

## PRIVACY POLICY

### OVERVIEW

Article 5 of the GDPR States that Personal Data must be processed lawfully fairly and in a transparent manner. In line with the GDPR changes we are updating our Privacy Notice so you can better understand why and how we collect, process and destroy your data. We are committed to protecting and respecting your privacy. This policy (together with the Terms and Conditions and any other documents referred to in it) sets out the legal basis on which any Personal Data we collect from you, or that you provide to us, will be processed by us. Please read the following carefully to understand our views and practices regarding your Personal Data and how we will treat it.

### WHAT TYPES OF PERSONAL DATA DO WE COLLECT?

We may control, process and use your Personal Data, which may include names, postal addresses, email addresses, telephone numbers or any other Personal Data that you provide to us. We may also, in appropriate cases and to the extent permitted by law, control, process and use certain special categories of Personal Data which are more sensitive in nature (e.g. when undertaking “Know Your Customer” (KYC) or anti-money laundering (AML) checks, we may collect information about any criminal conviction offence that you or the directors of any company might have committed).

### IDENTITY OF THE FIRM

Cirdan Capital Management Ltd is authorised and regulated by the FCA. Registered address: 1 Knightsbridge Green, London, SW1x 7NE.

### LAWFUL BASIS FOR PROCESSING

Where we act as Data Controller, we rely on the following legal basis for Processing your Personal Data:

Consent- if you are a recipient of our online direct marketing;

Legitimate interests – if you are our client or prospect client, business affiliate, employee or potential employee, or our website visitor;

Performance of contract- if you are our client, supplier, employee, akin to employee or business affiliate or our website visitor;

Legal obligation – if we process Personal Data according to requirements of domestic legislation.

Where we act as Data Processor, we process Personal Data on behalf of Data Controller and we act on their written instructions.

### DATA PROTECTION OFFICER

The Firm has no regulatory obligations under the GDPR to appoint a DPO; the Firm has no data protection officer (DPO) currently appointed. The GDPR sets out guidelines on when the appointment of a DPO shall be required as follows:

Where the scope or purpose of collecting data requires a regular systematic monitoring of the Data Subjects;

Where the Firm processes special categories of data on a large scale;

Where Processing is carried out by a public authority.

The Firm has instead agreed to name a responsible officer (the “Responsible Officer”) who may be reached on [louise.parker@cirdancapital.com](mailto:louise.parker@cirdancapital.com)

## **PURPOSE OF DATA COLLECTED**

The personal information we collect is for the following legitimate interest:

Provision of financial products and services;

Administration of your investments;

Promotion of ideas and events relating to services we provide;

Accuracy of client records,

Maintenance of records of communications and management of your relationship with us;

To respond to you enquires;

To comply with any present or future law, rule, regulation, guidance, decision or directive (including those concerning anti-terrorism, fraud, AML and anticorruption);

To carry out, in appropriate cases, KYC checks and other procedures that we undertake prior to you becoming a customer of ours;

Prevention and detection of fraud and other illegal activity or misconduct; and

For informing you about compliance with legal and regulatory obligations and provide related guidance.

## **WHO WE SHARE OUR INFORMATION WITH**

We will not share personal information about you with third parties without your consent. We are required, by law, to sometimes pass on some of this Personal Data to:

Law enforcement agencies; financial regulators and other relevant regulatory authorities; government bodies; tax authorities; courts tribunals and complaints/dispute resolution bodies;

Other bodies as required by law or regulation; or

Related financial institutions such as trustees, custodians and sub-custodians; insurers; fraud protection agencies; and/or similar suppliers or service providers.

To fulfil our contract with you, the Firm may sometimes pass information to:

IT services including client relationship management platforms; and

Intra group to related affiliates also working on providing you with related services.

## **INTERNATIONAL TRANSFER OUTSIDE THE EEA**

The Firm does not transfer your personal information outside of the European Economic Area (EEA) unless the transfer is necessary for one of the reasons set out in the GDPR including the performance of a contract between the Firm and the Data Subject, reasons of public interest, to establish, exercise or defend legal claims or to protect the vital interests of the Data Subject where the Data Subject is physically or legally incapable of giving consent and, in some limited cases, for our legitimate interest.

In these cases, we will follow the GDPR Guidelines in protecting the transfer of data to countries outside the EEA to ensure that the level of data protection afforded to individuals by the GDPR is not undermined.

The Firm will only transfer Personal Data outside the EEA if one of the following conditions applies:

The European Commission has issued a decision confirming that the country to which we transfer the Personal Data ensures an adequate level of protection for the Data Subjects' this refers to (individual's resident rights and freedoms);

Appropriate safeguards are in place such as binding corporate rules (BCR), standard contractual clauses approved by the European Commission, an approved code of conduct or a certification mechanism, a copy of which can be obtained from the Responsible Officer;

The Data Subject has provided Explicit Consent (Explicit consent is where permission has been given by the Data Subject in writing to the proposed transfer after being informed of any potential risks.

Retention

We will keep your Personal Data for no longer than reasonably necessary. We will retain your personal information in accordance with legal and regulatory requirements as set out in our Data retention policy.

## **YOUR RIGHTS AND YOUR PERSONAL DATA**

You have a right:

To request a copy of your Personal Data which the Firm or related data Controller holds about you;

To request the Firm or any related data Controller to correct any Personal Data if it is found to be inaccurate or out of date;

To request your Personal Data is erased where it is no longer necessary for the Firm or related data Controller to retain such data;

To withdraw your consent to the Processing at any time if consent constitutes the lawful basis for processing;

To object to Processing based on grounds relating to the Data Subject situation if the processing is necessary for the performance of a task carried out in the public interest or the processing is necessary for the purposes of the legitimate interest by us or a third party, unless such interest is overridden by your fundamental rights and interests;

To request a restriction is placed on further Processing;

To lodge a complaint with the Information Commissioners Office (the UK Supervisory Authority); you can contact the Information Commissioners Office on 0303 123 1113 or via email

<https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Not to be subject to a decision based on automated Processing; the Firm does not practice such decision making.

## **FURTHER PROCESSING**

Where we may seek to further process your data other than for the original purpose for which it was collected, the Firm shall only further process such data where the new Processing is compatible with the original purpose.

## **SAFEGUARDING MEASURES**

We take your privacy seriously and take every reasonable measure and precaution to protect and secure your Personal Data. We work hard to protect you and your information from unauthorised

access, alteration, disclosure or destruction and have several layers of security measures in place, including, without limitation, encryptions.

#### **SPECIAL CATEGORIES OF DATA (IF APPLICABLE)**

Owing to the products and services that we offer, such as performance of KYC and other background checks, we sometimes need to process special categories of data which are deemed to be more sensitive in nature. Where we collect such information, we will only request and process the minimum necessary for the specified purpose and identify a compliant legal basis for doing so. Where we rely on your consent for Processing Special Categories Data, we will obtain your explicit consent through electronic means.

#### **LEGITIMATE INTERESTS (IF APPLICABLE)**

We occasionally process your personal information under the Legitimate Interests' legal basis. Where this is the case, we have carried out a Legitimate Interests' Assessment (LIA) to ensure that we have weighed your interests and any risk posed to you against our own and that such interests are proportionate and appropriate such as for the purposes of HR, marketing and day-to-day operations.

#### **MARKETING**

When sending marketing materials to customers, we may have the option to rely on your consent or legitimate interest.

We only use legitimate interests for marketing if we have assessed that the information being sent is beneficial to the customer, and have weighed our interests against your own and there is little to no risk posed, the method and content is non-intrusive, and the material being sent is something you would usually expect to receive.