

PRIVACY NOTICE

VISTRA (CAYMAN) LIMITED
VISTRA CAYMAN TRUST LIMITED
VISTRA CORPORATE SERVICES (CAYMAN) LIMITED
(together “VISTRA CAYMAN”)

Effective Date: 30 May 2024

This Privacy Notice lays out the manner in which Vistra Cayman collects, uses, maintains and otherwise process personal data collected from data subjects (a living individual who can be identified directly or indirectly based on their personal data) (**Vistra Clients**). This Privacy Notice applies to the website and all products and services offered by Vistra Cayman.

Vistra Cayman (in this Privacy Notice, "us", "we" and "our") is the data controller of your personal data and, as a part of Vistra group is committed to complying with the Data Protection Act (as revised) of the Cayman Islands (**DPA**) and any other relevant data protection laws applicable in the Cayman Islands. Please note we reserve the right to change this Privacy Notice from time to time as needed to keep in line with new legislation, other regulatory requirements and our Data Protection Policy.

This Privacy Notice provides you with the details of how and why Vistra Cayman processes personal data. We will explain how we obtain and handle your personal data, provide you with information about your rights as a data subject, and how to contact us if you have any questions.

This privacy notice is fixed around the eight data protection principles listed below and set out the framework that Vistra Cayman processes personal data.

<u>Data Protection Principles</u>	
1) Fair and lawful use:	Personal data must be processed in a fair and lawful manner;

2) Purpose limitation	Personal data may only be processed for the purpose it was collected for;
3) Data minimization	Personal data should only be collected if it is necessary for the purpose;
4) Data accuracy	Personal data must always be accurate;
5) Storage limitation	Personal data may not be kept for longer than necessary
6) Respect for the individual's rights	Personal data shall only be processed in accordance with the rights of the individual in mind;
7) Security – integrity & confidentiality	Personal data must always be kept safe ; and
8) International transfers	Personal data may not be transferred outside the Cayman Islands unless it is adequately protected.

For clarity, nothing in this Privacy Notice creates any new relationship between you and us or alters any existing relationship between you and us.

Why We Collect Personal Data:

We may collect personal information from you in a variety of ways, including, but not limited to, to enable us to carry out our regulatory, monetary, advisory, and co-operative functions, when you visit our website, register on the website, place an order, fill out a form, respond to a survey, subscribe to the newsletter and in connection with other activities, services, features or resources we make available. You may be asked for, as appropriate, name, email address, mailing address, phone number, and/or a government issued identification number.

I. The categories of data we collect

We collect personal data from our clients and other individuals who we interact with in order to provide a top tier service and to meet our operational needs. The amount of data we collect varies and depends on the reason for collecting the personal data. In some instances, for instance for KYC purposes, we collect your sensitive personal data such as your association memberships or whether you are a Politically Exposed Person (PEP).

Vistra Cayman will either require you to provide us with your personal data or some of your personal data will come to us from third parties (such as other financial service providers). We may have information such as your

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names, address, and date of birth; personal identification documents; employment details, financial information such as bank accounts, and correspondence to and from you. Typically we will require data regarding;

- Personal identification information, such as your name and contact information, home or business address, email address, telephone number, your date of birth, tax identification number, tax status, your passport number/details, driving licence details, national identity card details, country of domicile, your nationality and other information in the public domain;
- Company or organization details, including professional qualifications and employment information;
- IP address;
- Information relating to your financial situation such as income, expenditure, assets and liabilities, ownership interest in an entity, sources of wealth, as well as your bank account details;
- An understanding of your goals and objectives in procuring our services;
- Information pertinent to fulfilling our services on an individual's or organization's behalf;
- Information that we collect automatically through cookies and similar tracking technologies through our website, mobile applications or other online services. Please see our cookies policy for more details about this: <https://www.vistra.com/cookies>;
- Information about your employment, education, family or personal circumstances, and interests, where relevant (i.e. for PEP purposes); and
- Information to assess whether you may represent a politically exposed person, or money laundering risk (which may include personal sensitive data concerning the commission, or alleged commission, of a criminal offence).

II. How we collect your data

We collect your personal data in a number of ways, for example:

- From the information you provide to us;
- From information about you provided to us by your company or an intermediary;
- When you communicate with us by telephone, fax, email or other forms of electronic communication. In this respect, we may monitor, record and store any such communication;
- When you complete (or we complete on your behalf) client on-boarding or application or other forms;
- From other companies in the Vistra group;
- From your agents, advisers, intermediaries, and custodians of your assets;
- From publicly available sources, most commonly where we need to conduct background checks about you. Please note that the information we may receive from those third party websites is governed by the privacy settings and policies of the applicable site;
- From third party sources, including your advisors and financial institutions which process your data.

III. The basis for processing your personal data (other than with your consent), how we use that personal data and with whom we share it with.

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(i) Performance of a contract with you

We process your personal data because it is necessary for the performance of a contract to which you are a party or in order to take steps at your request prior to entering into a contract. In this respect, we use your personal data for the following:

- To respond to your enquiries and to communicate with you;
- To prepare a proposal for you regarding the services we offer;
- To provide you with the services as set out in our Terms of Engagement with you or as otherwise agreed with you from time to time;
- To deal with any complaints or feedback you may have;
- To update and maintain records and fee calculations; and
- For any other purpose for which you provide us with your personal data.

In this respect, we may share your personal data with or transfer it to the following:

- Your agents, advisers, intermediaries, and custodians of your assets who you tell us about;
- Our employees, but the scope of data shall be limited to the fulfilment of their duties and in line with the reason for processing;
- Third parties whom we engage to assist in delivering the services to you, including other companies in the Vistra group acting as joint controllers or processors;
- Our professional advisers where it is necessary for us to obtain their advice or assistance, including lawyers, accountants, administrative support service providers, or public relations advisers;
- Other third parties such as intermediaries who we introduce to you. We will wherever possible tell you who they are before we introduce you; and
- Our service providers acting as processors who provide IT, data storage and system administration services.

(ii) Legitimate interests

We also process your personal data because it is necessary for our legitimate interests, or sometimes where it is necessary for the legitimate interests of another person.

In this respect, we use your personal data for the following:

- For direct marketing to you. In this respect, see the separate section on Marketing below;
 - Training our staff or monitoring their performance;
 - For the administration and management of our business, including recovering money you owe to us, and archiving or statistical analysis;
 - Seeking advice on our rights and obligations, such as where we require our own legal advice;
- In this respect we will share your personal data with the following:

- Our advisers or agents where it is necessary for us to obtain their advice or assistance;
- With third parties and their advisers where those third parties are acquiring, or considering acquiring, all or part of our business.

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(iii) Legal obligations

We also process your personal data for our compliance with a legal obligation which we are under. In this respect, we will use your personal data for the following:

- To meet our legal and regulatory obligations, such as compliance with anti-money laundering and counter terrorism financing procedures and laws;
- As required by tax authorities or any competent court or legal authority. In this respect, we will share your personal data with the following:
 - Our advisers where it is necessary for us to obtain their advice or assistance;
 - Our auditors where it is necessary as part of their auditing functions;
 - With third parties who assist us in conducting background checks; and
 - With relevant courts and tribunals, regulators or law enforcement agencies where we are required to do so.

IV. Your rights and how you can you contact us

<u>You have the following rights:</u>	
1) The right to be informed	You have right of be informed about the personal data we collect from you and use.
2) The right of access	You have right to obtain access to, and copies of, the personal data that we hold about you, in a reasonable format specified by you.
3) The right to rectification	You have right to require us to correct the personal data we hold about you if it is inaccurate or incomplete at any time. We require you to inform us of all material change to keep our records accurate.
4) The right to stop/restrict processing	<p>You have right to require that we cease processing your personal data (you have right to withdraw your consent at any time when we are relying on your consent to process your personal data).</p> <p>You have the right to require us to delete your personal data, subject to our legal obligations and to require us to restrict our data processing activities.</p>
5) The right to stop direct marketing	You have right to opt-out from receiving marketing communications.

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6) The rights in relation to automated decision making	You have right to receive a notice in writing from us if we make a decision which is solely based on processing by automated means and which affects significantly you.
7) The right to seek compensation	You have right to require that we do not subject you to automated decision-making that uses your personal data.
8) The right to complain	You have right to complain to the Ombudsman about any perceived violation of the DPA.

Please note that the above rights are not absolute, and we may be entitled to refuse requests where exceptions apply. Additionally, while the rights you have can normally be exercised free of charge, the DPA allows us to charge you if your request is manifestly unfounded or excessive. In such cases, we reserve the right to charge you a fee for processing your request.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any other of your rights). This is a security measure to ensure that personal data is not disclosed to a person who has no right to receive it.

If you have any questions regarding data protection, or wish to exercise any of the rights set out above, please contact us:

By post:

Attn: Allain Forget, Data Protection Officer

Vistra (Cayman) Limited

Grand Pavilion, 802 West Bay Road, P.O. Box 31119

Grand Cayman, KY1-1205, Cayman Islands

Email: dataprivacycayman@vistra.com

Phone: +1 (345) 769 9401

As noted above you have the right to lodge a complaint with the Cayman Islands Ombudsman if you consider that the processing of personal data relating to you and carried out by us or our service providers infringes the DPA.

The Cayman Islands Ombudsman can be contacted by post at:

Ombudsman

PO Box 2252

Grand Cayman KY1-1107

Cayman Islands

Or alternatively: <https://ombudsman.ky/data-protection>

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V. Marketing

- We may send you marketing about similar services we provide, as well as other information in the form of alerts, newsletters and invitations to events or functions which we believe might be of interest to you.
- We will communicate this to you in a number of ways including by post, telephone, email, SMS or other digital means/channels.
- If you wish to stop receiving marketing emails, you can click on the “unsubscribe” link included in every marketing e-mail that we send.
- If you object to receiving marketing materials from us (in any form) at any time, you can also contact us (relevant contact details above).

VI. Transfer and processing of your personal data

The law may permit us to transfer your personal information outside of the Cayman Islands. In all such cases, any transfer will be compliant with the DPA.

To find out more about transfers by us of your personal data and the countries concerned please contact us (you’ll find our contact details above).

VII. Retention of your data

We will only retain your personal data for as long as we have a lawful reason to do so. In particular:

- where we have collected your personal data as required by anti-money laundering legislation, including for identification, screening and reporting, we will retain that personal data for at least five years after the termination of our relationship, unless we are required to retain this information by another law or for the purposes of court proceedings; or
- otherwise, we will in most cases retain your personal data for a period of seven years after the termination of our contractual or other relationship with you in case any claims arise out of the provision of our services to you.

VIII. Protection of Personal Data

We maintain and require that the recipients to which your personal data are transferred maintain appropriate technical and organizational measures to ensure a level of security appropriate to potential risks, including physical, electronic and procedural safeguards that comply with the DPA to protect your information, including:

- the pseudonymization and encryption of your personal data where appropriate;
- ensuring ongoing confidentiality, integrity, availability and resilience of processing systems and services;
- ensuring we can restore access to personal data in a timely manner if a physical or technical incident occurs; and
- regular testing, assessment and evaluation of the effectiveness of technical and organizational measures to ensure your personal data is secure.

We restrict access to personal data to those employees who need to know that information in the course of their job responsibilities.



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We will destroy, erase or make unreadable, data, computer files and documents containing personal data prior to disposal.

We do not allow third party service providers who process data on our behalf to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

[IX. Data Breaches](#)

In the unlikely and unfortunate event that your personal data under our control becomes compromised due to a breach of our security, we will act promptly to identify the cause and take the necessary steps to contain and mitigate the consequences of the breach. Where appropriate, we will also notify you of the breach in accordance with the requirements of the DPA and any other applicable law.

[X. Links](#)

Links on our website or marketing email messages sometimes include links to other websites which are not within our control. Once you have left our website or marketing email message, we cannot be held responsible for the content of other websites or the protection and privacy of any information which you provide to those websites.

You should exercise caution and look at the privacy statement applicable to the website in question.

[Contact](#)

For general inquiries:

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