

PRIVACY NOTICE

Effective Date: from 15 July 2021

This Privacy Notice explains the manner in which particular companies in the Vistra Group (meaning Vistra Group Holdings (BVI) III Limited, any of its current and future affiliated entities, or such other amalgamated or re-organised successor company(ies) of Vistra Group Holdings (BVI) III Limited, the “**Vistra Group**”) collect, use and disclose your personal data, and your rights in relation to the personal data which it holds.

Vistra (Seychelles) Limited (“Vistra Seychelles”)

Vistra Seychelles (in this Privacy Notice, “**Vistra**”, “**us**”, “**we**” and “**our**”) is the controller of your personal data and, as a part of the Vistra Group, recognises its responsibilities in relation to the collection, holding, processing, use, disclosure and/or transfer of personal data under any applicable data protection laws, rules, regulations and guidelines on the protection of personal data (collectively, “**Applicable DPL**”).

Personal data will be collected by us only for lawful purposes and we shall take reasonable steps to ensure that personal data held by us is accurate, up-to-date and complete. We shall moreover implement all practicable and reasonable steps to protect any personal data we hold against misuse, interference, unauthorised or accidental access, modification, disclosure, processing, erasure, loss or use.

If we engage another party to process any personal data held by us, we shall adopt contractual or other means to ensure that such party complies with all applicable data protection laws and this Privacy Notice. We shall only use personal data for the purposes for which your personal data was originally collected and as further detailed herein. Such party that obtains/receives personal data from us shall be subject to its own separate and primary privacy obligations under Applicable DPL.

We will use your personal data only in accordance with this Privacy Notice. Vistra may update this Privacy Notice from time to time. We advise you to periodically review this Privacy Notice to be informed of how Vistra is protecting your privacy.

This Privacy Notice outlines Vistra’s practices and the choices you have concerning the collection and use of your personal data. This Privacy Notice should be read together with the applicable terms and conditions, terms of engagement, or service agreements of the relevant service or website provided by Vistra (the “**Terms and Conditions**”), provided that, in the event of any inconsistency between this Privacy Notice and the Terms and Conditions concerning matters relating to personal data, the Terms and Conditions shall prevail.

This Privacy Notice supersedes any previous Privacy Notice or equivalent which you may have been provided with or seen prior to the Effective Date stated above.

Queries, Complaints and Contact Details

Requests for disclosure, access, correction, complaints, deletion, updates or other queries relating to how your personal data is processed should be addressed to us via the contact details set forth below:

Address:
Suite 23, First Floor
Eden Plaza
Eden Island, Mahé

Republic of Seychelles

Telephone: +248 4325 600

Email: Privacy@vistra.com

To ensure the integrity and safety of personal data, Vistra will only disclose such data to you if our internal procedures are satisfied. Depending on the nature of your request, we may ask you to complete a personal data request form. To the extent permitted by applicable laws and regulations, we reserve the right to refuse unreasonable requests (for example, requests which infringe the privacy of others). To the extent permitted by applicable laws and regulations, we reserve the right to charge a reasonable fee for the cost of processing any request. All requests will be handled in a reasonable period of time.

Data Request and Access Rights to Personal Data

Where applicable, under Applicable DPL, you may have the right to:

- send us a written request on whether we hold your personal data;
- obtain access to, and copies of, the personal data that we hold about you;
- require that we cease processing your personal information if the processing is causing you damage or distress;
- require us to rectify or correct the personal data we hold about you if it is incorrect;
- request the deletion or erasure of your personal data;
- require us not to send you marketing communications; and
- object or opt out of our data processing activities with which you disagree.

Please note that the above rights (if applicable) are not always absolute, and we may be entitled to refuse requests where exceptions apply in accordance with applicable laws and regulations.

Requests for access, correction, complaints, or other queries relating to how your personal data is processed should be addressed to us via the contact details set out under the heading “Queries and Contact Details” above.

If you are located in the European Union (“EU”) and the EU General Data Protection Regulation applies:

- please refer to the EU regulator in the jurisdiction where you are located (in the EU) to find out more about your rights; and
- you can also make a complaint to a local EU regulator in the jurisdiction where you are located if you are not satisfied with how we are processing your personal data.

How we process, handle and collect your data

We may process, handle and collect your personal data in a number of ways, for example:

- from the information you provide to us when you meet us;
- from information about you provided to us by your company or an intermediary;
- when you communicate with us by telephone, fax, email or other forms of electronic communication. In this respect, we may monitor, record and store any such communication;
- when you complete (or we complete on your behalf) client on-boarding or application or other forms;

- from other companies in the Vistra Group;
- from your agents, advisers, intermediaries, and custodians of your assets; and
- from publicly available sources or from third parties, most commonly where we need to conduct background checks about you.

The categories of personal data we may collect

We may collect the following categories of personal data about you:

- your name and contact information such as your home or business address, email address and telephone number;
- biographical information which may confirm your identity including your date of birth, tax identification number and your passport number or national identity card details, country of domicile and/or your nationality;
- information relating to your financial situation such as income, expenditure, assets and liabilities, sources of wealth, as well as your bank account details;
- information about your knowledge and experience in the investment field;
- an understanding of your goals and objectives in procuring our services;
- information about your employment, education, family or personal circumstances, and interests, where relevant;
- information to assess whether you may represent a politically exposed person or money laundering risk; and
- any other personal data you may decide to share with us or any member of the Vistra Group.

The purpose for processing your personal data (other than with your consent), how we use that personal data and the parties with whom we may share it

Performance of a contract

We may process your personal data because it is necessary for the performance of our obligations under Terms and Conditions or any other contract, or in order to take steps at your request prior to entering into Terms and Conditions or any other contract.

In this respect, we may use your personal data for the following purposes:

- to prepare a proposal regarding the services we offer;
- to provide the services as set out in our Terms and Conditions or as otherwise agreed with you or our relevant contracting party from time to time;
- to deal with any complaints or feedback you may have; or
- for any other purpose for which you provide us with your personal data.

In this respect, we may share your personal data with, or transfer it to, the following parties:

- your agents, advisers, intermediaries, and custodians of your assets who you tell us about;
- third parties whom we engage to assist in delivering the services to you, including other companies in the Vistra Group;
- our professional advisers where it is necessary for us to obtain their advice or assistance, including lawyers, accountants, tax advisers, IT or public relations advisers;
- other third parties such as intermediaries who we introduce to you. We will wherever possible tell you who they are before we introduce you; and
- our data storage providers and any other software providers that we require to perform our services.

Legitimate interests

We may also process your personal data because it is necessary for our legitimate interests, or sometimes where it is necessary for the legitimate interests of another person, provided that such is in compliance with the Applicable DPL. For instance, our legitimate interests may be as regards to suspected unlawful activity or misconduct of a serious nature, for the establishment, exercise, or defence of a legal claim or for the purposes of a confidential alternative dispute resolution process.

In this respect, we may use your personal data for the following purposes:

- for marketing to you, provided that such is in compliance with the Applicable DPL. In this respect, see the separate section on “Marketing” set out below;
- training our staff or monitoring their performance;
- for the administration and management of our business, including recovering money owed to us, and archiving or statistical analysis;
- seeking advice on our rights and obligations, such as where we require our own legal advice; and
- defending a claim against us or prosecuting or making a claim against you or a third party.

With respect to the purposes listed above, we may share your personal data with, or transfer it to, the following parties:

- your agents, advisers, intermediaries, and custodians of your assets who you tell us about;
- third parties whom we engage to assist in delivering the services to you, including other companies in the Vistra Group;
- our professional advisers where it is necessary for us to obtain their advice or assistance, including lawyers, accountants, tax advisers, IT or public relations advisers;
- our bankers, insurers and insurance brokers;
- other third parties such as intermediaries who we introduce to you. We will wherever possible tell you who they are before we introduce you;
- our data storage providers and any other software providers that we require to perform our services; and
- third parties and their advisers where those third parties are acquiring, or considering acquiring, all or part of our business.

Legal obligations

We may also process your personal data for our compliance with a legal or regulatory obligation.

In this respect, we may use your personal data for the following:

- to meet our compliance and regulatory obligations, such as compliance with anti-money laundering laws; or
- as required by tax authorities or any competent court or legal authority.

With respect to the obligations above, we may share your personal data with the following parties:

- our advisers where it is necessary for us to obtain their advice or assistance;

- our auditors where it is necessary as part of their auditing functions;
- third parties who assist us in conducting background checks;
- other companies in the Vistra Group; and
- relevant regulators or law enforcement agencies where we are required to do so.

Although compliance with legal and regulatory obligations are exceptions from the requirement to obtain consent to collect sensitive information, such does not avoid the obligation under the Applicable DPL (as may be necessary and required) to notify individuals of the prescribed matters at or before the time of or, as soon as practicable, after the collection of that information.

Marketing

From time to time, we, or other members of the Vistra Group, may send you marketing communications about additional services we provide which may be relevant to you, as well as other information in the form of alerts, newsletters and invitations to events or functions which we believe might be of interest to you.

We, or other members of the Vistra Group, may communicate this to you in a number of ways including by post, telephone, email, SMS or other digital channels.

If you receive marketing communications from us but do not wish to receive them in the future, you may opt out of receiving them at any time, free of charge, by the following applicable means:

- unsubscribing by following the “Reply To” instructions contained in the marketing text message;
- following the unsubscribe instructions or hyperlink in the email;
- following the unsubscribe instructions in the applicable mobile application;
- notifying us that you no longer wish to receive marketing communications when receiving our marketing calls; or
- contacting us via the contact details set out under the heading “Queries and Contact Details” stated above to tell us that you no longer wish to receive marketing communications through any channel.

We may issue service-related announcements to you when necessary (e.g. new laws, regulations or compliance requirements). You may not be able to opt out of these announcements which are service-related and not promotional in nature.

Withdrawal of Consent

If you have given your consent and you wish to withdraw it at any time, please unsubscribe and opt out as outlined above or contact us via the contact details set out under the heading “Queries and Contact Details” above.

Transfer and processing of your personal data cross-border

We may transfer, store, or process your personal data in locations outside the jurisdiction in which you are based (“**Jurisdiction**”). Where the countries to which your personal data is transferred do not offer an equivalent level of protection for personal data to the laws of the Jurisdiction, we will ensure that appropriate and reasonable safeguards and security measures are put in place. We will use appropriate and reasonable data security safeguards, use contractual confidentiality terms and agreements with third parties, ensure that the

applicable country has equivalent data protection laws, or seek your explicit consent to the transfer of your personal data to a place outside the Jurisdiction (each time as applicable).

Transfer and processing of your personal data outside Seychelles

Where we transfer your personal data from Seychelles, it will only be transferred on one of the following bases:

- the country that we send the personal data to in our view provides an adequate level of protection for personal data;
- the recipient has entered into an appropriate contract with us; and/or
- you have consented to the transfer.

Questions

To find out more about transfers by us of your personal data and the countries concerned you can contact us via the contact details set out under the heading “Queries and Contact Details” above.

Cookies

Our website uses cookies to improve your experience on our website. For full details on how cookies are used, please see our [Cookie Policy](#).

Retention of your data

Should your account or relationship with us be cancelled or terminated or have otherwise expired at any time, we shall cease processing your personal data as soon as reasonably practicable following such cancellation or termination, provided that we may keep copies of your data as is reasonably required for archival purposes, for use in relation to any actual or potential dispute, for the purpose of compliance with applicable laws and regulations or for the purpose of enforcing any agreement we have with you, for protecting our rights, property or safety, or the rights, property or safety of our employees, and for performing or discharging any functions, obligations and responsibilities we may have. We may also continue processing your personal data for our legitimate interests, as further detailed in this Privacy Notice.

Storage and third parties

Vistra may store your personal data for processing in our local servers and Vistra Group databases, or use third party cloud vendors and data processors where we have contractual security measures and reassurances of appropriate security measures in place for as long as it is necessary or required in order to fulfil legal, contractual or statutory obligations or for the establishment, exercise or defence of legal claims, and in general where we have a legitimate interest for doing so (please also note the provisions under “Transfer and processing of your personal data cross-border” above in this regard). In particular:

- where we have collected your personal data as required by anti-money laundering legislation, including for identification, screening and reporting, we will retain that personal data for at least seven (7) years after the termination of our relationship, unless we are required to retain this information by another law, regulation or for the purposes of court proceedings; or

- otherwise, we will, in most cases, retain your personal data for a period of seven (7) years after the termination of our contractual or other relationship with you in case any claims arise out of the provision of our services to you.

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