

DATA PROTECTION  
**PRIVACY POLICY**



**IMARA**

Trust & Corporate Services

## DATA PROTECTION PRIVACY POLICY

Imara Trust Company (Mauritius) Limited is a provider of fiduciary and administration services licensed and regulated by the Financial Services Commission of Mauritius. Our registered office is Level 2, Alexander House, Silicon Avenue, Ebene Cybercity, Republic of Mauritius.

Imara Trust Company (Mauritius) Limited is registered as a Data Controller with the Data Protection Office of Mauritius and is subject to certain obligations under the Data Protection Act 2017 of Mauritius as regards the collection, processing, storing and sharing of your personal data, to ensure privacy, confidentiality and integrity of such data. The Mauritius Data Protection Act 2017 was promulgated in view to be compliant with the EU General Data Protection Regulations (GDPR).

Where required, Imara Trust will seek your written consent for the processing and sharing of your personal data, for a purpose other than for what you provided those data and you may withdraw or amend such consent at any time by giving a written notice to Imara Trust.

This Privacy Policy (the Policy) describes how Imara Trust Company (Mauritius) Limited collects, uses and shares the information you provide to us and the information we collect and safeguard in the course of operating our business, through our websites, from third party sources and, any other means whatsoever. This Policy is not intended to, nor does it, create any contractual rights whatsoever or any other legal rights, nor does it create any obligations on Imara Trust in respect of any other party or on behalf of any party.

In this Policy when we refer to Imara Trust or “we”/”us”/”our” we mean Imara Trust Company (Mauritius) Limited and its subsidiaries.

We reserve the right to revise this Policy at any time by amending the Data Privacy page on our website [www.imara.mu](http://www.imara.mu). You are expected to check the page from time to time to take notice of any changes we make, as they concern you.

### **This Policy describes:**

- Data we collect and hold about you
- Purposes for which we use the data and the legal basis for doing so
- Sharing your data
- Transferring your data overseas
- Keeping your information and information security
- Your choices and rights
- Contact us

## DATA WE COLLECT AND HOLD ABOUT YOU

We collect and process your personal or sensitive data for various purposes connected with our services, including, for instance, data we require to manage our provision of services to you, your family or your employer and to meet our legal and regulatory obligations.

What personal data we collect and for what purpose will depend on the nature of our relationship with you. For instance, if you are a director of a private corporate client, then we may need to collect detailed information for due diligence and regulatory purposes. In comparison, if you are an employee participating in a share plan or you are simply interacting with us on behalf of your employer then we will collect much less information.

### The types of personal data we may collect, and process includes:

**Name and Contact Details:** Information we require for the purposes of managing our relationship, generally including your name, job title, postal addresses, country of residence, email addresses and telephone numbers.

**Due Diligence & Regulatory Details and personal identification data:** Information we require from directors, other officers, shareholders and beneficial owners of private corporate clients to meet our legal and regulatory obligations, particularly anti-money laundering legislation, and assess the risk associated with providing services to you, including:

- Identity information including your current and former names, aliases, date of birth, country of birth, place of birth, gender, nationality and a copy of your valid passport and/or birth certificate (including issue date and expiry date, where applicable).
- Documents providing proof of your identity and address, such as copies of government issued documents, profile pictures, bank statements, utility bills and similar documents.
- Detailed tax status information, including your tax domicile, tax identification number, copies of tax returns and tax advice received.
- Proof of the source of your wealth and funds, such as bank statements, pension plans, property sales agreements and loan documents.
- Education, occupation and employment information, including details of legal entities you are employed by or affiliated with (past and present), hobbies and interests and other personal information which may be found on your Curriculum Vitae (CV) or similar document provided to us.
- Details of criminal convictions and disqualifications, history of bankruptcy and details of investigations by a formal official body and/or if you are named on a sanctions list.
- Details of involvement in high-risk or high-profile activities.
- Other due diligence information gathered from checking tools we use and from searching information in the public domain including the internet and social media.

**Share Plan Details:** If you participate in an employee share plan which we administer on behalf of your employer, then we will collect information such as the number of shares that you own and their value at any particular point of time.

**Records of Correspondence:** We keep records of communications that take place between you and us, including emails, letters, meetings and telephone calls.

**Other information:** Additional information you provide to us or created by us when providing services to you.

We collect personal data when you give it to us and from information we learn about you through our relationship. We also collect data about you from third parties, including your employer, your professional advisers, due diligence and risk assessment screening service providers and from the public domain, including from internet searches and social media.

## PURPOSES FOR WHICH WE USE THE DATA AND THE LEGAL BASIS FOR DOING SO

When providing services to you, we may use data about you for the following purposes and on the following lawful bases:

### PURPOSE

### LAWFUL BASIS FOR PROCESSING

**Carrying out due diligence on directors and other officers, shareholders and beneficial owners of private corporate clients and performing risk assessments.** Including carrying out standard due diligence checks, enhanced due diligence checks, politically exposed person checks and performing risk assessments in relation to your financial and legal standing and eligibility for our services.

Necessary to comply with legal obligations to which we are subject. Our legitimate business interest to assess the risk associated with providing you with our services. When processing sensitive personal data, we do so with your explicit consent. To collect and provide these personal data to third parties such as banks, payment services providers, custodians, brokers, investment managers, auditors and other service providers as may be contracted during the normal course of business for or on behalf of the corporate client.

**Legal & regulatory compliance and compliance with law enforcement requests.** Including performing checks and monitoring transactions for the purpose of preventing and detecting crime and to comply with laws relating to money laundering, fraud, terrorist financing, tax information exchange, bribery and corruption, and international sanctions. Also, sharing information on suspected financial crimes, fraud and threats with law enforcement and regulatory bodies.

Necessary to comply with the legal obligation we are subject. When processing sensitive personal data, we do so with your explicit consent, unless we do so to comply with laws, legislations and statutory regulations or for any other reason allowed by the Data Protection Act 2017 where your consent is not required.

To provide services to you or your employer. Including share option plan services and all other services we provide to you.

Our legitimate business interests to provide you with our services at the request of your employer.

**Sending you marketing and promotional materials about our services, our news and events.** Including sending you our news emails, information about our services, related information which may be of interest to you and to invite you to our events.

Our legitimate business interest to send you marketing and promotional materials from time to time. You can tell us to stop sending you marketing information at any time by contacting us at [dpo@imara.mu](mailto:dpo@imara.mu) or by using the unsubscribe link in any marketing email you receive from us.

**Internal management, administrative and organizational purposes.** This includes maintaining internal records and carrying out other business administration tasks.

Our legitimate business interest to process your personal data in order to manage our business process.

**Statistics and other data analysis.** This includes creating forecasts and business plans, improving our services and developing new services.

Our legitimate business interest to process your personal data to develop and improve our business through aggregated and anonymised reporting and analysis.

**Sharing data with other third parties.** Including third parties who process personal data on our behalf.

Our legitimate business interest to share your data with trusted third parties who provide us with services relevant to our provision of services to you, including professional advisers, screening service providers and IT service providers.

Where we do not base our use of personal data about you on one of the above legal bases, we will ask for your consent before we process the personal data (these cases will be clear from the context). In some instances, we may use personal data about you in ways that are not described above. Where this is the case, we will provide a supplemental privacy notice that explains such use or write directly to you to explain the same. You should read any supplemental notice in conjunction with this notice.

To the extent that we rely upon consent as the legal basis under which we use your data, then you are permitted to withdraw your consent at any time.

## SHARING YOUR DATA

### We may share your data with:

Third parties who process data on our behalf to provide us or you with products or services for the purposes outlined above. These third parties include:

- professional advisers: Including lawyers, insurers and tax advisers.
- screening service providers: Including due diligence and financial crime screening database providers, such as Thompson Reuters World-Check.
- IT consultants and service providers: Including hosting and cloud service providers, such as Microsoft.
- other suppliers and providers of services to us: Including banks, our sub-contractors agents and other entities within our Group. i.e our subsidiaries or associates or subsidiaries and associates of our parent company.

### Other third parties, where required or permitted by law, for example:

- Regulatory authorities.
- Government departments.
- To the extent required by law, regulation or court order, for example, if we are under a duty to disclose your personal information in order to comply with any legal obligation.
- When we consider disclosure to be necessary or appropriate to prevent physical harm or financial loss or in connection with an investigation of suspected or actual illegal purpose.
- In the context of organisational restructuring (merger or other related transactions).
- For the prevention or detection of any fraud or other criminal activity

We **DO NOT** share or sell information to other companies, even to those companies which we believe may have products and services of interest to you.

## TRANSFERRING YOUR DATA OVERSEAS

Where we transfer your personal information outside of Mauritius, we will ensure that it is protected and transferred in a manner consistent with legal requirements applicable to the information and where required, with your consent. We may during the course of business transfer and store your personal data to a web hosting and/or cloud service provider such as Microsoft which may be located outside of Mauritius as part of our disaster recovery plan, which may include processing of such data by staff operating outside of Mauritius. In such cases, Imara Trust shall ensure that such transfer will comply with applicable data protection legislation and our obligation under such legislation. Where required under applicable laws, we will take measures to ensure that your personal information handled in other countries will receive at least the same level of protection as it has in Mauritius.

In other circumstances, the law may permit us to otherwise transfer your personal information outside Mauritius. In all cases, however, any transfer of your personal information will be compliant with applicable data protection law.

You can obtain more details of the protection given to your personal information when it is transferred outside Mauritius (including a sample copy of the model contractual clauses) by contacting us using the details set out below.

By submitting your personal data to us, you agree to us transferring, processing and storing your data as described above.

## KEEPING YOUR INFORMATION AND INFORMATION SECURITY

### How long we hold your personal information for will vary and will depend principally on:

- the purpose for which we are using your personal information - we will need to keep the information for as long as is necessary for the relevant purpose, and
- legal obligations - laws or regulation may set a minimum period for which we have to keep your personal information;
- We will ensure that the personal information that we hold is subject to appropriate security measures against unauthorised access or disclosure or damage or accidental loss, of your information;
- You should be aware that communications through technological means such as emails are not secure and accordingly we cannot guarantee the security of your information absolutely and you acknowledge that we may be subject to breaches of security through no fault of our own.

## YOUR CHOICES AND RIGHTS

You have a number of legal rights in relation to the personal information that we hold about you and you can exercise your rights by contacting us using the details set out below.

### These rights include:

- Obtaining information regarding the processing of your personal information and access to the personal information which we hold about you.
- Please note that there may be circumstances in which we are entitled to refuse requests for access to copies of personal information. In particular, information that is subject to legal professional privilege will not be disclosed other than to our client and as authorised by our client.



- Requesting that we correct your personal information if it is inaccurate or incomplete.
- Requesting that we erase your personal information in certain circumstances. Please note that there may be circumstances where you ask us to erase your personal information but we are legally entitled/obliged to retain it.
- Objecting to, or requesting that we restrict, our processing of your personal information in certain circumstances. Again, there may be circumstances where you object to, or ask us to restrict, our processing of your personal information but we are legally entitled/obliged to refuse that request.
- In some circumstances, to receive some personal information in a structured, commonly used and machine-readable format and/or requesting that we transmit those information to a third party where this is technically feasible and allowed under our operational policies. Please note that this right only applies to personal information which you have provided to us.
- Where a person is a minor or physically or mentally unfit, a person duly authorised (parent, guardian, legal administrator) can exercise the minor's rights on his/her behalf.
- Withdrawing your consent, although in certain circumstances it may be lawful for us to continue processing without your consent if we have another legitimate reason (other than consent) for doing so. Withdrawal will not affect the lawfulness of processing before the withdrawal.
- Lodging a complaint with us and if you receive no satisfaction, lodge a complaint with the relevant data protection authority, if you think that any of your rights have been infringed by us or you believe that our processing of your personal information infringes the Data Protection Act 2017. We can, on request, tell you which data protection authority is relevant to the processing of your personal information.

**You will not have to pay a fee to access your personal data held by us. However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.**

If you wish to exercise your rights, please contact us as per our contact details set below.

## CONTACT US

If you have any questions, or wish to exercise any of your rights, then you can contact our Data Protection Officer by email at [dpo@imara.mu](mailto:dpo@imara.mu) or by post at **Data Protection Officer**, Imara Trust Company (Mauritius) Limited, Level 2, Alexander House, Silicon Avenue, Ebene Cybercity, Mauritius.

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*Exceptional in our abilities, **Sophisticated in our service***