

# ADG

## Privacy Notice



Effective 18 June 2019

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## 1. Version Control

<b>Version</b>	<b>Effective Date</b>	<b>Changes</b>
1.00	25 May 2018	N/A – Original GDPR ADG Privacy Notice
1.01	18 June 2019	Reflect addition of newly incorporated Maltese entities and change to phone number.

## 2. Who we are

- 2.1. This privacy notice (the “Privacy Notice”) applies to all personal information processing activities carried out by ADG Corporate Ltd, ADG Capital Management LLP, ADG Market Making LLP, ADG Financial Products LLP, ADG Trading LLP, ADG Securities LLP, ADG Holdings LLP, ADG Ventures LLP, ADG Europe Holding Limited and ADG Europe Limited (“ADG”).
- 2.2. ADG is a data controller with regards to the personal data that we process in the course of carrying out our business (including the products and services that we provide). In this Privacy Notice, references to “we”, “us” or “our” are references to ADG.
- 2.3. Our registered business address in the UK is 10 Chiswell Street, London EC1Y 4UQ and our registered business address in Malta is 85 St. John Street, Valletta VLT 1165. Our contact details can be found at [adgcorporate.com](http://adgcorporate.com)
- 2.4. We respect individuals’ rights to privacy and the protection of personal data. This Privacy Notice outlines how we collect and use personal data in the course of carrying out our business. “Personal data” is any information relating to an identified or identifiable living person. We may update this Privacy Notice from time to time. When we do we will communicate any changes to you and make the updated Privacy Notice available.

## 3. The data we process

- 3.1. We collect, handle, store, disclose, and otherwise use (“process”) various categories of personal data at the inception, and for the duration, of your relationship with us. We will limit the collection and use of your personal data to that which is necessary for carrying out one or more legitimate purposes, as outlined in this notice. Personal data may include:
  - 3.1.1. basic personal information, including name, address, and date of birth;
  - 3.1.2. contact details;
  - 3.1.3. individual tax identifier;
  - 3.1.4. information about your education and employment;
  - 3.1.5. recordings of phone conversations; and
  - 3.1.6. shareholdings of products managed by ADG.
- 3.2. We do not normally process special categories of personal data. Any processing of special categories of personal data will only take place once we’ve obtained your explicit consent, or are otherwise lawfully permitted to do so (and then only for the particular purposes and activities set out at Schedule A for which the information is provided). Special categories of personal data include:
  - 3.2.1. information about racial or ethnic origin;
  - 3.2.2. religious or philosophical beliefs;
  - 3.2.3. trade union membership;
  - 3.2.4. physical or psychological health details or medical conditions; and
  - 3.2.5. biometric information, relating to the physical, physiological or behavioural characteristics of a person.
- 3.3. Where permitted by law, we may process information about criminal convictions or offences and alleged offences for specific and limited activities and purposes, such as to perform checks to

prevent and detect crime and to comply with law relating to money laundering, fraud, terrorist financing, bribery and corruption, and international sanctions.

## 4. How we obtain data

4.1. Your data is made up of all the personal data we collect and hold about you. It includes:

- 4.1.1. data you give to us;
- 4.1.2. data that we receive from third parties – including third parties who provide services to us such as carrying out Know Your Customer Due Diligence; and
- 4.1.3. data that we gather from publically available sources, such as company websites and online search engines.

## 5. Your rights

- 5.1. We want to ensure that you are aware of your rights in relation to your personal data that we process. These rights, and the circumstances in which they apply, are set out in the table below.
- 5.2. Should you wish to exercise any of these rights, have any questions about how we use your personal data that are not answered in this Privacy Notice, or would like to make a complaint, please contact us at [dataprotection@adgcorporate.com](mailto:dataprotection@adgcorporate.com) or 0207 862 2000. Overseas number: +44 207 862 2000.
- 5.3. Please note that in some circumstances, if you do not agree to the way we use your data, we may no longer be able to provide certain products and/or services to you.

Rights	Description
<b>Access</b> – You have a right to get access to the personal data we hold about you.	<p>If you would like a copy of the personal data we hold about you, please write to: ADG, Subject Access Requests, 10 Chiswell Street, London, EC1Y 4UQ.</p> <p>Or contact us at <a href="mailto:dataprotection@adgcorporate.com">dataprotection@adgcorporate.com</a> or 0207 862 2000. Overseas number: +44 207 862 2000.</p>
<b>Rectification</b> – You have a right to rectification of inaccurate personal data and to update incomplete personal data.	<p>If you believe any of the data we hold about you is inaccurate, you have the right to request that we limit the use of that data and to rectify the inaccurate personal data.</p> <p>Please note that if you request us to limit using your data, we may have to suspend the delivery of any services and/or products we provide to you.</p>
<b>Erasure</b> – You have a right to request that we delete your personal data.	<p>You may request that we delete your personal data if you believe that:</p> <ul style="list-style-type: none"><li>• we no longer need to use your data for the purposes for which it was provided;</li><li>• we have requested your consent to use your personal data and you wish you withdraw that consent; or</li><li>• we are not using your information in a lawful manner.</li></ul>

	<p>Please note that if you request us to delete your data, we may have to suspend the delivery of any services and/or products we provide to you.</p>
<p><b>Restriction</b> – You have a right to request us to restrict the use of your personal data.</p>	<p>You may request us to restrict the use of your personal data if you believe that:</p> <ul style="list-style-type: none"> <li>• any of the data we hold about you is inaccurate;</li> <li>• we no longer need to use your data for the purposes for which it was provided, but you require the information to establish, exercise or defend legal claims; or</li> <li>• we are not using your data in a lawful manner.</li> </ul> <p>Please note that if you request us to limit using your data, we may have to suspend the delivery of any services and/or products we provide to you.</p>
<p><b>Portability</b> – You have a right to data portability.</p>	<p>Where we have requested your consent to use your personal data or you have provided us with data for the purposes of entering into a contract with us, you have a right to receive the personal data you provided to us in a portable format.</p> <p>You may also request us to provide it directly to a third party, if technically feasible. We're not responsible for any such third party's use of your personal data, which will be governed by their agreement with you and any privacy statement they provide to you.</p> <p>If you would like to request the personal data you provided to us in a portable format, please write to us at: ADG, Subject Access Requests, 10 Chiswell Street, London, EC1Y 4UQ.</p> <p>Or contact us at <a href="mailto:dataprotection@adgcorporate.com">dataprotection@adgcorporate.com</a> or 0207 862 2000. Overseas number: +44 207 862 2000.</p>
<p><b>Objection</b> – You have a right to object to the processing of your personal data.</p>	<p>You have a right to object to us using your personal data (and to request us to limit use) for the purposes described in Section C of Schedule A, unless we can evidence compelling and legitimate grounds for the use, which may override your own interests, or where we need to process your information to investigate and protect us or others from legal claims.</p> <p>Depending on the circumstances, we may need to limit or stop using your personal data completely, or where requested, delete your data. Please note that if you object to us using your data, we may have to suspend the delivery of any services and/or products we provide to you.</p>
<p><b>Marketing</b> – You have a right to object to direct marketing.</p>	<p>You have a right to object at any time to the use of your personal data for the purpose of direct marketing. This includes profiling you for the purpose of direct marketing. For more information see paragraph 9.</p>
<p><b>Withdraw consent</b> – You have a right to withdraw your consent.</p>	<p>Where we rely on your consent to process your personal data, you have a right to withdraw that consent at any time. We will always make it clear where we require your consent to carry out specific uses of your personal data.</p>
<p><b>Submit complaints</b> – You have a right to submit a complaint with the regulator.</p>	<p>If you wish to make a complaint regarding the way in which we have used your personal data, you can contact our Compliance Department who will investigate the matter. We hope that we can address any concerns you may have,</p>

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	however you can always contact the Information Commissioner's Office (ICO). For more information, visit <a href="http://ico.org.uk">ico.org.uk</a>
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## 6. Changes to the way we use your information

6.1. We may change the way we process your data from time to time. Where we believe you may not reasonably expect such changes, we will inform you and allow a period of at least 30 days for you to make any objections before the alteration is made. However please note that in some cases, if you do not agree to such changes it may not be possible for us to continue to deliver certain services and/or products we provide to you.

## 7. Sharing with third parties

7.1. We will not share your information with anyone outside ADG except:

- 7.1.1. where we have your consent;
- 7.1.2. where required for your product or service;
- 7.1.3. where we are required by law and by law enforcement agencies, judicial bodies, government entities, tax authorities or regulatory bodies around the world;
- 7.1.4. with third parties providing services to us, such as due diligence; or
- 7.1.5. where it is permitted by law, it is necessary for our legitimate interests or those of a third party, and it is not inconsistent with the purposes listed above.

7.2. ADG will not share your data with third parties for their own marketing purposes without your prior consent.

## 8. Transferring information overseas

8.1. We may transfer your data to organisations in other countries on the basis that anyone to whom we pass it protects it in the same way we would and in accordance with applicable laws.

8.2. In the event that we transfer information to countries outside of the European Economic Areas (which includes countries in the European Union as well as Iceland, Liechtenstein and Norway), we will only do so where our Compliance Department has confirmed that at least one of the following is in place:

- 8.2.1. the European Commission has decided that the country or the organisation we are sharing your information with will protect your information adequately;
- 8.2.2. the transfer has been authorised by the ICO;
- 8.2.3. we have entered into a contract with the organisation with which we are sharing your data (on terms approved by the European Commission) to ensure your information is adequately protected (if you wish to obtain a copy of the relevant data protection clauses, please contact us on 0207 862 2000. Overseas number: +44 207 862 2000);
- 8.2.4. the transfer is required for us to meet our contractual or pre-contractual obligations with you;
- 8.2.5. the transfer is needed to complete a contract with a Third Party in your interest;

- 8.2.6. a matter of important public interest;
- 8.2.7. the transfer is necessary for the establishment, exercise or defence of legal claims;
- 8.2.8. we're protecting your vital interests; and/or
- 8.2.9. you provide your explicit consent to the proposed transfer, after having been informed of the possible risks of such transfers due to the absence of adequate safeguards.

## 9. Marketing Information

- 9.1. Unless you have told us that you do not want to hear from us, we will send you relevant marketing information by mail, phone, e-mail, text and other forms of electronic communication. If you change your mind about how you would like us to contact you or you no longer wish to receive this information, you can tell us at any time by contacting us at [dataprotection@adgcorporate.com](mailto:dataprotection@adgcorporate.com) or 0207 862 2000. Overseas number: +44 207 862 2000.

## 10. How long we keep your information

- 10.1. In the course of our relationship with you we will create and store records of your personal data on a variety of media (physical or electronic) and formats.
- 10.2. We maintain these records in order carry out our business effectively (for example, for operational reasons such as dealing with any queries relating to your relationship with us) and to comply with legal and regulatory requirements.
- 10.3. Retention periods for records are determined based on the type of record and the applicable legal or regulatory requirements.
- 10.4. We normally keep records for up to six years after your relationship with us ends.
- 10.5. We may on exception retain your data for longer periods, particularly where we need to withhold destruction or disposal based on an order from the courts or an investigation by law enforcement agencies or our regulators. This is intended to make sure that ADG will be able to produce records as evidence, if they are needed.
- 10.6. Retention periods may change from time to time based on business or legal and regulatory requirements.
- 10.7. If you would like more information about how long we keep your information, please contact us at [dataprotection@adgcorporate.com](mailto:dataprotection@adgcorporate.com) or 0207 862 2000. Overseas number: +44 207 862 2000.

## 11. Security

- 11.1. We have in place appropriate technical and organisational safeguards to protect against unauthorised or unlawful use of personal data, and against accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data.
- 11.2. However please be advised that we cannot eliminate security risks associated with the storage and transmission of Personal Data.



## Schedule A

### Schedule of Purposes of Processing

We will only use and share your data where it is necessary for us to carry out our lawful business activities. We want to ensure that you fully understand how your data may be used. The purposes for which your data may be used are outlined in the table below:

#### A Contractual Necessity

We may use your data where it is necessary to enter into a contract with you, or a company you represent, for the delivery or receipt of products or services, or to carry out our obligations under any of the aforementioned contracts.

Please note that if you do not agree to provide us with the requested information, it may not be possible for us to continue delivering any product or service we provide to you, or a company you represent, or to fulfil our obligations under the applicable contract. This may include using your data to:

- a) assess and process applications for products or services;
- b) provide and administer those products or services throughout your and/or your company's relationship with us, including opening, setting up or closing products, collecting and issuing all necessary documentation, executing your instructions, and processing transactions;
- c) manage and maintain our relationship with you and/or your company; and
- d) communicate with you about the products or services you receive from us, or we receive from you and/or your company.

#### B Legal Obligation

Throughout your relationship with us, we may be required by law to collect and use certain personal data about you. Please note that if you do not agree to provide us with the requested information, it may not be possible for us to continue delivering any product or service we provide to you. This may include using your data to:

- e) confirm your identity;
- f) carry out Know Your Customer Due Diligence checks;
- g) perform checks for the purpose of preventing and detecting crime and to comply with laws relating to money laundering, fraud, terrorist financing, bribery and corruption, and international sanctions. This may require us to use information about criminal convictions and offences, to investigate and gather intelligence on suspected financial crimes, fraud and threats and to share data with law enforcement and regulatory bodies;
- h) share data with police, law enforcement, tax authorities or other government and fraud prevention agencies where we have a legal obligation, including reporting suspicious activity and complying with production and court orders;
- i) deliver mandatory communications regarding updates to product and service terms and conditions;
- j) investigate and resolve complaints;
- k) conduct investigations into breaches of conduct and corporate policies by our staff;
- l) manage contentious regulatory matters, investigations and litigation;
- m) provide assurance that ADG has effective processes to identify, manage, monitor and report the risk it is or might be exposed to;
- n) investigate and report on incidents or emergencies on ADG's properties and premises;
- o) coordinate responses to business-disrupting incidents and to ensure facilities, systems and people are available to continue providing services; and
- p) monitor dealings to prevent market abuse.

### C Legitimate Interests of ADG

We may use your data where it is in our legitimate interests to do so as an organisation and without prejudicing your interests or fundamental rights and freedoms.

- a) We may use your information in the day-to-day running of our business, to manage our business and to protect our customers, staff and property. It is in our interest to ensure that our processes and systems operate effectively and that we can continue operating as a business. This may include using your information to:
    - i. ensure business continuity and disaster recovery and responding to information technology and business incidents and emergencies;
    - ii. ensure network and information security;
    - iii. communicate with you in the normal course of business in a manner and about that which you would reasonably expect;
    - iv. perform general, financial and regulatory accounting and reporting;
    - v. carry out due diligence; and
    - vi. protect our legal rights and interests.
  
  - b) It is in our interest as a business to ensure that we provide you and/or your company with the most appropriate products and services and that we continually develop and improve as an organisation. This may require using your information to:
    - i. identify new business opportunities and to develop enquiries and leads into proposals for new business and to develop our relationship with you and/or your company;
    - ii. send you relevant marketing information (including monthly fact sheets and details of other products or services provided by us which we believe may be of interest to you);
    - iii. send you relevant papers written by our staff which we believe may be of interest to you;
    - iv. communicate with you to ascertain your and/or your business' current level of interest in products and or services offered by us; and
    - v. monitor the use, performance and effectiveness of our products and services.
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