

JTC GROUP PRIVACY NOTICE

1. INTRODUCTION

Bally Bunion Capital is a part of the JTC Group.

The JTC Group takes your privacy seriously. Please read this privacy notice carefully as it contains important information on who we are and how and why we collect, use, retain and share your Personal Data. It also explains your rights in relation to your Personal Data and how to raise a concern. Capitalised terms are defined below.

This privacy notice covers our Processing of Personal Data when you interact with us as a Data Subject, which includes your capacity as a client/customer. When we collect, use or are responsible for Personal Data about you, we are subject to Data Protection Laws.

The JTC Group's main establishment deciding the purposes and means of its processing of Personal Data is in Jersey. JTC's lead supervisory authority will generally be the Office of the Information Commissioner, Jersey. Jersey's legal framework for data protection is certified under the GDPR as equivalent. The local authority in the Republic of Ireland is the Irish Data Protection Commission.

2. DEFINED TERMS

Data Subject means the person to whom the Personal Data relates.

Data Protection Laws means the GDPR, the DPJL, the Data Protection Authority (Jersey) Law 2018, or equivalent laws as applicable.

DPGO means the Director (Data Protection Governance Officer) Legal.

DPJL means the Data Protection (Jersey) Law 2018.

GDPR means the General Data Protection Regulation 2016/679.

JTC or the **JTC Group** means the JTC group of companies as set out in its Terms of Business, which can be found on its website. When we mention 'we', 'us' or 'our' in this privacy notice, we are referring to the JTC corporate entity controlling your Personal Data.

Personal Data under the Data Protection Laws means any information that identifies or could identify you. In certain jurisdictions it is referred to as 'personal information'.

Processing means any operations performed on Personal Data, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Special Category Data means Personal Data revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs, trade union membership, criminal records or alleged criminal conduct, genetic and biometric data (when processed to identify an individual uniquely), data concerning health, sex life or sexual orientation.

3. PERSONAL DATA WE PROCESS ABOUT YOU

We will never Process Personal Data outside of reasonable expectations. Depending on the nature of our interaction with you, our Processing encompasses:

- **contact information**, including your postal address, email address, telephone number and company details;
- **identity information**, including your current and former names, gender, date and place of birth, nationality, passport information, and birth certificate;
- **verification information**, including government-issued documents, bank statements, and utility bills;
- **taxation information**, including domicile, tax identification number, tax returns and tax advice;
- **source-of-wealth information**, including pension plans, property sale documentation and loan documents;
- **financial information**, including, bank account information, assets held and on what basis (eg legal/beneficial ownership, etc);
- **trusts information** (if applicable), including settlor details and letters of wishes;
- **employment information**;
- **criminal records or allegations information**, including details of any official body's investigation of you and sanctions applying against you;
- **insolvency/bankruptcy/ "en desastre" information** (as applicable);
- **debtor information**;
- **connected-persons information**, including familial relationships;
- **politically exposed person information**, including your political activities and relationships;
- **information in the public domain**;
- **correspondence** between you, your agents/representatives, and us;
- **billing, transaction and payment information**; and
- **technical data**, including information about how you use our website, IT, communication and other systems.

- We collect and use this Personal Data to provide services to you. If you do not provide Personal Data we ask for, it may delay or prevent us from providing such services to you.

4. HOW WE COLLECT YOUR PERSONAL DATA

We collect most of this Personal Data directly from you—in person, by telephone, video call, text or email and/or via our website. However, we may also collect information:

- from publicly accessible sources, eg the Jersey Financial Services Commission Registry or the Central Bank of Ireland Register.
- directly from a third party, eg:
 - settlors;
 - sanctions screening providers;
 - customer due diligence providers, eg World Check;
 - professional suppliers.
- from a third party with your consent, eg your bank or building society.
- from cookies on our website.
- via our IT systems, eg:
 - from door entry systems and reception logs; and
 - through automated monitoring of our websites and other technical systems, such as our computer networks and connections, CCTV and access control systems, communications systems, email and instant messaging systems.

We may from time to time record telephone calls.

5. HOW AND WHY WE USE YOUR PERSONAL DATA

Under Data Protection Laws, we can only use your Personal Data if we have a proper reason, including:

- where you have given consent;
- to comply with our legal and regulatory obligations;
- for the performance of a contract with you or to take steps at your request before entering into a contract;
- in the substantial public interest;

- to protect your vital interests; or
- where applicable, for our legitimate interests or those of a third party.

A legitimate interest is when we have a business or commercial reason to use your non-sensitive Personal Data, so long as this is not overridden by your own rights and interests. We will carry out an assessment when relying on legitimate interests, to balance our interests against your own.

Where our basis for Processing your Personal Data is your consent, you can withdraw such consent without penalty.

The table below further explains what we use your Personal Data for and why.

What we use your Personal Data for	Our reasons and interests
Providing alternative investment fund manager services or other agreed services to you.	To perform our contract with you or to take steps at your request before entering into a contract.
Preventing and detecting fraud or other unlawful financial activity against you or us.	To minimise fraud or other unlawful financial activity that could be damaging for you and/or us.
<p>Conducting checks to identify our customers and verify their identity.</p> <p>Screening for financial and other sanctions or embargoes.</p> <p>Other activities necessary to comply with professional, legal and regulatory obligations that apply to our business, eg under health and safety law or rules issued by our regulators.</p>	To comply with our legal and regulatory obligations.
Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies.	To comply with our legal and regulatory obligations.
Operating IT systems, software and business applications.	To provide agreed services to you in a safe and efficient manner.
Ensuring security and internet use policies are adhered to.	To make sure we are following our own internal procedures so we can deliver the best service to you.
Operational reasons, such as improving efficiency, training and quality control.	To be as efficient as we can so we can deliver the best service to you at the best price.



What we use your Personal Data for	Our reasons and interests
Ensuring the confidentiality of commercially sensitive information.	<p>To protect trade secrets and other commercially valuable information.</p> <p>To comply with our legal and regulatory obligations.</p>
Statistical analysis to help us manage our business, eg in relation to our financial performance.	To be as efficient as we can so we can deliver the best service to you at the best price.
Preventing unauthorised access and modifications to systems.	<p>To prevent and detect criminal activity that could be damaging for you or us.</p> <p>To comply with our legal and regulatory obligations.</p>
Client/customer communication.	<p>To perform our contract with you or to take steps at your request before entering into a contract.</p> <p>To comply with our legal and regulatory obligations.</p> <p>To make sure that we can keep in touch with our clients and customers about existing orders and new products.</p> <p>To update our records.</p>
Statutory returns.	To comply with our legal and regulatory obligations.
Ensuring safe working practices, staff administration and assessments.	<p>To comply with our legal and regulatory obligations.</p> <p>To make sure we are following our own internal procedures and working efficiently so we can deliver the best service to you.</p>
<p>Marketing our services and those of selected third parties to:</p> <ul style="list-style-type: none"> —existing and former customers; —third parties who have previously expressed an interest in our services; 	To promote our business to existing and future clients.

What we use your Personal Data for	Our reasons and interests
—third parties with whom we have had no previous dealings.	
External audits and quality checks, eg for ISO accreditations and the audit of our accounts.	To maintain our accreditations so we can demonstrate we operate at the highest standards. To comply with our legal and regulatory obligations.
Conducting surveillance over electronic/telephonic communication; recording CCTV footage.	To assure service quality, for training, to detect and prevent potentially unlawful conduct.
To enforce or defend rights.	To ensure our rights and the rights of those under our scope of responsibility are protected.
To liaise with regulatory authorities.	To ensure we meet our reporting obligations and commitment to government agencies which have jurisdiction.

Where we Process your Special Category Data, we will also ensure we are permitted to do so under the Data Protection Laws, eg:

- to protect your (or someone else’s) vital interests where you are physically or legally incapable of giving consent;
- to comply with another law;
- to prevent of unlawful acts, including money laundering or other financial misconduct, and the financing of terrorism;
- to establish, exercise or defend legal claims; or
- where we have your explicit consent.

6. MARKETING

We may use your Personal Data to send you updates (by email, text message, telephone or post) about our services, including exclusive offers, promotions or new services.

Where we have a legitimate interest in using your Personal Data for marketing purposes (see above ‘**How and why we use your Personal Data**’) we do not usually need your consent. However, where consent is needed, we will ask for this separately and clearly.

You have the right to opt out of receiving marketing communications at any time by contacting us (see '**How to contact us**' below).

We may ask you to confirm or update your marketing preferences if you ask us to provide further services in the future, or if there are changes in the law, regulation, or the structure of our business.

We will always treat your Personal Data with respect and never sell or share it with other organisations outside JTC's group for marketing purposes.

7. WITH WHOM WE SHARE YOUR PERSONAL DATA

We routinely share your Personal Data with companies within the JTC Group and third parties we use to help deliver our services to you, eg payment service providers, data warehouses and delivery companies.

As required, we also share your Personal Data with:

- other third parties we use to help us run our business, eg marketing agencies or website hosts;
- professional advisors, including lawyers, regulatory specialists, and tax advisers;
- IT service providers;
- our insurers and banks;
- intermediaries;
- third parties you approve, eg social media sites you choose to link your account to or third party payment providers;
- government agencies to whom we have a disclosure obligation; and
- competent courts and tribunals who issue an order with which we are obliged to comply.

We only allow our service providers to handle your Personal Data if we are satisfied they take appropriate measures to protect it. We also impose contractual obligations on service providers to ensure they can only use your Personal Data to provide services to us and to you.

On occasion we may also need to:

- share Personal Data with external auditors, eg in relation to ISO accreditation and the audit of our accounts;
- disclose and exchange information with law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations; and
- share some Personal Data with other parties, such as potential buyers of some or all of our business or during a restructuring—usually, information will be anonymised but this may not always be possible, however, the recipient of the information will be bound by confidentiality obligations.

If you would like more information about who we share our data with and why, please contact us (see '**How to contact us**' below).

WHERE YOUR PERSONAL DATA IS HELD

Personal data may be held at our offices and those of our group companies, third party agencies, service providers, representatives and agents as described above (see above: '**Who we share your Personal Data with**').

Some of these third parties may be based outside Jersey. For more information, including on how we safeguard your Personal Data when this happens, see below: '**Transferring your Personal Data abroad**'.

8. HOW LONG WE WILL KEEP YOUR PERSONAL DATA

We will keep your Personal Data while you have a relationship with us or we are providing services to you. We will then keep your Personal Data only for as long as necessary:

- to respond to any questions, complaints or claims made by you or on your behalf;
- to show that we treated you fairly;
- to keep records required by law.

We will not keep your Personal Data for longer than necessary. Different retention periods apply for different types of Personal Data. Further details on this are set out in our Record-Keeping and Retention Policy.

When it is no longer necessary to keep your Personal Data, we will delete or anonymise it.

9. TRANSFERRING YOUR PERSONAL DATA ABROAD

To deliver services to you, it is sometimes necessary for us to share your Personal Data abroad, eg:

- with our offices or other companies within our Group;
- with your and our service providers located abroad;
- if you are based in another jurisdiction from where we are;
- where there is an international dimension to the services we are providing to you.

We transfer your Personal Data from the British Islands or European Union where:

- the recipient jurisdiction is also a member of the European Union and/or the European Economic Area;

- the recipient jurisdiction ensures an adequate level of data protection, as determined by the European Commission (and/or local data protection authority). Presently the 'adequate' jurisdictions are Andorra, Argentina, the Canadian private sector, Faroe Islands, Guernsey, Jersey, Israel, Isle of Man, Japan, New Zealand, South Korea, Switzerland and Uruguay;
- there are appropriate safeguards in place, such as approved 'standard contractual clauses' (see below), together with enforceable rights and effective legal remedies for data subjects; or
- a specific exception applies under the Data Protection Laws.

These are explained below.

TRANSFERS WITH APPROPRIATE SAFEGUARDS

Where there is no adequacy determination in place, we may transfer your Personal Data to another country if we are satisfied the transfer complies with the Data Protection Laws, appropriate safeguards are in place, and enforceable rights and effective legal remedies are available for data subjects.

The safeguards will generally include using what are known as 'standard contractual clauses', which are legally-mandated contractual clauses to protect Personal Data. You may approach our DPGO to discuss accessing a copy of the relevant safeguards in the appropriate case.

ALTERNATIVE BASES

In the absence of an adequacy decision or appropriate safeguards, we may transfer Personal Data to a third country on an alternative basis under the Data Protection Laws, eg:

- the transfer is necessary for a contract in your interests, between us and another person;
- the transfer is necessary to establish, exercise or defend legal claims;
- the transfer is necessary for the performance of a contract between us or to take pre-contract measures at your request;
- the transfer is in the public interest; or
- you have explicitly consented to the proposed transfer after having been informed of the possible risks.

We may also transfer information for the purpose of our compelling legitimate interests, so long as those interests are not overridden by your interests, rights and freedoms and are not otherwise prohibited. Specific conditions apply to such transfers and we will provide relevant information if and when we seek to transfer your Personal Data on this ground.

TRANSFER JURISDICTIONS

We transfer Personal Data to the following jurisdictions depending on the needs of the client and the Processing:

- **EU Member States:** Luxembourg, the Netherlands, and within the Republic of Ireland.
- **Adequate jurisdictions:** Guernsey, the Isle of Man, Jersey, New Zealand Switzerland and the United Kingdom.
- **Other jurisdictions:** British Virgin Islands, Cayman Islands, Hong Kong, Malaysia (including Labuan), Mauritius, Panama, the Seychelles, Singapore, Switzerland, South Africa, United Arab Emirates, and the United States of America.

We may transfer to other jurisdictions on a bespoke or *ad-hoc* basis. If we do so, we shall transfer lawfully in accord with the above mechanisms.

FURTHER INFORMATION

If you would like further information about data transferred abroad, please contact our Director (Data Protection Governance Officer) Legal (see ‘**How to contact us**’ below).

10. YOUR RIGHTS

You may have the following rights, which you can exercise free of charge:

Access	The right to be provided with a copy of your Personal Data
Rectification	The right to require us to correct any mistakes in your Personal Data
Erasure (also known as the right to be forgotten)	The right to require us to delete your Personal Data—in certain situations
Restriction of processing	The right to require us to restrict processing of your Personal Data in certain circumstances, eg if you contest the accuracy of the data
To object	The right to object: —at any time to your Personal Data being processed for direct marketing (including profiling); —in certain other situations to our continued processing of your Personal Data, eg processing carried out for the purpose of our legitimate interests
Not to be subject to automated individual decision making	The right not to be subject to a decision based solely on automated processing (including profiling) that produces legal

	effects concerning you or similarly significantly affects you
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Generally we will have up to four weeks to respond to your request, but in limited circumstances where a request is complex, this period can be extended by a further eight weeks. Generally the more targeted a request is, the quicker we will be able to assist you.

11. KEEPING YOUR PERSONAL DATA SECURE

We have appropriate organisational and technical security measures to prevent Personal Data from being accidentally lost, or used or accessed unlawfully. We limit access to your Personal Data to those who have a genuine business need to access it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable supervisory authority of a suspected data protection breach where we are legally required to do so.

12. HOW TO RAISE A CONCERN

We encourage you to contact us directly if you have any query or concern about our use of your Personal Data (see below '**How to contact us**'). We hope we can resolve any issues you may have.

You can also complain to the data protection supervisory authority where you reside. You can ask us if unsure of their contact details.

CHANGES TO THIS PRIVACY NOTICE

This privacy notice was published in July 2022. We may update this privacy notice from time to time.

HOW TO CONTACT US

You can contact our DPGO by post, email or telephone if you have any questions about this privacy policy or the information we hold about you, to exercise a right under the Data Protection Laws or to make a complaint.

Our contact details are shown below:

Our contact details	Our DPGO's contact details
PO Box 1075	The Scalpel
JTC House	18 th Floor

Our contact details	Our DPGO's contact details
28 Esplanade St Helier JE4 2QP Jersey +44 1534 700 000 https://www.jtcgroup.com/contact/	52 Lime Street London, UK EC3M 7AF +44 1534 700 000 gdpr@jtcgroup.com

DO YOU NEED EXTRA HELP?

If you would like this notice in another format, please contact us (see **'How to contact us'** above).