

PRIVACY NOTICE



This Privacy Notice explains how Utmost Limited and Utmost Trustee Solutions Limited as part of the Utmost Isle of Man Group (together 'Utmost' and the 'Utmost Isle of Man Group' or 'us' and 'we' as the context shall permit) hold, control and process your personal data. If you have any questions you can contact us using the details provided at the end of this notice.

WHAT IS PERSONAL DATA?

1. Personal data is information that relates to a living individual who can be identified from that data. This identification can be from the information alone or in conjunction with any other information in our possession, or that is likely to come into the possession of those processing the information.

HOW YOUR INFORMATION WILL BE USED

2. How Utmost hold, control and process personal data is governed by the Isle of Man Data Protection Act 2018, the European Union General Data Protection Regulation (GDPR) and the UK applied GDPR. Together these are referred to as the Data Protection Regulations.
3. As a financial services organisation we hold, control and process your personal data to enable us to provide you with our products and related services. We also hold, control and process your data to allow us to comply with our obligations under the laws and regulations of the Isle of Man and the United Kingdom (UK) in relation to the prevention of crime and terrorist financing and to enable information exchange between taxation authorities. In addition, if you are resident in the UK, we will process your personal data to comply with UK taxation law. This personal data will include details such as your name, address and date of birth and may include information as to your place of birth and National Insurance number.
4. Subject to changes in the Data Protection Regulations, where you provide us with personal data about an individual who is under 16 years of age, it is your responsibility to advise us when that individual attains 16 years, as we may be required under the Data Protection Regulations to tell them that we hold their personal data.
5. In the context of the Data Protection Regulations, we will process your personal data under the following legal bases:
 - a. To enter into or perform a contract (in the case of Utmost Limited a contract for an insurance bond and in the case of Utmost Trustee Solutions Limited, should they be appointed as a trustee, a trust client agreement),
 - b. To comply with the legal requirements of a European

Economic Area (EEA) Member State, the United Kingdom, or the Isle of Man, and

- c. To fulfil the legitimate interests of Utmost.
6. When we are processing your personal data in order to fulfil our legitimate interests, our legitimate interests are:
 - a. To comply with the laws of the Isle of Man in relation to anti-money laundering and countering the financing of terrorism requirements, which require us to be satisfied that we have suitably identified our customers and understand the nature of their affairs.
 - b. To disclose personal information to the Isle of Man Treasury in order to meet international taxation reporting standards.

These are requirements of Isle of Man law and are equivalent to requirements within the laws of EEA Member States and the United Kingdom.

7. Where you have applied for one of our products that require underwriting services such as the Estate Planning Bond or the Discounted Gift Trust, we will process information about your health. This information will be supplied by you in an application form and also by your General Practitioner (GP) when you have authorised your GP to do so. We process this information so that the value of the gift placed into trust can be calculated. We then keep this health data so that in the future we can respond to any enquiry from HM Revenue & Customs (HMRC) as to how the gift value has been calculated.
8. If you do not provide us with the necessary personal data, Utmost will not be able to enter into and/or administer the contract that you have with us.

INFORMATION PROVIDED BY OTHER SOURCES

9. Not all personal data we hold about you will have been provided directly by you. Where your personal data has been provided to us by another party, this is likely to have been in one of the following circumstances:
 - a. You have been named as a life assured for an insurance bond
 - b. You are a director, signatory or shareholder of a corporate applicant for an insurance bond

- c. You are the beneficiary of a trust that holds an insurance bond
- d. You have witnessed a signature upon a form or deed.

In these instances, we will have asked for information such as your name, address and date of birth.

10. Where we are processing personal data that has been provided by another party, the data is most likely to have been obtained from:
 - a. The settlor and/or trustees of a trust of which you are a beneficiary
 - b. The director, signatory or shareholder of a corporate applicant
 - c. Your GP in relation to health information
 - d. Publically accessible media sources.

SHARING INFORMATION

11. We will transfer personal data to:
 - a. Associated Isle of Man companies within the Utmost Isle of Man Group, including Utmost Services Limited, which supplies our computer systems and Utmost Trustee Solutions Limited where it has been appointed as a trustee in connection with an insurance bond provided by Utmost Limited
 - b. If applying for a product which is underwritten, our appointed underwriter who will receive your health information
 - c. The Isle of Man Government and regulatory agencies when required to by law or regulation
 - d. Your nominated advisers, such as your Independent Financial Adviser
 - e. If you are resident in the UK, HMRC when required by UK taxation law or regulation.

In order to fulfil our legitimate contractual obligations to you, we may also from time to time be required to share your information with other third parties. In compliance with the Data Protection Regulations, we will only transfer your information to third parties where they provide an adequate level of data protection.

12. Your personal data will be held, controlled and processed by us in the Isle of Man, which is not a member of the EEA or part of the United Kingdom. The Isle of Man has been recognised by the European Commission and the United Kingdom Government as having adequate data protection legislation.

HOW LONG DO WE KEEP YOUR PERSONAL INFORMATION?

13. To meet our legal and business requirements your personal data will be stored, and accessible, in our business systems for a period of up to seven years following the date on which all connected business relationships have ended. After this period, your personal data will be archived and placed beyond the use of the business, with access restricted to legitimate legal or business requirements. Examples of such requirements include, but are not limited to, legal actions, fund corrections and regulatory changes.

HOW TO UPDATE THE INFORMATION WE HOLD ABOUT YOU

14. It is important that the information we hold about you is accurate and up to date. Please let us know if your information changes, or if the information we hold about you is incorrect. You can ask our Customer Support team to update or correct your information.

If we have disclosed your personal information to another entity as described in paragraph 11, we will also let them know about the changes unless it is very difficult or not possible for us to do so.

YOUR RIGHTS

15. Under the Data Protection Regulations you have certain rights over your personal data. These rights are as follows:
 - a. You have the right to request from us access to your personal data through a 'subject access request'
 - b. You have the right to obtain from us the rectification of any inaccurate personal data we hold about you
 - c. You have the right to erasure of your personal data, unless we have a legal obligation to process your personal information
 - d. You have the right to seek the restriction of the processing of your personal data in certain circumstances
 - e. You have the right to object to its processing. We shall no longer process the data unless there are compelling legitimate grounds for the processing
 - f. You have the right of portability in relation to your personal data. This means you can request we provide you with the personal data we hold about you in a structured, commonly used and machine readable format
 - g. You have the right not to be subject to decisions based solely on automated processing. We do not carry out any automated processing which may lead to an automated decision based on your personal data.

In order to exercise any of the above rights, please write to or email Utmost's Data Protection Officer at the details provided below.

16. If you believe we have not complied with the requirements of the Data Protection Regulations you have the right to make a complaint about our data processing to a supervisory authority, for example, the Information Commissioner's Office in the UK or the Information Commissioner in the Isle of Man. Their contact details are as follows:

Information Commissioner's Office (ICO)
 Wycliffe House
 Water Lane
 Wilmslow
 Cheshire
 UK
 SK9 5AF
 Telephone: +44 (0)1625 545700 or +44 (0)303 123 1113

Isle of Man Information Commissioner
Head Office
PO Box 69
Douglas
Isle of Man
IM99 1EQ
Telephone: +44 (0)1624 693260
Email address: ask@inforights.im

IDENTITY AND CONTACT DETAILS OF THE DATA CONTROLLER AND THE DATA PROTECTION OFFICER

17. Your personal data is held, controlled and processed by Isle of Man companies in the Utmost Isle of Man Group. Specifically these companies are:
- Utmost Limited, which provides insurance bonds, and
 - Utmost Trustee Solutions Limited, where it has been appointed as a trustee in connection with an insurance bond provided by Utmost Limited.

The registered address of each company listed in section 17 (a) to (b) is Royalty House, Walpole Avenue, Douglas, Isle of Man, IM1 2SL.

18. If you wish to exercise any rights, have any queries as to how your data is processed, concerns or complaints, you can contact our Data Protection Officer by emailing: dpo@utmostwealth.com.

As the Isle of Man is not part of the United Kingdom, our Appointed Representative in the United Kingdom is an establishment of Utmost Services Limited based at Saddlers House, 5th Floor, 44 Gutter Lane, London, EC2V 6BR.

A WEALTH *of* DIFFERENCE

Utmost Wealth Solutions is a trading name used by a number of Utmost companies. Utmost Trustee Solutions is the trading name used by Utmost Trustee Solutions Limited. This item has been issued by Utmost Limited and Utmost Trustee Solutions Limited.

The following companies are registered in the Isle of Man: Utmost Limited (No 056473C), Utmost Administration Limited (No 109218C) and Utmost Trustee Solutions Limited (No 106739C) which are regulated or licensed by the Isle of Man Financial Services Authority. Utmost Services Limited (No 059248C) is an appointed representative of Utmost Limited. Each has its registered office at: Royalty House, Walpole Avenue, Douglas, Isle of Man, IM1 2SL, British Isles. Utmost Limited is authorised in the UK by the Financial Conduct Authority (160418).

Utmost PanEurope dac (No 311420), trading as Utmost Wealth Solutions, is regulated by the Central Bank of Ireland. Its registered office is Navan Business Park, Athlumney, Navan, Co. Meath C15 CCW8, Ireland.

Where required, all promotional material has been approved by Utmost Limited which is authorised in the UK by the Financial Conduct Authority.

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