

Privacy Notice

We respect your trust in us to use, store and share your information. This Privacy Notice explains how Ashburton (Jersey) Limited collects, uses, discloses and stores your personal data, and your rights in relation to the personal data that we hold.

Ashburton (Jersey) Limited is subject to The Data Protection (Jersey) Law 2018, the Data Protection Authority (Jersey) Law 2018 and the EU General Data Protection Regulation ("GDPR") Regulation 2016/679.

Ashburton (Jersey) Limited have a Data Protection Officer whose contact details are set out in this Notice.

We may amend this Privacy Notice from time to time to reflect any changes in the way that we process your personal data.

Who are Ashburton (Jersey) Limited?

Ashburton (Jersey) Limited, trades as Ashburton Investments, and comprises of companies that are incorporated and operating in and from either Jersey, or Luxembourg. These companies and any use of "us", "we" and "our" refers to "Ashburton" for the purpose of this Privacy Notice.

The Data Controller of your personal information is dependent on which Ashburton product or service is provided to you, or the jurisdiction that the data subject is based. Where appropriate, our Data Protection Officer will refer you to the alternative Data Protection Officer appointed to your product or service.

Who are FirstRand?

Ashburton are part of the FirstRand Group and protecting customers' personal information is important to FirstRand. To do so, it follows general principles in accordance with applicable privacy laws and expects Ashburton to do the same.

In terms of applicable privacy laws, this notice may also apply on behalf of other third parties (such as authorised agents and contractors), acting on the group's behalf when providing customers with solutions. If a FirstRand group business processes personal information for another party under a contract or a mandate, however, the other party's privacy policy or notice will apply.

Why do Ashburton hold personal data?

Data Protection laws allow Ashburton to use personal information only if we have a proper reason to do so. The laws say we must have one or more of the below reasons:

- To fulfil a contract we have with you
- When it is our legal duty
- When it is in our legitimate interest
- When you consent to it

You can withdraw your consent at any time by contacting us. If you withdraw your consent, we may not be able to provide our services to you.

Who does this apply to?

For the purpose of this notice a "customer" includes:

- Prospective customers
- New and existing customers



- Previous customers
- Users

Examples provided in this notice are for illustrative purposes and are not exhaustive.

What does “process” mean?

In this notice “process” means how Ashburton collects, uses, stores, makes available, destroys, updates, discloses, or otherwise deals with customers’ personal information. Ashburton respects customers’ privacy and will treat their personal information confidentially.

What are Ashburton’s key data protection principals?

Ashburton shall ensure that all processes and procedures that handle and deal with personal information and/or sensitive data shall comply with the following six principles as well as the important data controller accountability requirement of the law:

- 1) Personal data shall be processed fairly and lawfully (“lawfulness, fairness and transparency”)
- 2) Personal data shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes (“purpose limitation”)
- 3) Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed (“data minimisation”)
- 4) Personal data shall be accurate and, where necessary, kept up to date (“accuracy”)
- 5) Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes (“storage limitation”)
- 6) Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data (“integrity and confidentiality”)

How does Ashburton collect your data?

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

- From the information you provide to us when you meet with one of our employees
- When you communicate with us or when we communicate with you by mail, telephone, email or other forms of electronic communication, including identifiers assigned to your computer or other internet connected device including your Internet Protocol (IP) address. In this respect, we may monitor, record and store any such communication
- Information you have provided within application forms, investment services agreements or terms of business documents relating to an Ashburton product or service set up for your benefit by you, or another person on your behalf
- From other companies in our Group
- From your agents or advisers
- From publicly available sources or from third parties where we need to conduct background checks about you

What categories of data may Ashburton collect?

We may collect the following categories of personal data about you:

- Your name, date of birth, passport or national identity card details
- Country of birth, domicile and citizenship
- Gender and marital status
- Contact information such as residential or business address, email address and telephone number



- Information relating to your tax affairs including tax identification or national insurance number
- Information about your employment, family and personal circumstances
- Information about your knowledge and experience in the investment field
- An understanding of your goals and objectives in connection with your wealth
- Information relating to your financial situation such as income, expenditure, assets and liabilities, sources of wealth and your bank account details
- Information to assess whether you may represent a money laundering and terrorist financing risk, for example, whether you are a Politically Exposed Person, or have had previous criminal convictions or regulatory sanctions imposed

What is special category information?

Ashburton may, where required, also hold some 'special category' information, such as:

- Religious and philosophical beliefs (for example where a customer enters a competition and is requested to express a philosophical view)
- Race (e.g. where a customer applies for a solution where the statistical information must be recorded)
- Ethnic origin
- Trade union membership
- Political beliefs
- Health including physical or mental health, disability and medical history
- Biometric information (e.g. to verify a customer's identity)
- Criminal behaviour where it relates to the alleged commission of any offence or the proceedings relating to that offence

When can Ashburton process your data?

We may process your personal data because it is necessary for the performance of a contract to deliver the products or services you have engaged us for, or in order to take steps at your request prior to entering into a contract. We may also process your data for our compliance with a legal or regulatory obligation which applies to us.

Article 6(1) of the GDPR sets out the conditions that must be met for the processing of personal data to be lawful. The prescribed lawful bases are:

- **Consent:** an individual has given clear consent for Ashburton to process their personal data for a specific purpose
- **Performance of a contract:** the processing is necessary for the performance of a contract which Ashburton has with the individual, or because they have asked Ashburton to take specific steps before entering into a contract
- **Legitimate interests:** the processing is necessary for Ashburton's legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This does not apply to public authority processing data to perform an official tasks)
- **Legal obligation:** the processing is necessary for Ashburton to comply with the law (not including contractual obligations)
Vital interest: the processing is necessary to protect someone's life
- **Public functions:** the processing is necessary for Ashburton to perform a task in the public interest or for Ashburton's official functions, and the task or function has a clear basis in law

When can Ashburton process your data without your consent?

As noted above, there are some situations whereby Ashburton process your personal data without holding your specific consent. Such instances will include:



- To prepare preliminary information or a proposal for you regarding the products and investment services we offer
- For the management and administration of our business
- Seeking advice on our rights and obligations, such as where we require our own legal advice
- To meet our compliance and regulatory obligations, such as compliance with anti-money laundering and countering terrorist financing regulations and tax reporting
- Protecting the vital interests of you or others
- Our legitimate interests

Who may Ashburton share your personal data with?

- Your agents, trustees, advisers, or intermediaries
- Brokers, custodians of your assets, banks and third-party administrators who we may engage to assist in delivering the services to you
- Our advisers where it is necessary for us to obtain their advice or assistance
- Companies within our Group
- Payment processors where we are making payments to you
- Our auditors where it is necessary as part of their auditing functions
- With third parties who assist us in conducting background checks about you
- With relevant regulators, tax authorities and law enforcement agencies where we are required to do so
- Our data storage providers

Customers' personal information may be processed through centralised functions and systems across companies in the FirstRand Group and it may be used for the purposes, in the manner, and with the appropriate controls as set out in this notice.

How secure is your information?

Ashburton has measures in place to ensure the security of the data we collect and that it will only be accessible by authorised staff. Any third party we work with must confirm they also adhere to data privacy controls and only process your personal information in line with our instructions.

Public electronic communications service providers are required by law to report any security breaches involving personal data to Ashburton.

Ashburton will ensure that all data is non-recoverable from any computer systems we may have previously used within the organisation if it is replaced.

Transferring of data

To help us provide our products and services to you, we may transfer your personal information outside the European Economic Area (EEA) to countries that may not have the same level of protection for personal information as Jersey. When we do this, we expect the same standard of data protection is applied to ensure your rights are protected.

Retention of data

We may retain your personal data for a period of up to 10 years after the termination of our contractual relationship with you in order to meet our regulatory and legal obligations. In other circumstances, we will retain information collected about you for as long as permitted for legitimate business purposes.



What happens after the required retention period?

Ashburton will then destroy your personal data including all paper and electronic records.

Who is our data controller?

Hayley Carstairs (Head of Compliance) is the appointed Data Controller (the "**Data Controller**") for Ashburton, who determines the need for personal data to be held and how it is processed. The Data Controller is also responsible for notifying the Information Commissioner of the information it holds, how it is used and purposes for which it is held.

What are your rights?

You have a number of rights in relation to the information that we hold about you which are set out below.

- Access to your data
- Rectification of any inaccuracies
- Restrictions on the processing of your data
- Right to object to the processing of your data in certain circumstances
- Right to be forgotten (erasure of your data) in certain circumstances
- Right to data portability
- Right to object to automated decision making and profiling
- Right to withdraw consent for those data processing activities based on consent

However, there may be situations where we continue to hold and process information about you if there is a legitimate reason for us doing so, for example: to continue to administer or manage your investments or to comply with our own legal or regulatory obligations.

Ashburton does not make any decision based on purely automated means, but if we do, we will inform data subjects of their right to object.

If you wish to exercise any of the rights set out above, please contact our Data Controller.

We try to respond to all legitimate requests within four weeks. Occasionally it may take us longer than four weeks if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

How do you make a complaint?

If you have a complaint about how your information has been processed, you should put full details of your complaint in writing to the Data Controller.

Address: PO Box 239, Floor One, Liberation Station, Esplanade, St Helier, Jersey JE4 8SJ

Email: ashburtondataprotectionoffice@ashburton.com

Tel: +44 (0) 1534 512000

What is the complaint process?

Upon receipt of a complaint from a data subject we make up a file containing the details of the complaint. This normally contains the identity of the complainant and any other individuals involved in the complaint.

We will only use the personal information we collect to process the complaint and to check on the level of service we provide.



We usually have to disclose the complainant's identity to whoever the complaint is about. This is inevitable where, for example, the accuracy of a person's record is in dispute. If a complainant doesn't want information identifying him or her to be disclosed, we will try to respect that. However, it may not be possible to handle a complaint on an anonymous basis.

We will keep personal information contained in complaint files in line with our retention policy. This means that information relating to a complaint will be retained for a specified number of years (please see above for our data retention policy). It will be retained in a secure environment and access to it will be restricted according to the 'need to know' principle.

Similarly, where enquiries are submitted to us we will only use the information supplied to us to deal with the enquiry and any subsequent issues and to check on the level of service we provide.

When we take enforcement action against someone, we may publish the identity of the defendant in our Annual Report or elsewhere. Usually, we do not, identify any complainants unless the details have already been made public.

How can I make a complaint to the supervisory body?

If you would like to find out more about your rights under data protection legislation, or you are not satisfied with how we are processing your personal data, you can make a complaint to the supervisory body, which is the Office of Information Commissioner (OIC) (For Jersey Companies).

You can download their form, or complete it online, on their website www.oicjersey.org. Or write to them at Jersey Office of the Information Commissioner, 2nd Floor, 5 Castle Street, St. Helier, Jersey, JE2 3BT.

How can you contact us?

If you have any questions about how we use your personal data, or you wish to exercise any of the rights set out above, please contact our Data Protection Officer using the below methods:

Hayley Carstairs, Data Protection Officer for Ashburton (Jersey) Limited

Address: PO Box 239, Floor One, Liberation Station, Esplanade, St Helier, Jersey JE4 8SJ

Email: ashburtondataprotectionoffice@ashburton.com

Tel: +44 (0) 1534 512000

When did we last update this Privacy Policy?

We keep our privacy notice under regular review, and it was last updated March 2025.