

17 May 2018

Client Privacy Policy, effective from 25 May 2018

A. This Policy

This Policy is issued by Momentum Wealth International Limited, MMI Group Limited Guernsey Branch and Momentum International Insurance PCC Limited identified as Controllers in Section L below (together, “the **Companies**”, “**we**”, “**us**” or “**our**”) and is addressed to individuals outside our organisation with whom we interact, including visitors to our websites (our “**Sites**”), customers, personnel of corporate customers and vendors, and other recipients of our services (together, “**you**”). Each of the Controllers will act as independent data controllers. Defined terms used in this Policy are explained in Section M below.

This Policy deals with how we manage Personal Data which we receive in respect of our relationship with you and may be amended from time to time to reflect changes in our practices regarding the Processing of Personal Data, or changes in applicable law. We urge you to read this Policy carefully, and to regularly check this page on our website to review any changes we might make in accordance with the terms of this Policy.

As each of the Controllers are entities licensed in Guernsey, the Controllers are obliged to comply with the provisions of the Guernsey data protection law.

B. Processing your Personal Data

- 1. Collection of Personal Data:** We collect Personal Data about you from a variety of sources as follows:
 - We obtain your Personal Data when you provide it to us (e.g., on an application or instruction form, by providing us with due diligence documentation as part of our regulatory requirements, where you contact us via email or via the internet or by telephone, or by any other means, such as providing us or our employees or representatives with your personal information verbally or by business cards).
 - We collect your Personal Data in the ordinary course of our contractual relationship with you (e.g., in the course of managing your transactions) and pursuant to our proposed or agreed Terms of Business.
 - We may receive your Personal Data from third parties who provide it to us (e.g., your financial adviser; your employer; credit reference agencies; and law enforcement authorities) where you have authorised this or the nature of our relationship with the third party permits this it to be provided to us. We may also receive your personal data from third parties, where you have purchased any of our products or services through such third parties.
 - We collect or obtain Personal Data when you visit any of our Sites or use any features or resources available on or through a Site. When you visit a Site, your device and browser may automatically disclose certain information (such as device type, operating system, browser type, browser settings, IP address, language settings, dates and times of connecting to a Site and other technical communications information), some of which may constitute Personal Data.
- 2. Creation of Personal Data:** We may create Personal Data about you, such as records of your interactions with us, and details of your accounts, subject to applicable law.

Momentum Wealth International Limited

Registered address: La Plaiderie House, La Plaiderie, St Peter Port, Guernsey, Channel Islands, GY1 1WF Registered in Guernsey No. 30830
Postal address: PO Box 166, La Plaiderie House, La Plaiderie, St Peter Port, Guernsey, Channel Islands, GY1 4HE
Switchboard +44 (0) 1481 735 480 www.momentum.co.gg
Momentum Wealth International Limited is licensed by the Guernsey Financial Services Commission to conduct Investment Business
Momentum Wealth International Limited is an authorised Financial Services Provider pursuant to the Financial Advisory
and Intermediary Services Act No. 37 of 2002 in South Africa
A member of the MMI Holdings Group
MWI24012018

3. **Relevant Personal Data:** The categories of Personal Data about you that we may Process, subject to applicable law, are as follows:
- *Personal details:* given name(s); preferred name(s); former name(s), nickname(s), gender; date of birth / age; marital status; Social Security number; passport number(s); other government issued number(s) (tax identification number(s), Green Card number(s); driving licence number(s)); nationality; lifestyle and social circumstances; images of passports, driving licences, and signatures; authentication data (passwords, mother's maiden name, challenge/response questions and answers, PINs, facial and voice recognition data); photographs; visual images; and personal appearance and behaviour.
 - *Family details:* names and contact details of family members and dependents.
 - *Contact details:* address; telephone number; email address; and social media profile details.
 - *Employment details:* industry; role; business activities; names of current and former employers; work address; work telephone number; work email address; and work-related social media profile details.
 - *Financial details:* bank account numbers; credit card numbers; cardholder or accountholder name and details; instruction records; transaction details; and counterparty details.
 - *Views and opinions:* any views and opinions that you choose to send to us, or publish about us (including on social media platforms).
 - *Electronic Identifying Data:* IP addresses; cookies; activity logs; online identifiers; unique device identifiers; and geolocation data.
4. **Processing your Personal Data:** We are entitled to hold and process your personal data on the following lawful grounds:
- the Processing is necessary for our legitimate interests provided your interests and fundamental rights do not override those interests;
 - the Processing is necessary to comply with our respective contractual duties to you under the terms of our agreement with you and all supplemental agreements thereto;
 - to comply with our legal and regulatory obligations;
 - (on exceptional occasions) where we have obtained your consent; and
 - on rare occasions, where it is needed in the public interests.

Some of the grounds for Processing described above will overlap and there may be several grounds which justify the use of your Personal Data.

5. **Purposes for which we may Process your Personal Data:** We may process your Personal Data for the purposes set out below. Those based wholly or partly on our legitimate interests are set out in paragraphs (a) to (f) below:
- a. AML/KYC: fulfilling our regulatory and compliance obligations, including 'Due Diligence' checks; and verifying your identity (including by using credit reference agencies); and screening against government, supranational bodies (including but not limited to the European Union and the United Nations Security Council) and/or law enforcement agency sanctions lists as well as internal sanctions lists and other legal restrictions.
 - b. New Client on-boarding and compliance with our internal compliance requirements, policies and procedures.
 - c. Credit worthiness: conducting credit reference checks and other financial due diligence
 - d. Provision of the contracted services to you: administering our relationship and related services; performance of tasks necessary for the provision of the requested services; communicating from and to you and with you and your financial adviser in relation to those services. Communications with you via any means (including via email, telephone, text message, social media, post or in person) subject to ensuring that such communications are provided to you in compliance with applicable law; and maintaining and updating your contact information where appropriate.
 - e. Operation of our Sites: operation and management of our Sites; providing content to you; displaying information to you; and communicating and interacting with you via our Sites.

- f. IT operations: management of our communications systems; operation of IT security; and IT security audits.
- g. Research: conducting satisfaction surveys or research; and engaging with you for the purposes of obtaining your views on our products and services.
- h. Security: physical security of our premises (including records of visits to our premises and CCTV recordings) and electronic security (including login records and access details, where you access our electronic systems).
- i. Investigations: detecting, investigating and preventing breaches of policy, and criminal offences, in accordance with applicable law.
- j. Legal compliance: compliance with our legal and regulatory obligations under applicable law.
- k. Legal proceedings: establishing, exercising and defending legal rights.
- l. Risk Management: Audit, compliance, controls and other risk management.
- m. Fraud prevention: Detecting, preventing and investigating fraud.

We will only use your Personal Data for the purposes for which we collected it unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so. Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where these are required or permitted by law.

To the extent that such Personal Data contains Special Category Data such as, for example: data relating to racial or ethnic origin, political opinion, religious or philosophical belief, trade union membership or criminal data then the processing of such data shall solely be for the purpose of complying with any duty imposed on us by an enactment including, but not limited to, legislation and regulatory obligations relating to Anti-Money Laundering and Combatting the Financing of Terrorism and all other related legislation.

C. Disclosure of Personal Data to third parties

We may disclose your Personal Data to other entities within the MMI Holdings Group, for legitimate business purposes (including providing services to you and operating our Sites), in accordance with applicable law. In addition, we may disclose your Personal Data to:

- a. you and, where appropriate, your family, your associates and your representatives including your financial adviser and any appointed investment manager;
- b. third party service providers, stockbrokers and fund managers;
- c. credit reference agencies;
- d. anti-fraud services;
- e. governmental, legal, regulatory, or similar authorities, ombudsmen, and central and/or local government agencies, upon request or where required, including for the purposes of reporting any actual or suspected breach of applicable law or regulation;
- f. accountants, auditors, financial advisors, lawyers and other outside professional advisors to us, subject to binding contractual obligations of confidentiality;
- g. debt-collection agencies and tracing agencies;
- h. data aggregation services;
- i. accreditation bodies;
- j. third party Processors (such as payment services providers; shipping companies; etc.), located anywhere in the world, subject to the requirements noted below in this Section D;
- k. any relevant party, claimant, complainant, enquirer, law enforcement agency or court, to the extent necessary for the establishment, exercise or defence of legal rights in accordance with applicable law;
- l. any relevant party for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including safeguarding against and the prevention of threats to public security in accordance with applicable law; and

- m. any relevant third party acquirer(s), in the event that we sell or transfer all or any relevant portion of our business or assets (including in the event of a reorganization, dissolution or liquidation);

Our Sites may use third party plugins or content. If you choose to interact with any such plugins or content, your Personal Data may be shared with the third party provider of the relevant social media platform. We recommend that you review that third party's privacy policy before interacting with its plugins or content.

If we engage a third-party Processor to Process your Personal Data, the Processor will be subject to the terms of an appropriate delegation or contractual arrangement to protect the confidentiality and security of the Personal Data.

D. International transfer of Personal Data

Because of the international nature of our business, we may need to transfer your Personal Data within the MMI Holdings Limited group of companies, and to third parties as noted in Section C above, in connection with the purposes set out in this Policy. For this reason, we may transfer your Personal Data to other countries that may have different laws and data protection compliance requirements, including data protection laws of a lower standard to those that apply in the country in which you are located.

This means that the country or countries to which we transfer your Personal Data may not provide an adequate level of protection for your Personal Data. However, to ensure that your Personal Data does receive an adequate level of protection we will ensure that appropriate measures are put in place to ensure that your Personal Data is treated by those third parties in a way that is consistent with and which respect the European Union laws and the laws of the Bailiwick of Guernsey on data protection. We will therefore only transfer your Personal Data on the basis of:

- adequacy decisions;
- Binding Corporate Rules;
- suitable Standard Contractual Clauses; or
- other valid transfer mechanisms.

If you want to receive more information about the safeguards applied to international transfers of Personal Data, please use the contact details provided in Section K below.

E. Data Security

We have implemented appropriate technical and organizational security measures designed to protect your Personal Data against accidental or unlawful destruction, loss, alteration, unauthorised disclosure, unauthorised access, and other unlawful or unauthorised forms of Processing, in accordance with applicable law.

Whilst we have taken every reasonable care to ensure the implementation of appropriate technical and security measures, we cannot guarantee the security of your personal data over the internet, via email or via our Sites now do we accept, to the fullest extent permitted by law, any liability for any errors in data transmission, machine, software or operating error or any other cause.

You are responsible for ensuring that any Personal Data that you send to us is sent securely.

F. Data Accuracy

We take reasonable steps designed to ensure that:

- your Personal Data that we Process are accurate and, where necessary, kept up to date; and
- any of your Personal Data that we Process that are inaccurate (having regard to the purposes for which they are Processed) are erased or rectified without delay.

Please let us know if any of your Personal Data (including correspondence details) changes as soon as possible. Failure to provide accurate information or to update changed information may have a detrimental impact upon our ability to provide the services to you.

From time to time we may ask you to confirm the accuracy of your Personal Data.

G. Data Minimisation

We take reasonable steps designed to ensure that your Personal Data that we Process are limited to the Personal Data reasonably required in connection with the purposes set out in this Policy.

H. Data Retention

We take reasonable steps designed to ensure that your Personal Data are only Processed for the minimum period necessary for the purposes set out in this Policy. The criteria for determining the duration for which we will retain your Personal Data are as follows:

- (1) we will retain copies of your Personal Data in a form that permits identification only for as long as:
 - a. we maintain an ongoing relationship with you (e.g., where you are a recipient of our services); or
 - b. your Personal Data is necessary in connection with the lawful purposes set out in this Policy, for which we have a valid legal basis (e.g., where your Personal Data are included in a contract between us and/or your employer, and we have a legitimate interest in processing those data for the purposes of operating our business and fulfilling our obligations under that contract; or where we have a legal obligation to retain your Personal Data),plus:
 - (2) the duration of:
 - a. any applicable limitation period under applicable law (i.e., any period during which any person could bring a legal claim against us in connection with your Personal Data, or to which your Personal Data may be relevant); and
 - b. an additional two (2) month period following the end of such applicable limitation period (so that, if a person brings a claim at the end of the limitation period, we are still afforded a reasonable amount of time in which to identify any Personal Data that are relevant to that claim),and:
 - (3) in addition, if any relevant legal claims are brought, we may continue to Process your Personal Data for such additional periods as are necessary in connection with that claim.

During the periods noted in paragraphs (1)a and (1)b above, we will restrict our Processing of your Personal Data to storage of, and maintaining the security of, those data, except to the extent that that data needs to be reviewed in connection with any legal claim, or any obligation under applicable law.

Once the periods in paragraphs (1), (2) and (3) above, each to the extent applicable, have concluded, we will either:

- permanently delete or destroy the relevant Personal Data;
- archive your Personal Data so that it is secure and beyond use, save in highly controlled circumstances; or
- anonymise the relevant Personal Data.

I. Your legal rights

You have, under certain circumstances, the following rights in respect of Personal Data:

- the right to access and port Personal Data;
- the right to rectify Personal Data;
- the right to restrict the use of Personal Data;

- the right to request that Personal Data is erased; and
- the right to object to the processing of Personal Data.

You also have the right to lodge a complaint with the Data Protection Authority in Guernsey or a supervisory authority in the EU member state of your usual residence or place of work or of the alleged breach if you consider that the Processing of your Personal Data carried out by us has breached data protection laws. Where we have relied on consent to process personal data, the right to withdraw consent at any time by contacting us via the contact details below.

In limited circumstances we may approach you for your written consent to allow us to Process certain particularly sensitive data or to use data for another purpose. Where you may have provided your consent to the Processing of your Personal Data for a specific purpose, you have the right to withdraw your consent for that specific Processing at any time. To withdraw your consent, please contact us using the contact details provided in Section K below. Once we have received notification that you have withdrawn your consent, we will no longer Process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

To exercise one or more of these rights, or to ask a question about these rights or any other provision of this Policy, or about our Processing of your Personal Data, please use the contact details provided in Section K below.

Where we require your personal information to comply with AML or other legal requirements, failure to provide this information means we may not be able to accept you as a principal to the contract. Similarly, withdrawal of consent may mean that we have the right to redeem your investment.

J. Cookies

A cookie is a small file that is placed on your device when you visit a website (including our Sites). It records information about your device, your browser and, in some cases, your preferences and browsing habits. We may Process your Personal Data through cookie technology, in accordance with our Cookie Policy available on our website.

K. Contact details

If you have any comments, questions or concerns about any of the information in this Policy, or any other issues relating to the Processing of Personal Data by the Companies, please contact your regular client service contact (client.services@momentum.co.gg), or:

The Compliance Officer; Momentum Wealth International Limited La Plaiderie House, La Plaiderie, St Peter Port, Guernsey GY1 1WF

L. Controllers

For the purposes of this Policy, the relevant controllers are:

Controller entity	Full Address
Momentum Wealth International Limited	La Plaiderie House, La Plaiderie, St Peter Port, Guernsey GY1 1WF
MMI Group Limited Guernsey Branch	Albert House, South Esplanade, St Peter Port, Guernsey GY1 1AW
Momentum International Insurance PCC Limited	Albert House, South Esplanade, St Peter Port, Guernsey GY1 1AW

M. Defined terms

Controller: The entity that decides how and why Personal Data is Processed. In many jurisdictions, the Controller has primary responsibility for complying with applicable data protection laws.

Data Protection Authority: An independent public authority that is legally tasked with overseeing compliance with applicable data protection laws.

Personal Data: Information that is about any individual, or from which any individual is identifiable.

Processing: Anything that is done with any Personal Data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Personnel: Any current, former and prospective directors, officers, consultants, employees, temporary staff, individual contractors, interns, secondees and other personnel.

Processor: Any person or entity that Processes Personal Data on behalf of the Controller (other than employees of the Controller).

Special Category Data: Personal Data about race or ethnicity, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health, sexual life, or any other information that may be deemed to be sensitive under applicable law.