

UTMOST WEALTH ADVISERS LIMITED DATA PROTECTION AND PRIVACY NOTICE

1. INTRODUCTION

Utmost Wealth Advisers Limited ("Utmost Wealth Advisers", "we", "us"), registered at 1 King William Street, London, EC4N 7AF, United Kingdom, is authorised and regulated by the Financial Conduct Authority ("FCA") to carry out insurance distribution activities. Utmost Wealth Advisers is registered with the Companies House number 11732755 and is listed on the Financial Services Register under the number 829788.

Utmost Wealth Advisers is acting as data controller in accordance with the United Kingdom General Data Protection Regulation (the "UK GDPR").

The purpose of this Notice is to provide a clear explanation of when, why and how we collect and use personal data. Do read this Notice with care. It provides important information about how we use personal data and explains your statutory rights.

2. WHAT PERSONAL DATA DO WE COLLECT?

In order to provide you with our services, we collect information about you and related parties. This may include contact information (name, address, email, telephone number), background information (including identification data, marital status, financial information - including insurance premiums relating to you and related parties) and matters relevant to the assessment of risk and management of our products and services (such as information we receive from consumer reporting agencies (such as credit relationships and history). We may also collect information about your transactions and relationships with us and our group (such as products or services purchased, account balances and payment history); and information we receive from outside sources in order to issue and service your products (such as motor vehicle reports and other public information).

The level and type of personal data we collect and use varies depending on the products and services requested and may include information on other individuals who need to be considered as part of the product/service.

In some instances, it is necessary for us to collect and use information about health or past criminal convictions ("Special Categories of Personal Data"). We are required to establish a legal exemption to use your Special Categories of Personal Data - see 'Purposes of the Personal Data Processing' section below for further details.

3. WHEN DO WE COLLECT YOUR PERSONAL DATA?

We will collect information from you directly when you apply for a product or service.

Information about you may also be provided to us by a third party, such as an agent or broker or any other third person who may be applying for a product or service which names or benefits you. We may collect information about you from other sources where we believe this is necessary to manage your product or service and the risk associated with it and/or to help fight financial crime. These other sources may include public registers and databases managed by credit reference agencies and other reputable organisations.

We will collect information about you if you or your company provides your contact or other information to us in the course of working with us, either directly, as a business partner or as a representative of your company.

We may also collect information about you if you attend meetings, events or conferences that we organise.

We may collect information from other public sources (e.g. your employer's website) where we believe this is necessary to help manage our relationships with our business partners.

4. PURPOSES OF THE PERSONAL DATA PROCESSING

We use your personal data for the following purposes:

- a. Advising on and arranging deals in insurance-based investment products and non-insurance contract, including assessing and evaluating risk and providing you with a product or service;
- b. Global management of customers (including investment profiles) and management of litigation;
- c. Comply with applicable laws and regulations, including for cooperating with local and foreign tax authorities, preventing fraud, money laundering and terrorist financing.

We will make sure that we only use your personal data for the purposes set out above where we are satisfied that:

- › our use of your personal data is necessary to perform a contract or take steps to enter into a contract with you (e.g. to manage your insurance-based investment products);
- › our use of your personal data is necessary to comply with a relevant legal or regulatory obligation that we are subject to (e.g. to comply with regulatory requirements);
- › our use of your personal data is necessary to support 'legitimate interests' that we have as a business (for example, to improve our products), provided it is conducted at all times in a way that is proportionate, and that respects your privacy rights;
- › you have given consent to the processing of your personal data for one or more specific purposes. When the processing is based on your prior consent, you have the right to withdraw your consent at any time.

When you provide personal data to Utmost Wealth Advisers relating to a third party, for example details of family members, you confirm that you have the authority to disclose the personal data and that the data disclosed is complete, accurate and up to date.

Before collecting and/or using any Special Categories of Personal Data we will establish a lawful exemption which will allow us to use that information. This exemption will typically be:

- › your explicit consent;
- › the establishment, exercise or defence by us or third parties of legal claims; or
- › a legal exemption provided under the UK GDPR and/or the UK Data Protection Act 2018, such as insurance specific legal exemptions.



PLEASE NOTE. If you provide your explicit consent to permit us to process your Special Categories of Personal Data, you may withdraw your consent to such processing at any time. However, you should be aware that if you choose to do so we may be unable to continue to provide certain products or services to you (and where you withdraw consent to an insurer's or reinsurer's use it may not be possible for the insurer to continue to provide services). If you choose to withdraw your consent we will tell you more about the possible consequences, including the effects of cancellation.

Please see Appendix 1 below to find out more about the information we collect and use about you and why we believe it is appropriate to use that information for such activities.

5. WHO DO WE SHARE PERSONAL DATA WITH?

Some of the purposes described above may require third parties to have access to your personal data. These third parties may include:

- › Financial/tax/legal advisors;
- › Brokers. Insurers/reinsurers and third party administrators who work with us;
- › Service providers who help manage our IT and back office system;
- › Our regulators, which may include insurance regulators, data protection regulators; courts and law enforcement agencies in the UK, E.U. and around the world;
- › Credit reference agencies and organisations working to prevent fraud in financial services;
- › Solicitors and other professional services firms; and
- › Any other subsidiary or affiliated company that is part of the group of companies of Utmost Wealth Advisers.

Depending on the product, Utmost Wealth Advisers will communicate data to insurers, notably located in Luxembourg, Guernsey and the United States of America, to issue insurance policies.

If we were to sell part of our businesses, we would need to transfer your personal data to the purchaser of such businesses.

6. TRANSFER OF PERSONAL DATA OUTSIDE THE EEA

From time to time we may need to share your personal data with members of the Utmost Wealth Advisers group who may be based outside of the United Kingdom (“UK”) and the European Economic Area (“EEA”). We may also share your personal data with insurers/reinsurers based outside of the UK/EEA. We may allow our service providers, who may be located outside the UK/EEA, access to your personal data. We may also make other disclosures of your personal data overseas, for example if we receive a legal or regulatory request from a foreign law enforcement body.

We will always take steps to ensure that any international transfer of information is carefully managed to protect your rights and interests. We will only transfer your personal data to countries which are recognised as providing an adequate level of legal protection or where we can be satisfied that alternative arrangements are in place to protect your privacy rights, such as entering into appropriate contractual commitments and where appropriate, further assurances, such as certification schemes.

7. DATA SUBJECT RIGHTS

You have a number of rights in relation to your personal data.

You may request access to your data, correction of any mistakes in our files, erasure of records where no longer required, restriction on the processing of your data, objection to the processing of your data, data portability and various information in relation to any automated decision making and profiling or the basis for international transfers. You may also exercise a right to complain to your local supervisory authority, which in the UK is the Information Commissioner’s Office (“ICO”). More information about each of these rights can be found in the table set out below.

8. DATA SUBJECT RIGHTS TABLE

| RIGHT | WHAT THIS MEANS |
|---------------|--|
| ACCESS | <p>You can ask us to:</p> <ul style="list-style-type: none"> › confirm whether we are processing your personal data; › give you a copy of that data; › provide you with other information about your personal data such as what data we have, what we use it for, who we disclose it to, whether we transfer it abroad and how we protect it, how long we keep it for, what rights you have, how you can make a complaint, where we got your data from and whether we have carried out any automated decision making or profiling, to the extent that information has not already been provided to you in this Notice. |
| RECTIFICATION | <p>You can ask us to rectify inaccurate personal data.</p> <p>We may seek to verify the accuracy of the data before rectifying it.</p> |
| ERASURE | <p>You can ask us to erase your personal data, but only where:</p> <ul style="list-style-type: none"> › it is no longer needed for the purposes for which it was collected; or › you have withdrawn your consent (where the data processing was based on consent); or › following a successful right to object (see ‘Objection’ below); or › it has been processed unlawfully; or › to comply with a legal obligation to which the Utmost Wealth Advisers is subject. <p>We are not required to comply with your request to erase your personal data if the processing of your personal data is necessary:</p> <ul style="list-style-type: none"> › for compliance with a legal obligation; or › for the establishment, exercise or defence of legal claims. <p>There are certain other circumstances in which we are not required to comply with your erasure request, although these two are the most likely circumstances in which we would deny that request.</p> |

| RIGHT | WHAT THIS MEANS |
|---------------------------|---|
| RESTRICTION | <p>You can ask us to restrict (i.e. keep but not use) your personal data, but only where:</p> <ul style="list-style-type: none"> › its accuracy is contested (see Rectification), to allow us to verify its accuracy; or › the processing is unlawful, but you do not want it erased; or › it is no longer needed for the purposes for which it was collected, but is still needed to establish, exercise or defend legal claims; or › you have exercised the right to object, and verification of overriding grounds is pending. <p>We can continue to use your personal data following a request for restriction, where:</p> <ul style="list-style-type: none"> › we have your consent; or › to establish, exercise or defend legal claims; or › to protect the rights of another natural or legal person. |
| PORTABILITY | <p>You can ask us to provide your personal data to you in a structured, commonly used, machine-readable format, or you can ask to have it 'ported' directly to another controller, but in each case only where:</p> <ul style="list-style-type: none"> › the processing is based on your consent or on the performance of a contract with you; and › the processing is carried out by automated means. |
| OBJECTION | <p>You can object to any processing of your personal data which has our 'legitimate interests' as its legal basis, if you believe your fundamental rights and freedoms outweigh our legitimate interests.</p> <p>Once you have objected, we have an opportunity to demonstrate that we have compelling legitimate interests which override your rights and freedoms.</p> |
| AUTOMATED DECISION MAKING | <p>You can ask not to be subject to a decision which is based solely on automated processing, but only where that decision:</p> <ul style="list-style-type: none"> › produces legal effects concerning you (such as the rejection of a claim); or › otherwise significantly affects you. <p>In such situations, you can obtain human intervention in the decision making, and we will ensure measures are in place to allow you to express your point of view, and/or contest the automated decision.</p> <p>Your right to obtain human intervention or to contest a decision does not apply where the decision which is made following automated decision making:</p> <ul style="list-style-type: none"> › is necessary for entering into or performing a contract with you; › is authorised by law and there are suitable safeguards for your rights and freedoms; or › is based on your explicit consent. |
| INTERNATIONAL TRANSFERS | <p>You can ask to obtain a copy of, or reference to, the safeguards under which your personal data is transferred outside of the United Kingdom and the European Economic Area.</p> <p>We may redact data transfer agreements or related documents (i.e. obscure certain information contained within these documents) for reasons of commercial sensitivity.</p> |
| SUPERVISORY AUTHORITY | <p>You have a right to lodge a complaint with your local supervisory authority about our processing of your personal data. In the UK, the supervisory authority for data protection is the ICO (https://ico.org.uk/).</p> <p>We ask that you please attempt to resolve any issues with us first, although you have a right to contact your supervisory authority at any time.</p> |

9. EXERCISE OF RIGHTS

To exercise your rights you may contact us as set out in the "Contact" section below. Please note the following if you do wish to exercise these rights:

Identity. We take the confidentiality of all records containing personal data seriously, and reserve the right to ask you for proof of your identity if you make a request.

Fees. We will not ask for a fee to exercise any of your rights in relation to your personal data, unless your request for access to information is unfounded, repetitive or excessive, in which case we will charge a reasonable amount in the circumstances. We will let you know of any charges before completing your request.

Exemptions. In the UK, the Data Protection Act 2018, provides for additional exemptions, in particular to the right of access, whereby personal data can be withheld from you in certain circumstances, for example where it is subject to legal privilege.

Third Party Rights. We do not have to comply with a request where it would adversely affect the rights and freedoms of other data subjects.

10. CONTACT

The primary point of contact for all issues arising from this Notice, including requests to exercise data subject rights, is via the following email address: uwadataprivacy@utmostwealthadvisers.co.uk and/ or by post mail at Utmost Wealth Advisers Limited, 1 King William Street, London, EC4N 7AF, United Kingdom.

11. HOW WE PROTECT AND STORE YOUR INFORMATION

Security

We have implemented and maintain appropriate technical and organisational security measures, policies and procedures designed to reduce the risk of accidental destruction or loss, or the unauthorised disclosure or access to such information appropriate to the nature of the information concerned. Measures we take include placing confidentiality requirements on our staff members and service providers; destroying or permanently anonymising personal data if it is no longer needed for the purposes for which it was collected. As the security of information depends in part on the security of the computer you use to communicate with us and the security you use to protect User IDs and passwords, please take appropriate measures to protect this information.

Storing your personal information

We will store your personal data for as long as is reasonably necessary for the purposes for which it was collected, as explained in this notice. In some circumstances we may store your personal data for longer periods of time, for instance where we are required to do so in accordance with legal, regulatory, tax, accounting requirements.

In specific circumstances we may store your personal data for longer periods of time so that we have an accurate record of your dealings with us in the event of any complaints or challenges, or if we reasonably believe there is a prospect of litigation relating to your personal data or dealings.

12. MARKETING COMMUNICATION

We may use personal information to let you know about our products and services (e.g. via our newsletter) that we believe will be of interest to you. We may contact you by email, post, or telephone, depending on your chosen communication preference or through other communication channels that we think you may find helpful. In all cases, we will respect your preferences for how you would like us to manage marketing activity with you. You can ask us to stop direct marketing at any time - you can ask us to stop sending electronic marketing, by following the 'unsubscribe' link you will find on all marketing messages we send you. Alternatively, you can contact us using the details set out in the Contact Us section. Please specify whether you would like us to stop all forms of marketing or just a particular type (e.g. email).

13. PROFILING AND ANALYTICS

We may use Profiling or other forms of automated processing to make decisions about the products and services we offer you.

Please refer to our [cookie policy](#) to find out more about the information we collect using cookies and tracking technologies.

14. COMPLAINTS

If you have a complaint or concern about how we use your personal data, please contact us in the first instance and we will attempt to resolve the issue as soon as possible. You also have a right to lodge a complaint with your national data protection supervisory authority at any time. In the UK, the relevant supervisory authority is the UK Information Commissioner's Office.

Further information is available on the ICO website or telephone 0303 123 113.

15. APPENDIX 1 LEGAL BASIS FOR PROCESSING

| ACTIVITY | TYPE OF INFORMATION COLLECTED | THE BASIS ON WHICH WE USE THE INFORMATION |
|---|---|--|
| SET UP A RECORD ON OUR SYSTEMS | <ul style="list-style-type: none"> › Contact details › Personal risk information › Product/Service information | <ul style="list-style-type: none"> › Performance of a contract › Legitimate interests (to ensure we have an accurate record of all clients we provide products and services to) |
| CARRY OUT BACKGROUND, SANCTION, FRAUD AND CREDIT CHECKS/MONITOR OR DETECT FRAUD | <ul style="list-style-type: none"> › Contact details › Personal risk information › Criminal data › Financial information | <ul style="list-style-type: none"> › Conditional consent › Legitimate interests (to ensure that clients are within our acceptable risk profile and to assist with the prevention of crime and fraud) › Legal obligation |
| PROVIDE PRODUCT OR SERVICE | <ul style="list-style-type: none"> › Contact details › Personal risk information › Health data › Criminal data › Financial information | <ul style="list-style-type: none"> › Take steps to enter into a contract › Legitimate interests (to determine the likely risk profile and appropriate level, cost and type of product/ service) › Explicit consent › Data Protection Act 2018 exemptions |
| PROVIDE CLIENT CARE, ASSISTANCE AND SUPPORT | <ul style="list-style-type: none"> › Contact details › Product or service information | <ul style="list-style-type: none"> › Performance of a contract › Conditional consent |
| RECEIVE PAYMENTS | <ul style="list-style-type: none"> › Contact Details › Financial information | <ul style="list-style-type: none"> › Performance of a contract |
| COMPLY WITH LEGAL AND REGULATORY OBLIGATIONS | <ul style="list-style-type: none"> › Contact details › Product/service information › Personal risk information › Financial information | <ul style="list-style-type: none"> › Legal obligation |
| MANAGE RELATIONSHIPS | <ul style="list-style-type: none"> › Contact Details | <ul style="list-style-type: none"> › Legitimate interests (to maintain an accurate client and partner relationship management) › Consent |
| ADMINISTER CONTRACTS | <ul style="list-style-type: none"> › Contact Details | <ul style="list-style-type: none"> › Performance of a contract |
| SALE OR REORGANISATION OF THE COMPANY | <ul style="list-style-type: none"> › All | <ul style="list-style-type: none"> › Legitimate interests (to structure our business appropriately) |
| MARKETING | <ul style="list-style-type: none"> › Contact Details | <ul style="list-style-type: none"> › Legitimate interests (to ensure that our customers are kept up to date with information about our products and services) › Consent (where we are required by law to obtain your consent before sending you such information, we will rely upon such consent as our basis for processing). |

A WEALTH *of* DIFFERENCE

www.utmostinternational.com

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