

## **SCB Group Privacy Notice – Partners, Clients & Suppliers**

At SCB Group we respect the privacy of our business partners, clients, and suppliers. We are committed to complying with applicable data protection laws in every country in which we operate.

This privacy notice is intended to inform you about how we process personal identified and identifiable data which you submit to us, including but not limited to, through our website starcb.com (the “**website**”), via direct communications and as part of our onboarding process.

### **Changes to the privacy notice**

This version was last updated on 28 June 2022. It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

### **ICO Registration**

We are registered with the Information Commissioner’s Office under registration number: ZB314961. Our registration details can be viewed at <https://ico.org.uk/ESDWebPages/Entry/ZB314961>.

### **About SCB Group**

SCB Group comprises the following entities:

- **SCB Brokers SA**, a company registered in Switzerland with company number CHE-113-417-077, having its registered address at Avenue de Perdttemps 23, 1260, Nyon, Switzerland;
- **SCB & Associates Limited**, a company registered in England and Wales with company number 07859997, having its registered address at Unit C, 2<sup>nd</sup> Floor, 16 Dufferin Street, London, EC1Y 8PD, England;
- **SCB Brokers LLC**, a company registered in Puerto Rico with company number 345999, having its registered address at First Floor, Jose Ramon Figueroa Corner, Ponce De Leon Ave., 1302, PR;
- **SCB Derivatives LLC**, a company registered in the State of Illinois with company number 1512085, having its registered address at 71 South Wacker Drive, Suite 1810, Chicago, Illinois, 60606, USA; and
- **SCB & Associates PTE. Ltd.**, a company registered in Singapore with company number 201228711D, having its registered address at 1 Kaki Bukit Road 1, #02-44, Enterprise One, Singapore, 415934.

Each SCB entity above is a data controller to the extent that it controls personal data relating to clients it is dealing with. A reference to SCB in this privacy notice means the relevant SCB entity above. From time to time some SCB entities may act as joint controllers for internal administration purposes within SCB Group.

To make it easy for you to communicate with SCB Group with regards to your data privacy rights, we provide a single point of contact. We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the data privacy manager at [dpo@starcb.com](mailto:dpo@starcb.com).

### **Important information**

It is important that you read this privacy notice together with any other privacy notice we may provide on

specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

You have the right to make a complaint at any time to the relevant data protection authority. We would, however, appreciate the chance to deal with your concerns before you approach the data protection agency, so please contact us in the first instance.

### **Personal Data we collect about you**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data which we have grouped together as follows:

- **Identity Data:** includes personally identifiable information, including but not limited to first name, last name, username, address, place of birth, marital status, title, date of birth and gender, job title, legal identification documents and company name.
- **Contact Data:** includes records of business communications with key personnel (for example, e-mails, instant messages, phone calls and/or notes of discussions concerning business matters), work email address and work phone address; and personal information disclosed during the onboarding process.
- **Transaction Data:** includes invoices, payments, payment methods, time, place, price.
- **Technical Data:** includes internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our website (your computer, mobile and tablet).
- **Usage Data:** includes information about how you use our websites.
- **Marketing and Communications Data:** includes your preferences in receiving marketing and other services from us and our third parties and your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

We deal with customers who are professional organisations, including financial institutions. There may be occasions where, as part of our services, we collect and process Identity and Contact Data relating to individuals (employees, service providers, consultants, etc) where it is necessary and relevant to our services.

### **How we collect personal data**

Most of the data we collect is via direct interactions with customers and suppliers, although sometimes we obtain personal data via our own initiatives, such as from websites, LinkedIn or other sources. We use different methods to collect data from and about you including through:

**Direct interactions.** You may give us your Identity and Contact Data by filling in forms or by corresponding with us by post, phone, email, ICE chat, WhatsApp, or otherwise. This includes personal data you provide when you:

- enquire about our services;
- have business dealings with us;
- complete online or paper forms;
- subscribe to our publications;
- request marketing to be sent to you;
- give us some feedback; and/or
- contact us about any other matter.

**Automated technologies or interactions.** As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns.

**Third parties or publicly available sources.** We may receive Identity and Contact Data about you from public sources.

#### **How we use personal data – lawful bases for processing personal data**

SCB only uses personal data when the law allows it. Most commonly, we use customers' and suppliers' personal data in the following circumstances:

- Where it is necessary for our legitimate business interests (or those of a third party) and the interests and fundamental rights of the data subject do not override those interests:  
such as participating in business-related communications, managing our contractual and business relationships, or sending corporate marketing and other materials of potential interest to customers and suppliers. In particular, legitimate interests include our business interests in being able to provide our services, conduct day to day business, manage customer relationships, optimise our services provision, understand the performance of the business, staff training, information security, the enforcement of our own legal claims and compliance with all applicable laws.
- Where we need to comply with a legal or regulatory obligation:  
we may share your personal information to comply with legal obligations to which we are subject in each relevant jurisdiction.
- Other purposes:  
to protect your vital interests or those of another individual; and/or for the purposes of record-keeping and hosting, back-up, disaster recovery and restoration of our systems.

We sometimes use third party service providers to deliver certain IT technology and similar services to us (for example, the hosting of our website or related services). Where this happens, they do so in the capacity

of data processors on behalf of the relevant SCB company, on terms which are compliant with the applicable law, and which restrict their use of your personal data to that which is solely necessary in order for them to deliver services to SCB on the basis of SCB's legitimate business interests.

Generally, we do not rely on consent as a legal basis for processing, other than in relation to sending direct marketing and third party communications to you. You have the right to withdraw consent to corporate marketing at any time by contacting us at [dpo@starcb.com](mailto:dpo@starcb.com).

### **Sharing personal data with others**

We share your personal information:

- with people within SCB Group who are involved in carrying out the processing described above;
- with regulators, tax authorities, law enforcement and fraud prevention agencies, and other law enforcement agencies if required by law;
- with third parties providing essential business services to SCB Group which are necessary for us to be able to conduct our business and comply with our legal obligations, such as conducting know your customer checks;
- with third party service providers who process your information on our behalf for the purposes above – such as IT hosting providers, payment service providers and other professionals and consultants retained by us; and
- there may be rare occasions where the nature of a customer instructions or supplier relationships means that we have to share personal data with limited external third parties.

We will also share your personal information:

- if we think this is necessary to protect the rights, property, or safety of our business, our employees, our partners, or our customers. This includes sharing information for the purposes of fraud protection and credit risk reduction;
- any member of our group, which means our subsidiaries, our ultimate holding company and its subsidiaries, as defined in section 1159 of the UK Companies Act 2006 and other similar laws on the territory of the relevant SCB company; and/or
- third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal information in the same way as set out in this policy. We will do this if such parties agree to comply with the data protection laws and will keep your data safe and private. If change to our group happens, then other parties may use your personal data in the same way as set out in this notice.

### **Storing your personal information and transfers of personal data**

- **SCB Brokers SA** is subject to Swiss Civil Code and the Federal Act on Data Protection 1992, as amended from time to time, (FADP) which enshrine fundamental rights to privacy in concrete terms at a statutory level. In essence, FADP provides for protection against infringements of personality rights through excessive use of personal data. The EU has determined that Switzerland offers adequate level of data protection (the adequacy decision).
- **SCB & Associates Limited** is subject to UK General Data Protection Legislation (UK GDPR), which sits alongside the amended version of the Data Protection Act 2018. The EU has determined that United Kingdom offers adequate level of data protection (the adequacy decision).

- **SCB & Associates PTE. Ltd.** Is subject to Personal Data Protection Act 2012 (PDPA), which provides a baseline standard of protection of personal data in Singapore. PDPA comprises various requirements governing collection, use, disclosure and protection of personal data. At present, there is no EU adequacy decision in respect of privacy laws in Singapore. Accordingly, where necessary under the relevant data protection laws, transfers to and from SCB & Associates PTE. Ltd. are subject to SCB's security measures, such as adoption of the standard contractual clauses.
- **SCB Derivatives LLC** is subject to Personal Information Protection Act (815 ILCS 530/) (PIPA) applicable within the State of Illinois. At present, there is no EU adequacy decision in respect of privacy laws in Illinois. Accordingly, where necessary under the relevant data protection laws, transfers to and from SCB Derivatives LLC are subject to SCB's security measures, such as adoption of the standard contractual clauses.
- **SCB Brokers LLC** is subject to its Constitutional privacy laws applicable across Puerto Rico. Additionally, local and federal laws recognise the confidential nature of personal information. At present, there is no EU adequacy decision in respect of privacy laws in Puerto Rico. Accordingly, where necessary under the relevant data protection laws, transfers to and from SCB Brokers LLC are subject to SCB's security measures, such as adoption of the standard contractual clauses.

SCB's data security measures are uniform across the entire Group. When we transfer personal data, we ensure that appropriate and suitable safeguards and technical measures are in place to protect your personal data in accordance with the applicable data protection laws.

We may use our secure servers to store your personal data. We take appropriate physical, electronic and procedural measures to ensure that we keep your information secure, accurate and up to date in accordance with this policy. We may use the following third parties to process and store electronic copies of your personal data: AWS cloud, Microsoft cloud, Adobe Docusign, Atlassian Cloud, Mailchimp, Precisely contract manager, Exiger Insight, Stripe payment processor, VoxSmart mobile compliance. We may, from time to time, store physical copies of your personal data in our offices. At all times, we remain responsible for security of all your personal data.

Your personal information may be stored and processed outside of the country where it is collected, including outside of the UK (under the UK GDPR) or outside the European Economic Area (EEA) (under the EU GDPR). Where possible, we will transfer personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. Where it is necessary to transfer personal data to other countries, in the absence of an adequacy decision we make use of standard contractual clauses approved by the European Commission from time to time, or we implement other similar measures required by laws around the world. Please contact us at [dpo@starcb.com](mailto:dpo@starcb.com) for further information.

#### **Personal data relating to someone else**

Prior to providing to SCB Group any personal information concerning another individual, you must (unless we agree otherwise):

- inform the individual that you wish to share their personal data and refer them to this privacy policy; and
- obtain their permission (where possible) to share their personal information with us in accordance with this policy.

## **Data security**

We have put in place appropriate security measures to prevent personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

SCB operates a robust Information System Security Programme (ISSP) to ensure the confidentiality, availability and integrity (CAI) of its information assets (including personal data). This ISSP programme is documented and regularly reviewed by SCB executives. The ISSP ensures that the appropriate technical and process controls are in place to protect personal data.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## **Data retention**

We will only keep records of your personal information for as long as is reasonably necessary for the purposes for which we have collected it, and in order to comply with any statutory or regulatory obligations in relation to retention of records.

We may retain your personal data longer:

- to comply with law;
- to protect your vital interests or those of another individual; or
- in connection with any legal claims (to the extent those claims are continuing after the end of the relevant retention period).

Finally, we may create anonymised or aggregated records relating to demography or the use of our website or services, from which no individual is identifiable. We may retain those records, which are not personal data, indefinitely.

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

## **Your legal rights**

Under certain circumstances, you have certain rights in relation to your personal data. Please see below the summary of your rights:

- **right to rectification:**

If your personal information is incorrect or incomplete any way, you may request us to correct your information.

- **right of access:**
  - you may request a confirmation from us that we are processing your personal data;
  - access your personal data held by us and request a copy (unless providing a copy adversely affects the rights and freedoms of others);
  - obtain certain information about how we process your personal data, categories of personal data processed, recipients or categories of recipients who receive personal data from us; and
  - how long we store your personal data for and the criteria we use to determine retention periods.
  
- **right to be informed:**
  - how your personal data is being processed;
  - how long it will be stored for;
  - the legal basis for processing;
  - recipients (or categories of recipients) of your personal data; and
  - whether personal data must be provided under statute or for another reason and the consequences of not providing the personal data to ensure the fair and transparent processing of your personal data.
  
- **right to restrict processing under certain circumstances:**
  - if you contest the accuracy of your personal data, we may restrict its processing, until we can verify its accuracy;
  - if the processing is unlawful;
  - if we no longer need to process your personal data, unless we still need your personal data for the establishment, exercise, or defence of legal claims; and
  - if you object to processing that relies on public interest or our (or third party's) legitimate interest as the lawful processing ground.
  
- **right to data portability:**
  - right to receive from us a copy of your personal data in commonly used and machine-readable format and store it for further use on a private device; and
  - right to transmit personal data to another third party; or have your personal data transmitted directly from one third party to another where technically possible.
  
- **right not to be subject to automated processing:**

You have the right not to be subject to automated decision-making, including profiling, which has legal or other significant effects on you.
  
- **Right to object to processing:**

You may object to processing of your personal data. We will stop processing your personal data once notified by you, except if we can demonstrate a compelling legitimate ground for processing the personal data that overrides your request; or processing is necessary to exercise or defend legal claims.

If you wish to exercise any of the rights set out above, please contact us at [dpo@starcb.com](mailto:dpo@starcb.com).

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us to verify your identity. This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than one month if your request is particularly complex, or if you have made a number of requests. In this case, we will notify you and keep you updated on the progress at all times.