

Smith & Williamson Fund Administration Limited

1 Using your Information

1.1 This Fair Processing Notice (“FPN”) applies to information held about you, or your directors, partners, members, officers, employees, clients, contractors, consultants, fellow trustees, representatives or agents (“Personnel”) as appropriate, by Smith & Williamson Fund Administration Limited, 1934644, at 25 Moorgate, London, EC2R 6AY. See paragraph 12 below for our contact details.

1.2 In this FPN:

“Data Protection Legislation” means the EU General Data Protection Regulation 2016/679; together with all other applicable legislation relating to privacy or data protection;

and the terms “personal data”, “data subject”, “controller”, “processor” and “process” (and its derivatives) shall have the meanings given to them in the Data Protection Legislation.

“Fund” means the collective investment scheme in which you have invested.

For the purpose of this FPN, “you” or “your” means you or your Personnel as appropriate.

2 Processing your personal data

2.1 We may collect, record and use information about you, your Personnel or other relevant individuals, in physical and electronic form and will hold, use and otherwise process the data in accordance with the Data Protection Legislation and as set out in this FPN.

2.2 Before providing us with any information you are responsible for ensuring that your Personnel or other relevant individuals are aware of this FPN and the provisions of such FPN are clearly communicated to them. For the avoidance of doubt, ‘your information’ means information about you, your Personnel or other relevant individuals.

2.3 ‘Processing’ information about you means any activity that involves the use of your information. It includes obtaining, recording or holding your information, carrying out any operation or set of operations on your information including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing may also include sharing your information with third parties and transferring it abroad.

2.4 This ‘information’ includes personal data, which means information that can be used to identify a natural person, including (but not limited to) the following types of personal information:

2.4.1 contact information, such as an individual’s home address or work address and contact details (including e-mail address and mobile telephone number);

2.4.2 date of birth and marital/civil partnership status;

2.4.3 source of funds/source of wealth;

2.4.4 national insurance number, Tax Identification Number (TIN);

2.4.5 other information about an individual that you or they disclose to us when communicating with us;

2.4.6 details of any complaints or concerns raised;

2.4.7 information we collect from the way we interact with you, your Personnel or other relevant individuals, such as when you or they use our telephone services, websites or mobile application (for more information on our use of cookies on our website or mobile applications, go to www.smithandwilliamson.com/footer-pages/cookie-statement);

2.4.8 information we collect when you, your Personnel or other relevant individuals otherwise communicate with us; and

2.4.9 information we obtain from third parties, such as information that we obtain when verifying details supplied by you. This information obtained from other third party organisations or people may include other Smith & Williamson Group companies, employers, joint account holders, your authorised agent, credit reference agencies, government bodies, employers, fraud prevention agencies or other similar organisations;

2.5 Some of the information that we collect about you, your Personnel or other relevant individuals may include special categories of personal data (such as information about racial or ethnic origin, criminal or alleged criminal offences, or health and lifestyle). We will usually seek separate permission from you or them in writing to process these special categories of personal data.

2.6 If you fail to provide us with this information or you, your Personnel or other relevant individuals object to us processing such information (see paragraph 9 below for more information about your and their rights in relation to your information) the consequences are that we may be prevented from providing services to you.

3 Providing third party information to us

If any information which you provide to us relates to any third party (such as people who depend on you financially, a joint account holder or beneficiary), by providing us with such personal information you confirm that you have obtained any necessary permissions from such persons to the reasonable use of their information in accordance with the above provisions, or are otherwise permitted to give us this information.

4 Purposes for using your personal data

4.1 We collect and process information about you and your transactions to enable us and our Associates to provide services to you and in order to meet our legal or regulatory obligations. Specific purposes may include, where applicable:

4.1.1 For the purpose of administering the fund and fund register;

4.1.2 to prepare documentation and information on your behalf; and

4.1.3 to liaise with regulators and meet our regulatory obligations.

4.2 In addition, some of your personal information may be used by us or other companies within the Smith & Williamson Group for other business purposes. Examples of the types of uses of such personal data are set out below. You are responsible for ensuring that your Personnel and other relevant individuals are aware of such uses of their information:

4.2.1 for our reasonable commercial purposes (including quality control and administration and assisting us to develop new and improved products and services);

4.2.2 to communicate any changes to the fund(s) in which you invest;

4.2.3 to confirm your or their identity and carry out background checks, including as part of our checks in relation to anti-money laundering, compliance screening and to prevent fraud and other crimes;

4.2.4 to follow up with you or them after you or they request information to see if we can provide any further assistance;

4.2.5 to comply with any requirement of any applicable statute, regulation, rule and/or good practice, whether originating from the UK or elsewhere;

4.2.6 to fulfil our obligations under any reporting agreement entered into with any tax authority or revenue service(s) from time to time;

- 4.2.7 to check your instructions to us;
- 4.2.8 to prevent and detect fraud and other crime;
- 4.2.9 to monitor, record and analyse any communications between you or them and us, including phone calls to analyse, assess and improve our services to customers, as well as for training and quality purposes;
- 4.2.10 to prevent or detect abuse of our services or any of our rights (and attempts to do so), and to enforce or apply these Terms and/or any other agreement and to protect our (or others') property or rights;
- 4.2.11 to share information with relevant third parties in the context of a sale or potential sale of a relevant part of our business, subject always to confidentiality obligations;
- 4.2.12 if instructed to do so by you or them or where you or they give us your consent to the use and/or processing involved;
- 4.2.13 to bring to your or their attention (in person or by post, email or telephone) information about additional services offered by us and/or our Associates, which may be of interest to you or them, unless you or they indicate at any time that you or they do not wish us to do so; and
- 4.2.14 to improve the relevance of marketing messages we may send you or them (which you can opt out of as explained below).

5 Automated processing

- 5.1 We do not carry out automated decision-making or profiling in relation to our shareholders.
- 5.2 In particular, in order to comply with our obligations under anti-money laundering legislation, we are required to verify the identity of all shareholders and other information (including but not limited to details of any nationality, citizenship or rights of residence you or your Personnel or other relevant individuals hold) to satisfy our regulatory obligations. We may do this using an electronic verification system that we consider suitable or by asking you for documentary evidence.

6 Lawful Grounds for using your personal data

- 6.1 We have described the purposes for which we may use information about you, your Personnel or other relevant individuals. We are permitted to process such information in this way, in compliance with the Data Protection Legislation, by relying on one or more of the following lawful grounds:
 - 6.1.1 you or they have explicitly agreed to us processing such information for a specific reason;
 - 6.1.2 the processing is necessary to perform the agreement we have with you or them or to take steps to enter into an agreement with you or them;
 - 6.1.3 the processing is necessary for compliance with a legal obligation we have; or
 - 6.1.4 the processing is necessary for the purposes of a legitimate interest pursued by us, which might be:
 - (a) to ensure that the services we provide are well-managed;
 - (b) to prevent fraud;
 - (c) to protect our business interests;
 - (d) to ensure that complaints are investigated;
 - (e) to evaluate, develop or improve our products and services; or
 - (f) to keep our shareholders informed about relevant products and services, unless you have indicated at any time that you do not wish us to do so.
- 6.2 In relation to any processing of special categories of personal data, we will generally rely on obtaining specific consent in order to process such information, although it may be necessary for us to use certain information in order to comply with our legal obligations as a regulated entity (such as in relation to an alleged offence).

- 6.3 Where you, your Personnel or other relevant individuals have consented to our processing of such information (including special categories of personal data) you or they may withdraw such consent at any time, by contacting us using the contact details below. Please note, however, that in certain circumstances it may be still lawful for us to continue processing this information even where you have withdrawn your consent, by relying on the legal bases described above.

7 Sharing your personal data

- 7.1 We keep all information in relation to shareholders confidential. However, in order to be able to service shareholders' needs to the best of our ability, we may disclose your information to other recipients or categories of recipients, including Associates within the Smith & Williamson Group, or to our or their agents, counterparties and support service or data providers, wherever located. In certain circumstances, we may transfer your information abroad. See paragraph 8 for more information.
- 7.2 We will ensure that if we share your information with third parties, any such disclosure is at all times in compliance with Data Protection Legislation.
- 7.3 The recipients, or categories of recipients, of your information, or information relating to your Personnel or other relevant individuals, may be:
 - 7.3.1 credit reference agencies in order to perform credit and identity checks on you. To do this, we will supply your personal information to the credit reference agencies and they will give us information about you and they may record that a search has been made and the results of such search (including the information that we provide). We may continue to exchange information about you with credit reference agencies while you have a relationship with us. The credit reference agencies may in turn share your personal information with other organisations;
 - 7.3.2 any revenue service or tax authority including to HMRC, if obliged to do so under any applicable legal or regulatory requirements;
 - 7.3.3 your advisers (including, but not limited to, accountants, lawyers or other professional advisers) where authorised by you;
 - 7.3.4 UK and overseas regulators and authorities in connection with their duties (such as crime prevention);
 - 7.3.5 fraud prevention agencies who will use it to prevent fraud and money-laundering and to verify your identity. We and fraud prevention agencies may also enable law enforcement agencies to access and use your information to detect, investigate and prevent crime. If fraud is detected, you could be refused certain services;
 - 7.3.6 anyone to whom we may transfer our rights and/or obligations under these Terms; and
 - 7.3.7 any other person or organisation after a restructure, sale or acquisition of any Smith & Williamson Group company, as long as that person uses your information for the same purposes as it was originally given to us or used by us (or both).
 - 7.3.8 if we, or a fraud prevention agency, determine that you, your Personnel or other relevant individuals pose a fraud or money laundering risk:
 - (a) we may refuse to provide the services or finance you have requested, or we may stop providing existing services to you; and
 - (b) a record of any fraud or money laundering risk will be retained by the fraud prevention agencies, and may result in others refusing to provide services, financing or employment to you or them.

8 Transferring your personal data outside the UK

- 8.1 Information about you, your Personnel or other relevant individuals in our possession may be transferred to other countries (which may include countries outside the EEA), such as jurisdictions in which and through which transactions are effected; jurisdictions where your business or investments are held; jurisdictions from which you regularly receive or transmit information about your business or investments; or jurisdictions where our third parties conduct their activities.

8.2 You and they understand and accept that these countries may have differing (and potentially less stringent) laws relating to the degree of confidentiality afforded to the information it holds and that such information can become subject to the laws and disclosure requirements of such countries, including disclosure to governmental bodies, regulatory agencies and private persons, as a result of applicable governmental or regulatory inquiry, court order or other similar process. In addition, a number of countries have agreements with other countries providing for exchange of information for law enforcement, tax and other purposes.

8.3 When we, or our permitted third parties, transfer information outside the European Economic Area, we or they will impose contractual obligations on the recipients of that data to protect such information to the standard required in the European Economic Area. We or they may also require the recipient to subscribe to international frameworks intended to enable secure data sharing. In the case of transfers by us, we may also transfer your information where:

8.3.1 the transfer is to a country deemed to provide adequate protection of your information by the European Commission; or

8.3.2 you, your Personnel or other relevant individuals you have consented to the transfer.

If we transfer your information outside the European Economic Area in other circumstances (for example because we have to provide such information by law), we will put in place appropriate safeguards to ensure that your information remains adequately protected.

9 Your rights in relation to your personal data

9.1 You, your Personnel and other relevant individuals have a number of rights concerning the way that we use your information. You are responsible for ensuring that your Personnel and other relevant individuals are aware of these rights. At any time, you and such individuals shall have the right:

9.1.1 to be informed about the processing of your or their personal data (i.e. for what purposes, what types, to what recipients it is disclosed, storage periods, any third party sources from which it was obtained, confirmation of whether we undertake automated decision-making, including profiling, and the logic, significance and envisaged consequences);

9.1.2 to request access to or a copy of any personal data we hold about you or them;

9.1.3 to request the rectification of your or their personal data, if you or they consider that it is inaccurate;

9.1.4 to request the erasure of your or their personal data, if you or they consider that we do not have the right to hold it;

9.1.5 to object to your or their personal data being processed for a particular purpose or to request that we stop using your or their information;

9.1.6 to have safeguards put in place if you or they are being profiled based on your or their personal data;

9.1.7 to ask us to transfer a copy of your or their personal data to you or them or to another service provider or third party where technically feasible;

9.1.8 to withdraw, at any time, any consent that you or they have previously given to us for our use of your or their personal data; or

9.1.9 to ask us to stop or start sending you or them marketing messages at any time by using the below contact details.

9.2 You, your Personnel and other relevant individuals may have a right of access to some, or all, of the information we hold about you or them, or to have any inaccurate information corrected, under the Data Protection Legislation. Any request for access to or a copy of your or their personal data must be in writing and we will endeavour to respond within a reasonable period and in any event within one month in compliance with Data Protection Legislation. We will comply with our legal obligations as regards any individual's rights as a data subject.

9.3 We aim to ensure that the information we hold about you, your Personnel or other relevant individuals is accurate at all times. To assist us in ensuring that your information is up to date, do let us know if any of the personal details of you, your Personnel or other relevant individuals change by contacting us using the contact details below. We will correct any incorrect or incomplete information and will stop processing personal data, or erase it, where there is no legal reason for us to continue to hold or use that information.

10 Retaining your personal data

10.1 We will only keep the information we collect about you, your Personnel or other relevant individuals on our systems or with third parties for as long as required for the purposes set out above or as required to comply with any legal obligations to which we are subject. This will involve us regularly reviewing our files to check that information is accurate and up-to-date and still required.

10.2 If you decide not to go ahead with the provision of services from us, we may still keep your information.

10.3 We will normally destroy or erase data after seven years from the end of our agreement with you or as required by any applicable law. However, we may retain your information or information relating to your Personnel and other relevant individuals after you cease to be a shareholder for longer than this, provided it is necessary for a legal, regulatory, fraud prevention or other legitimate business purpose.

11 Sending you marketing information

11.1 We and other members of the Smith & Williamson Group may use your information from time to time to inform you, your Personnel or other relevant individuals by letter, telephone, text (or similar) messages, email and other electronic methods, about similar products and services (including those of third parties) which may be of interest to you or them. You are responsible for ensuring that those individuals are aware that we may use their information for marketing purposes to inform them about services which may be of interest to them.

11.2 You, your Personnel or other relevant individuals may, at any time, request that we and/or other members of the Smith & Williamson Group do not send such information to you by one, some or all channels, by contacting us in the way described in paragraph 12 below.

12 Contacting us

12.1 If you or any of your Personnel or other relevant individuals wish to exercise any of the rights relating to your information set out above, or if you or they have any questions or comments about privacy issues, or you or they wish to raise a complaint about how we are using your information, you and they can contact us in the following ways using the following details, or any other details notified to you from time to time:

12.1.1 Write to the Data Protection Officer at the registered office at 25 Moorgate, London, EC2R 6AY or Dataprotectionofficer@smithandwilliamson.com;

12.1.2 Call 020 7131 4000. Please note calls may be recorded or monitored for training purposes.

12.1.3 Details of all our offices are available on the Website. The address and contact details of the office where your Smith & Williamson contact is based will be provided to you separately at the start of our relationship with you.

12.2 If you, your Personnel or other relevant individuals have any concerns about our use of your or their information, you and they also have the right to make a complaint to the Information Commissioner's Office, which regulates and supervises the use of personal data in the UK, via their helpline on 0303 123 1113.

12.3 We may make changes to this FPN and how we use your information in the future. If we do this, we'll post an updated version of this FPN on our website. You can find the current version of this FPN, which explains how we'll use your information, by visiting our website at www.smithandwilliamson.com.

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Smith & Williamson Fund Administration Limited
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