

## Privacy Policy

[https://youtu.be/bmiWw6\\_J63s](https://youtu.be/bmiWw6_J63s)  
(our animated privacy notice)

### Introduction

This Privacy Policy describes how we process personal information received during the course of our business. This Policy may be amended from time to time and new versions will be published on this page.

### Who we are?

This Privacy Notice applies to all personal information processing activities carried on by the businesses of D&C Consultants Limited. It also extends to directors and employees who act as data controllers on behalf of D&C Consultants Limited. D&C Consultants Limited is the data controller of all personal information you provide during your relationship with us. D&C Consultants Limited wholly owns D&C Advisory Limited, collectively referred to as “D&C”, “our”, “we” or “us”.

D&C is registered with the Jersey Office of the Information Commissioner as a Data Controller. D&C will process personal information in accordance with the provisions of the Data Protection (Jersey) Law 2018 “DPJL”, GDPR and be mindful of the requirements / restrictions of any other country where we conduct business.

D&C Advisory Limited is regulated by the Jersey Financial Services Commission for the carrying on of Investment Business and has been issued with a Class D license.

### What this Notice covers:

We are committed to doing the right thing when it comes to how we collect, use and protect your personal data. That’s why we’ve developed this Privacy Policy, which:

- sets out the types of personal data that we collect;
- explains how and why we collect and use your personal data;
- explains when and why we will share personal data within our service and with other organisations; and
- explains the rights and choices you have when it comes to your personal data.

We offer a wide range of financial services, so we want you to be clear about what this Policy covers. This Policy applies to you if you use our services (referred to in this Policy as “our Services”). Using our Services means:

- using our websites (“our Websites”) where this Policy is posted; or
- If you contact us or we contact, you about our Services; and
- If you become a client of D&C.

Our Websites may contain links to other websites operated by other organisations that have their own privacy policies. Please make sure you read the terms and conditions and privacy policy carefully before providing any personal data on another website as we do not accept any responsibility or liability for websites of other organisations.

## **The information we process**

We collect and process various categories of personal information at the start of and during your relationship with us. We limit the collection and processing of information to information necessary to achieve one or more specific purposes as identified herein. Personal information may include:

- Identification information such as name and residential address, date of birth, occupation, contact details; signature, marital status;
- Photographic images (through copies of passports or other forms of ID);
- Information about you such as your occupation, profession, any disputes or legal proceedings you may be involved in;
- Information about your family (including spouse, dependants and next of kin), lifestyle etc. including connections with politically exposed persons;
- Financial information including personal wealth, assets and liabilities, income and expenditure, education, qualifications and employment information, financial needs and considerations together with information to make payments and transactional history; and
- Information on goods and services that we provide you together with associated information on billing and fee collection.

In cases where we hold information on beneficiaries, rather than individuals or entities we normally only hold minimal identity information, such as their name, date of birth and relationship to the investor or settlor or other relevant parties and, for minor beneficiaries, their parents’ contact details. On occasion, we may be provided with information relating to potential beneficiaries such as copies of passports and verifications of address and other information considered to be relevant to the nature of the trustees’ discretions which we keep on file in the legitimate interests of that beneficiary.

We may also collect special category information for specific and limited purposes such as detecting and preventing crime or making decisions as investment business managers / advisors. We will only process special category information where we have your explicit consent or are otherwise lawfully permitted to do so. Examples of special category information that we may collect include:

- Physical or psychological health details and /or medical conditions;

- Information about racial or ethnic origin; or
- Religious or philosophical beliefs.

Where permitted by law, we may process information about criminal convictions or offences and alleged offences for specific purposes. Primarily this is to enable us to perform and record checks to prevent and detect crime and comply with laws relating to money laundering, fraud, terrorist financing, bribery and corruption and international sanctions. It may involve investigating and gathering intelligence on suspected financial crime, fraud and threats and sharing data with law enforcement and regulatory bodies.

## How we obtain information

Individuals provide us with personal information when they apply for services using our application forms and throughout the business relationship in various ways, including through correspondence, telephone calls and meetings and undertaking transactions with you or between you and relevant entities.

We may obtain information from third parties including third parties who provide services to you or your entities and other parties such as family members connected. If you provide information in respect of a third party, we may need to make them aware of how their information was obtained. However, we do not make potential beneficiaries aware of information we hold relating to them unless it is considered necessary and relevant to do so.

To check the identity of an individual and to prevent or detect fraud or money laundering we may also search the files of address validation directories, the electoral register, internet (and similar) and may contact an individual's referees, bankers, persons certifying or providing relevant documentation or information, to confirm details given to us and may make such other enquiries of relevant third parties e.g. of another financial institution or party providing funds, as we deem necessary either in connection with our take-on process or at any other time in connection with the provision of Services to you.

## Use of your information

### Legitimate interests

Under DPJL, we may process your information where it is in our legitimate interests to do so as a business, as long as it does not prejudice your interests and fundamental rights and freedoms. We process the personal information of Clients and persons associated with Entities because it is in our legitimate interest to do so in order to run a business providing services to Clients or to Entities. In most circumstances, our legitimate interest to process your personal data aligns with your interest to be able to avail yourself of our services or benefit from Entities that we manage.

We need certain personal data in order to provide services and undertake transactions on your behalf or for your benefit. In other words, being able to process your data is usually in both of our interests.

We continually seek to develop and improve as an organisation, adapt our services to the commercial and legal environment and offer the most appropriate and beneficial services to Clients, Entities and those who benefit from Entities. To achieve this, we may need to process your information to enable us to send you relevant updates and information about services we offer.

Our legitimate interest to process your personal data to ensure that we review and assess services and inform you of options, updates and changes that may benefit you, aligns with your interest in remaining informed of such options, updates and changes which in turn will assist you to make informed choices in relation to services you require.

### Other lawful bases for processing

Whilst we consider that our legitimate interest provides us with a lawful basis for processing most of your data, we may also rely on the following lawful bases to process data:

- Processing data to fulfil a contractual obligation: the contractual arrangements that we enter into on behalf of Entities may give rise to certain contractual obligations in relation to how we use your personal information, including obligations to share information with third parties such as banks and other regulated financial institutions providing services.
- Processing data to fulfil a legal or regulatory obligation: we may be required to process data to fulfil a legal or regulatory obligation, for example, to meet our obligations to verify the identity of an individual, for the purposes of participating in any proceedings, enquiries or disputes arising from the business relationship with an individual and to meet our international reporting obligations as provided in paragraph 12 below.

### Using Data as Processor

D&C also processes data on behalf of Clients and/ or Entities, for example if we provide services to an entity which is itself a data controller. Data we process may include information about officers and other parties associated with underlying investments as well as tenants of properties and suppliers. D&C processes information and screens such parties to ensure there is no risk known in the public domain with regard to money laundering or sanctions.

### How long we keep your information

We will not keep your personal data longer than we need to, how long this is, depends on several factors, including:

- Why we collected it in the first place;
- Whether there is a legal/regulatory reason for us to keep it; or
- Whether we need it to protect you or us.

Following the termination of the business relationship to which an individual is connected, in order to satisfy legal requirements in Jersey we will normally keep all personal information for a minimum of 10 years from the date of termination.

At the expiration of the 10-year period, if there are outstanding proceedings, enquiries or disputes concerning that business relationship, we will keep the records of connected Individuals for such additional time as is reasonable in all the circumstances and otherwise we shall destroy your records in such a manner as we see fit.

## **How we protect your personal information**

We are committed to ensuring that your information is secure with us and with the third parties who act on our behalf. Our processes for security include organisational and physical security measures as well as protection of networks and information systems.

- We apply physical, electronic and procedural safeguards in connection with the collection, storage and disclosure of personal data;
- We protect the security of your information while it is being transmitted by encrypting it;
- We use computer safeguards such as firewalls and data encryption to keep this data safe;
- We only authorise access to employees and trusted partners who need it to carry out their responsibilities;
- We regularly monitor our systems for possible vulnerabilities and attacks; and
- We will ask for proof of identity before we share your personal data with you.

If you receive an unsolicited call or email that claims to be from D&C which you do not recognise or expecting, do not continue but instead call back our general telephone number (or the mobile phone of your usual contact) to verify.

We will not rely on information for the purposes of transactions without verifying it with you in person.

## **Disclosing or transferring information to 3rd parties**

Personal information of an individual is confidential and we will only disclose that information in the following situations:

- With an individual's consent or, if the individual is a minor, with the consent of the individual's parent or guardian;
- To third parties who are providing a service directly to the Entity, for example financial institutions which provide banking or investment services;
- To persons acting as our agent for the provision of services;
- If we are obliged to do so, by regulations or law or pursuant to an order of a competent court, government department, regulatory authority or auditor or to meet our regulatory or legal obligations;
- If we consider that disclosure is necessary for D&C to fulfil its internal policies and its regulatory obligations in respect of anti-money laundering, combatting terrorist financing, anti-bribery and anti-corruption legislation and such other regulations and laws that may apply from time to time;

- If we consider that disclosure is necessary to defend ourselves in any legal action threatened or brought against us or any Entity; and
- Where failure to disclose information would expose D&C to civil liability or the risk of prosecution in any jurisdiction.

## Transferring information overseas

The personal data that we collect from you may be transferred to, and stored at, a destination outside the European Economic Area ("EEA"). It may also be processed by companies operating outside the EEA who work for us or for one of our service providers. If we do this, we ensure that your privacy rights are respected in line with this Policy.

If you are resident in another 3<sup>rd</sup> Country, we will be mindful of the obligations placed on us to comply with that jurisdiction's data protection laws. We will be compliant with DPJL and GDPR and will only transfer data where the destination can provide safeguards and protect your privacy.

## Use of Data Processor

The Data Processor may not make any decisions on day to day data management and accuracy, may not perform any data processing for its own purposes and shall only store and retain the personal data in accordance with the contractual arrangements established by D&C as data controller. D&C also uses other data processors for screening services using limited information or information processed on a one-off temporary basis. The data processors used by D&C are:

- **Calligo** which is based in Jersey. This Data Processor is responsible for the provision of our network platform and for all operational support with regard to our IT systems processing, including arrangements for back-up and disaster recovery. You can read their Privacy Notice here - <https://calligo.cloud/privacy-policy/>
- **Capital International Group** which is based in the Isle of Man. This data processor provides an investment management platform that we use to control some of your investments. You can read their Privacy Notice here - <https://www.capital-iom.com/privacy-and-cookie-notice/>
- **Novia Global** which is based in Bath, UK. This data processor provides an investment management platform that we use to control some of your investments. You can read their Privacy Notice here - <http://www.novia-global.com/privacy-policy/>
- **KYC Global Technologies Limited** which is based in Jersey. This data processor provides KYC checks and financial crime compliance screening. You can read their Privacy Notice here - <https://www.riskscreen.com/riskscreen-privacy-policy/>
- **Propelfwd** which is based in Jersey. This data processor provides data protection compliance and advice. You can read their Privacy Notice here - <https://www.propelfwd.com/privacy-policy>

D&C use other platforms for general business administration, such as Microsoft Office 365 and associated cloud services.

## Marketing

We will send you relevant offers and news about our services in a number of ways including by email, but only if you have previously agreed to receive these marketing communications. If you register with us we will ask if you would like to receive marketing communications.

You can change your marketing choices at any time by emailing us on [Info@dandcconsultants.com](mailto:Info@dandcconsultants.com).

D&C does not share information with third parties for their own marketing purposes without your express permission.

## Your rights

At any point whilst we are in possession of, or processing your data, you have the following rights:

- **Right of access** – you have the right to request a copy of the information that we hold about you;
- **Right of rectification** – you have a right to correct data that we hold about you that is inaccurate or incomplete. If you believe we hold inaccurate or missing information, please let us know and we will correct it;
- **Right to be forgotten** – in certain circumstances you can ask for the data we hold about you to be erased from our records. There are several situations when you can have us delete your personal data, this includes (but is not limited to):
  - When we no longer need to keep your personal data;
  - You have successfully made a general objection;
  - You have withdrawn your consent to us using your personal data (and we do not have any other grounds to use it);
- **Right to restriction of processing** – where certain conditions apply you have a right to restrict the processing. There are several situations when you can restrict our use of your personal data, this includes (but is not limited to):
  - you have successfully made a general objection;
  - you are challenging the accuracy of the personal data we hold;
- **Right of portability** – you have the right to have the data we hold about you transferred to another organisation;
- **Right to object** – you have the right to object to certain types of processing such as direct marketing. If on balance, your rights outweigh our interests in using your personal data, then we will at your request either restrict our use of it or delete it;
- **Right to object to automated processing**, including profiling – you also have the right not to be subject to the legal effects of automated processing or profiling;

## Subject Access Rights

You have the right to see the personal data we hold about you. This is called a Data Subject Access Request (DSAR).

If you would like a copy of the personal data, we hold about you can use the on-line Data Subject Access Request Form on our websites or write to:

**Data Protection Champion  
D&C Consultants  
No 3 The Forum,  
Grenville Street,  
St. Helier  
JE2 4UF**

You can also email us at [Info@dandcconsultants.com](mailto:Info@dandcconsultants.com)

**To access what personal data is held, identification will be required**

We will accept the following forms of ID when information on your personal data is requested: a copy of your national ID card, driving license or passport. A minimum of one piece of photographic ID listed above and a supporting document is required such as a utility bill not older than three months. If we are dissatisfied with the quality of ID provided, further information may be sought before personal data can be released.

We will respond to your request within a four-week period (in compliance with DPJL), once your identification has been verified.

In the event that we refuse your request under rights of access, we will provide you with a reason as to why, which you have the right to legally challenge.

## Complaints

We'd like the chance to resolve any complaints you have, however you also have the right to complain to the Jersey Office of the Information Commissioner about how we have used your personal data.

The details for each of these contacts are:

**D&C Consulting Limited and D&C Advisory Limited, attention of the Directors**

No 3 The Forum, Grenville Street, St. Helier JE2 4UF

Telephone +44 (0) 1534 480893 or [Complaints@dandcconsultants.com](mailto:Complaints@dandcconsultants.com)

**Office of the Information Commissioner – Jersey**

2nd Floor, 5 Castle St, St Helier, Jersey JE2 3BT

Telephone +44 (0) 1534 716530 or Email: [enquiries@dataci.org](mailto:enquiries@dataci.org)