <p>To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you</p> | <p>(a) Identity Data (b) Contact Data (c) Usage Data (d) Marketing and Communications Data</p> | <p>Necessary for our Legitimate Interests (to study how clients use our services, to develop them, to grow our business and to inform our marketing strategy)</p> |
| <p>To use data analytics to improve our website, products/services, marketing, client relationships and experiences</p> | <p>(a) Usage Data</p> | <p>Necessary for our Legitimate Interests (to define types of clients for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)</p> |

| | | |
|---|--|---|
| To make suggestions and recommendations to you about goods or services that may be of interest to you | (a) Identity Data (b) Contact Data (c) Usage Data (d) Marketing & Communications Data | Necessary for our Legitimate Interests (to develop our products/services and grow our business) |
| To send you a seasonal card or gift. | (a) Identity Data (b) Contact Data (c) Marketing & Communications Data | Necessary for our Legitimate Interests (to develop our products/services and grow our business) |

3.3 Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising. You can ask us to stop sending you marketing messages at any time.

3.4 Third-party marketing

We will get your express opt-in consent before we share your personal data with any company outside the Assure Hedge group of companies for marketing purposes.

3.5 Opting out

You can ask us or third parties to stop sending you marketing messages at any time by contacting us at any time.

3.6 Cookies

You can set your browser to refuse all or some browser cookies or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. For more information about the cookies we use, please see <https://www.assurehedge.com/cookie-policy/>.

3.7 Change of purpose

We will only use your personal data for the purposes for which we collected or received 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 using the details set out in paragraph 1.3.

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.

4. Disclosures of your personal data

4.1 We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 3.2 (purposes for which we will use your personal data) above:

- (a) Assure Hedge Ireland, as set out in paragraph 9 (Glossary).
- (b) External Third Parties as set out in paragraph 9 (Glossary).
- (c) 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.

4.2 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.

5. International transfers

5.1 Some of our External Third Parties are based outside the UK so their processing of your personal data will involve a transfer of data outside the UK.

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

- (a) we will transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the Information Commissioners Office or otherwise by the UK government.
- (b) where we use certain service providers, we may use specific contracts which give personal data the same protection it has in UK.
- (c) where we use providers based in the US, we may transfer data to them if they are part of the privacy shield.

6. Data security

6.1 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.

6.2 We have put in place procedures to deal with any suspected personal data breach and will notify you and the Information Commissioner's Office and the Financial Conduct Authority of a breach where we are legally required to do so.

7. Data retention

7.1 **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.

By law we have to keep basic information (including Identity Data, Contact Data, Financial Data and Transaction Data) about our clients, their directors, partners and ultimate beneficial owners and beneficiaries for five years after they cease being clients for the purpose of compliance with the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017.

In some circumstances you can ask us to delete your data: see paragraph 10(c) below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

8. Your legal rights

8.1 Under certain circumstances, you have the following rights under data protection laws in relation to your personal data:

- (a) Request access to your personal data.
- (b) Request correction of your personal data.
- (c) Request erasure of your personal data.
- (d) Object to processing of your personal data.
- (e) Request restriction of processing your personal data.
- (f) Request transfer of your personal data.
- (g) Right to withdraw consent.

Paragraph 10 provides more detail about these rights.

If you wish to exercise any of the rights set out above, please contact us using the details set out in paragraph 1.3.

8.2 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.

8.3 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.

8.4 Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month 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.

9. Glossary

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product 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.

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.

External Third Parties means:

- (a) other financial institutions and intermediaries which we send money to complete a payment to comply with the Regulation (EU) 2015/847 on information accompanying transfers of funds (revised wire transfer regulation), foreign exchange, banking and compliance providers, suppliers of technical support services, insurers, logistics providers and cloud services providers;
- (b) professional advisers and other advisers acting as processors or joint controllers including lawyers, bankers, compliance advisers, auditors, insurers and other persons based in the United Kingdom and the EU who provide consultancy, banking, legal, insurance, accounting and marketing services; where necessary in specific circumstances.
- (c) the Financial Conduct Authority and HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.
- (d) service providers acting as processors based in the Republic of Ireland who assist us in onboarding our customers by carrying out checks on you, for example electronic

identification searches, address checks, politically exposed person searches and sanctions checks on our behalf.

- (e) credit reference agencies and business which assist us in preventing fraud and complying with our obligations in relation to the prevention of money laundering and terrorist financing;
- (f) credit control and debt collection agencies in the event that you do not pay us money that you owe us.

Assure Hedge Ireland means Assure Hedge Limited, being a company incorporated in the Republic of Ireland with registered address at Unit 1, The CHQ Building, North Wall Quay, Dublin, DO1Y 6H7, Ireland acting as a joint controller or processor which provides administration support and direction to Assure Hedge.

10. **Your legal rights (further information)**

You have the right to:

- (a) **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.
- (b) **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.
- (c) **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.
- (d) **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.
- (e) **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.

- (f) **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.
- (g) **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.

