



EDMOND DE ROTHSCHILD (MIDDLE EAST) LTD. CHARTER OF PERSONAL DATA PROTECTION

I. Introduction

- 1.1 This Charter applies to all personal data (the «**data**») processed by Edmond de Rothschild (Middle East) Limited (“**we**” or “**us**”), acting as controller¹ towards the natural persons whose data it processes in the context of its activities [such data may pertain to categories of natural persons, such as (whereby applicable and without being limited to) prospects, clients, representatives, board members, signatories, employees, officers, attorneys, contact persons, agents, service providers, promoters, initiators, controlling persons, (potential) investors and beneficial owners and (potential) investors’ and beneficial owners’ relatives (each being referred to as a «**data subject**»)].
- 1.2 The purpose of this Charter is to ensure compliance of Edmond de Rothschild (Middle East) Limited with Dubai International Financial Centre (the «**DIFC**») Data Protection Law (Law No. 5 of 2020) (the «**DIFC DP Law**»).

II. Which data do we process?

- 2.1 The data, which we process, may come from various sources. Some data may be collected directly from the relevant data subject. Some data may also be collected, in compliance with the applicable laws and regulations, from other sources such as the data subject’s employer or the entity on behalf of or for which the data subject is acting, the clients, the prospects, the counterparties, the partners, the contact persons, the (potential) investors, the (potential) beneficial owners, the attorneys, the service providers, the promoters, the initiators or the other entities of the Edmond de Rothschild Group (the «**EdR Group**»). We may also collect data in the context of meetings or communications (e.g. throughout the paper or electronic correspondence, during phone conversations or meetings) or when the data subject visits our website or uses our online services or applications. The data subject has to ensure that his/her data, as collected by us, is accurate, relevant and up to date. He/She is required to inform us of any changes concerning his/her data.
- 2.2 Some data may also come from publicly available sources (e.g. pursuit records, public registers, press, websites, social networks, global providers of financial, business and economic information such as Bloomberg, Factiva and World-Check databases) or from external companies (e.g. from investigation firms).
- 2.3 Certain categories of data may be processed by us, including but not limited to:
- contact information:** such as the name and (private and professional) contact details, including the
 - telephone number, fax number, e-mail address, postal address and/or other contact information; and/or
 - information in the context of legal and/or regulatory requirements or in the context of the relationship with us:** such as the contact details, identification data (including identity documents, gender, marital status, date/place of birth and country of residence), banking details (including the account number and the account balance) with client’s custodians, type of relationship, title or function, profession, curriculum vitae, knowledge, experience, skills, wealth, risk rating, invested amount and origin of the funds, record of transactions (including the transactional behaviour), potential convictions or sanctions, complaints, copies of invoices and/or any other data processed in accordance with the applicable legal and/or regulatory requirements or in the context of the relationship with us; and/or
 - information in the context of communication and/or meetings:** such as data provided in paper or electronic correspondence, telephone and video recordings, pictures and/or any other relevant data in the context of communication and/or meetings; and/or
 - information in the context of the visit of our website and/or the use of our online applications/services:** such as the data provided in written or electronic forms (e.g. contact information, function or title, the name of the entity on behalf of or for which the data subject is acting), online identifier (address IP), data traffic records, login details and/or any data provided by communicating with us through our website or via social media.

¹ We draw the data subject’s attention to the fact that Edmond de Rothschild (Middle East) Limited may also, as the case may be, act as processor (or sub-processor) when it processes the data directly (or indirectly) on behalf of distinct controllers.



III. Why do we process the data?

3.1 We process the data for the following purposes:

a. **for the purpose of our legitimate interests**

- i. This may include the processing of data for:
 - risk management (in particular regulatory, legal, financial and reputational risks) ; and/or
 - fraud prevention purposes ; and/or
 - the on-boarding of new clients ; and/or
 - the provision of products and services ; and/or
 - benefiting from services ; and/or
 - entering into and/or managing relationships with prospects, clients, counterparties, service providers, entities of the EdR Group and/or other third parties ; and/or
 - improvement of our products and services ; and/or
 - marketing purposes (including the organisation of marketing events and management of the related invitations); and/or
 - preventing or facilitating the settlement of any claims, disputes or litigations ; and/or
 - the exercise or defence of our rights or the rights of other natural or legal persons ; and/or
 - disclosure to our processors in order to process it on our behalf.
- ii. The provision of data for this purpose may be a requirement necessary for us to enter into a relationship, or to continue the relationship, with the relevant client or prospect, service provider, counterparty, EdR Group entity or other third party. In this case, the data subject is obliged to provide the relevant data;

and/or

b. **for the execution of a contract to which the data subject is party or in order to take steps at the data subject's request prior to entering into a contract**

- i. This may include the form or contract signed, or to be signed, by the relevant data subject for specific purposes, including but not limited to, being contacted by us, entering into a relationship with us or being authorised to use our online services or applications (e.g. EdR Link or EdR Private e-banking). The provision of data for this purpose has a (pre)contractual nature. In this case, the data subject is obliged to provide the relevant data;

and/or

c. **for the compliance with legal and/or regulatory obligations to which we are subject**

- i. This includes compliance with legal and/or regulatory obligations such as:
 - accounting, banking and financial; and/or
 - anti-money laundering and fight against terrorism financing such as Anti Money Laundering Federal Law, the Anti - Money Laundering, Terrorist Financing or other Financial Services Laws applicable in the DIFC ; and/or
 - identification and reporting [e.g. under the foreign account tax compliance act ("FATCA") and)]; and/or
 - compliance with, the requests emanating from, and the requirements of, local or foreign authorities such as Dubai Financial Services Authority, the DIFC Registrar of Companies, other supervisory authorities and law enforcement agencies).
- ii. We are a financial services firm and are authorized and regulated by the Dubai Financial Services Authority for the conduct of Financial Services in and from the DIFC with DFSA reference number CL6232.
- iii. The provision of data for this purpose has a statutory/regulatory nature. In this case, the data subject is obliged to provide the relevant data;

and/or

d. **for any other specific purposes to which the data subject has consented.**

- i. Not providing data for the above mentioned purposes may result (to the extent applicable) in the impossibility for us (i) to enter into a relationship with the relevant client or prospect, service provider, counterparty, EdR Group entity or other third party, and/or (ii) to accept a payment or to execute a payment instruction or a transaction, and/or (iii) to provide our products or services, and/or (iv) to authorise the use of our online services or applications, and/or (v) to continue our relationship with the relevant client or prospect, service provider, counterparty, EdR Group entity or other third party.



IV. Automated individual decision-making

4.1 No automated individual decision-making is conducted by us, meaning that the data subject is not subject to decisions based solely on automated processing which produce legal effects concerning him or her or similarly significantly affect him or her.

V. Recording of telephone conversations and video surveillance

Telephone conversations

5.1 For the purpose of serving as evidence of commercial transactions and/or any other commercial communications and then preventing or facilitating the settlement of any disputes or litigations, the data subject's telephone conversations with and/or instructions given to us may be recorded in accordance with the applicable laws and regulations. These recordings shall not be disclosed to any third parties, unless we are compelled or entitled to do so under the applicable laws and/or regulations, in order to achieve the purpose previously mentioned in this paragraph.

Video surveillance

5.2 We also use a video surveillance system in and around our offices for security reasons and we may therefore record videos in which the data subject may appear.

VI. With whom could we share the data?

6.1 In accordance with the applicable laws and regulations, we may transfer and communicate the data to recipients, such as (to the extent applicable):

- a. other entities of the EdR Group (including branches and subsidiaries of the EdR Group) and in particular our mother company Edmond de Rothschild (Suisse) S.A.; and/or
- b. our counterparties, nominees, contractors, sub-contractors, attorneys or service providers and/or those of our clients ; and/or
- c. our correspondents, the third party custodians or other third party financial institutions, credit rating agencies, any entities or investment vehicles in which our client invests (even through our nominee services) and their own service providers ; and/or
- d. companies carrying out investigations on our behalf ; and/or
- e. our external auditors, lawyers , notaries and/or those of our clients ; and/or
- f. any natural person or entity having an interest in, or involved in, our relationship with the relevant client, prospect, service provider, counterparty, EdR Group entity or other third party ; and/or
- g. external agencies or providers involved in the organisation of marketing events ; and/or
- h. any judicial, market, tax, law enforcement, regulatory or other administrative authorities and/or government agencies.

6.2 These recipients may process the data as processors (when processing the data on our behalf) or as distinct controllers (when processing the data on their own behalf). These recipients may also in turn transfer the data to their own processors and/or to distinct controllers.

VII. For how long do we retain the data?

7.1 We will retain the data for as long as necessary for the above mentioned purposes for which it is processed.

7.2 In general, we will store the data for a period of 10 years after the end of our relationship with the relevant client (except for the telephone recordings and the video security recordings which are kept in general for a period of respectively five (5) years and fifteen (15) days after their recordings).

7.3 However, the data storage periods may be shorter or longer, in compliance with the applicable laws and/or regulations, in particular in order to enable us to comply with our legal and/or regulatory obligations, to manage claims and/or litigations, to exercise or defend our rights or those of any other person and/or to meet authorities' requests.

VIII. International transfers of data

8.1 Data transfers to legal entities in states outside the DIFC (known as third countries) can take place so long as:

- a. The third country has been determined by the DIFC Commissioner as jurisdiction providing adequate level of protection under the DIFC DP Law.
- b. We have provided appropriate safeguards under the DIFC DP Law and enforceable data subject rights and effective legal remedies for data subjects are available.



- c. One of the specific derogations in the DIFC DP Law (Article 27(3)) applies (including, but not limited to, where you have explicitly consented to the proposed transfer in accordance with the DIFC DP Law); or
- d. The limited circumstances set out in the DIFC DP Law applies (Article 27(4)) apply.

8.2 You can obtain more information on these international transfers, including a copy of the appropriate or suitable safeguards mentioned above, by directly contacting us at the addresses indicated at the end of this Charter.

IX. The data subject's rights

9.1 Every data subject has in relation to their personal data the following rights under the DIFC DP Law:

- a. The right to withdraw consent - according to Article 32 of the DIFC DP Law.
- b. The right of access, rectification and erasure of personal data - according to Article 33 of the DIFC DP Law.
- c. The right to object to processing- according to Article 34 of the DIFC DP Law.
- d. The right to restrict processing - according to Article 35 of the DIFC DP Law.
- e. The right to be notified by the Controller about any rectification, erasure, of data - according to Article 36 of the DIFC DP Law.
- f. The right to data portability - according to Article 37 of the DIFC DP Law.
- g. The right to object to decisions based solely on automated processing including profiling - according to Article 38 of the DIFC DP Law.
- h. The right to non- discrimination - according to Article 39 of the DIFC DP Law.

9.2 Where the basis for the processing of your personal data under the DIFC DP Law is consent, you have an absolute right to withdraw your consent by directly contacting us at the addresses indicated at the end of this Charter. This will not without affecting the lawfulness of processing based on consent before his or her withdrawal

9.3 When we are processing your personal data on the basis of your consent, and if you withdraw consent, we will comply with the DIFC DP Law and cease processing your personal data as soon as reasonably practicable.

9.4 Please note that the withdrawal only applies going forwards, it does not have retrospective effect. Processing that.

9.5 The data subject is also entitled to withdraw at any time his or her consent regarding any specific processing to which he or she has consented, without affecting the lawfulness of processing based on consent before his or her withdrawal.

9.6 In addition to the rights listed above, should a data subject consider that we do not comply with the applicable data protection laws and/or regulations, or has concerns with regard to the protection of his or her data, the data subject is entitled to lodge a complaint with the DIFC Commissioner.

X. Contacting us

10.1 For any queries concerning the processing of data described under this Charter or to exercise the abovementioned rights, the data subject may contact us at the following address: Unit L31-09, Level 31, ICD Brookfield Place, Dubai International Financial Centre, Dubai, United Arab Emirates, to the attention of our data protection officer.

10.2 Our data protection officer may also be contacted at the following email address: dpo-ae@edr.com

This Charter is subject to amendments and the latest applicable version is available online at the following address: <https://www.edmond-de-rothschild.com/en/Pages/cookies-policy.aspx>