

# Privacy Policy

## 1. Introduction

This is the privacy notice (the “Notice”) of Medina Asset Management Limited

Medina Asset Management Limited (C 68456) 55, Level 2, Dawret ix- Xatt, Xghajra XJR 1201, Malta (“MAM”; “we”; “us”; “our” “the Company”) respects your privacy and is committed to protecting your personal information or, as otherwise termed, your “personal data”. The purpose of this Notice is to set out the basis on which we will process your data, mainly:

- When you visit our website <https://www.medinam.com> (the “Website” and or the “Site”);
- When you provide us with any application forms, change of detail forms, stock transfer forms and other internal forms;
- When contacting us voluntarily in other circumstances such as when seeking employment or traineeship with us or seeking to attend a Company organised or sponsored event;
- Through calls, meetings, emails and other forms of communication;

It is important that you read this Notice together with any other policy which we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This Notice supplements the other notices and is not intended to override them.

We are committed to protecting our client’s privacy and we will not collect any personal information about you unless you provide it voluntarily or unless we have a legitimate interest to do so. This policy describes and explains how information is collected and retained by the Company. This information helps us improve our service to existing and potential customers.

Any personal information you communicate to us is kept within our own records in accordance with this Privacy Policy, the Terms and Conditions and as required by the General Data Protection Regulation, as defined below.

## 2. Important information on Information Collected

### i. Purpose of this Privacy Policy

We process your personal data in an appropriate and lawful manner, in accordance with the Data Protection Act (Chapter 440 of the Laws of Malta) (the “Act”), as may be amended or replaced from time to time, and the General Data Protection Regulation (Regulation (EU) 2016/679) (the “GDPR” or the “Regulation”).

In that respect, “**personal data**” means data relating to a living individual who can be identified from the information (data) we hold and/or possess. This includes, but is not limited to, your name and surname (including maiden surname where applicable), address, date of birth, nationality, gender, civil status, tax status, spouse’s name, identity card number & passport number, contact details (including mobile and home phone number and personal/work email address), bank account details as well as online identifiers. The term ‘**personal information**’, where and when used in this Notice, shall be taken to have the same meaning as personal data.

This Notice aims to give information on how the Company collects and processes your personal data in the scenarios outlined above namely, through the processes outlined above, including any data that you may provide to us, or which we may receive about you. It is imperative that the personal data we hold about you is accurate and current at all times. Otherwise, this will impair our ability to provide you with our Services which you have requested (amongst other potential and salient issues). Please keep us informed if your personal data changes during your relationship with us.

It is important that you read this Notice together with any other privacy notice or policy which we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This Notice supplements the other notices and is not intended to override them.

The Company does not sell your Personal Information, although this information may be shared with other third parties, including service providers in the rendering of our services to you. These third parties have been scrutinized to assess that they use appropriate security measures to protect the confidentiality and security of Personal Information.

This version of the Privacy Policy was last updated on the 24/05/2018.

#### ii. Controller

MAM (as defined above) is the controller and responsible for your personal data.

Our full contact details are:

**Full name of legal entity:** Medina Asset Management Limited (C 68456)

**Email address:** [info@medinam.com](mailto:info@medinam.com)

**Postal address:** 55, Level 2, Dawret ix- Xatt, Xghajra XJR 1201, Malta

**Contact numbers:** +356 27 033 650 / +356 77 333 650

You have the right to lodge a complaint at any time with a competent supervisory authority on data protection matters (for example, with the supervisory authority in your place of habitual residence). In the case of Malta, this would be the [Office of the Information and Data Protection Commissioner](#). We would, however, appreciate the opportunity to deal with your concerns before you approach that supervisory authority, so please contact us in the first instance.

#### iii. Third-party links

The Website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy notices, statements or policies.

We encourage you to read the privacy notice of every website you visit.

## 3. Personal Data

Personal data, or personal information, means any information about an individual from which that person can be identified (as stated above). It does not include data where the identity has been removed (anonymous data).

In the course of our relationship (including during account registration and opening stage), we may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identification Data and other Contact Data:** includes your first name, maiden name (where applicable), last name, address, entity name, username or similar identifier, marital status, title, nationality, date of birth, gender, identity document type and identity document number Legal Entity Identifier (“LEI”), tax domicile, employment status, employer and occupation.
- **Contact Information:** includes your residential and forwarding address, email address and contact number (telephone and/or mobile).
- **Account and portfolio data:** refers to your portfolio and account information.
- **Transaction Data and Transaction Information:** includes details about:
  - your orders, such as the nature of the order (e.g. whether it is an order to buy or an order to sell), the order volume, price, value and, where applicable, the proceeds derived; and
  - your trading and transactional history.
- **Payment Data:** includes details about the payments that you receive through us (e.g. withdrawals) or which we receive, or otherwise, charge you.
- **Compliance and Know Your Customer (“KYC”) Data:** for example, copies of I.D. card or passport, proof of residence, source of wealth, source of funds, Politically Exposed Person (“PEP”) status, criminal records check, and depending on the service provided information on ‘suitability’ and ‘appropriateness’.
- **Technical Data:** includes IP address, device type, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and other technology on the devices you use to access the Site as the case may be.
- **Usage Data:** includes information about how you use the Site
- **Marketing and Communications Data:** includes your preferences in receiving marketing from us and our third parties and your communication preferences.
- **Call and other Recordings:** In terms of regulations imposed on us, we are required to record all calls, meetings or encounters that may result in a transaction
- **Court and Regulator data:** this will include information about orders and/or requests received from legal bodies, government and tax authorities, regulators and the courts.
- **Other readily available data:** in order to fulfil our obligations arising from applicable local and international legal and regulatory obligations, we may also collect information about our clients from internet databases or compliance related databases.

We also collect, use and share aggregated data such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your usage data to calculate the percentage of users accessing a specific feature of the Site. However, if we combine or connect aggregated data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

We collect special categories of personal data about you, primarily as a result of the documentation and information that we collect and process in terms of Anti Money Laundering (“AML”) and risk data. In essence, “**special categories of personal data**” or, as otherwise termed, “**sensitive personal data**”, refers

to and includes information about a person's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition or sexual life, or about the commission of, or proceedings for, any offence committed or alleged to have been committed by that person, the disposal of such proceedings or the sentence of any court in such proceedings.

The collection and processing of this sensitive personal data about you is necessary for us to be able to, amongst other things to conduct our internal AML and KYC checks and due diligence on you.

Where we need to collect personal data about you:

- by law; or
- under the terms of, or in connection with, the contract that we have with you (as outlined above); or
- as part of our legitimate business interests to verify the identity of our applicants and/or clients, mitigate against risks (such as potential or suspected fraud) and in particular, to assess your onboarding with us (as subject to our internal client acceptance criteria and policies).

If you either fail to provide that data when requested, or else provide insufficient or unsatisfactory data, we may not be able to perform or conclude the contract that we have with you or which we are otherwise trying to enter into with you (namely, regarding account openings with us and the provision of financial services).

## 4. How your Personal Data is collected

MAM collects personal information, mainly, in the following ways:

- When you register to open an account with us;
- When you submit Compliance and KYC data;
- During the performance of services to our clients;
- Through the orders raised with us; and
- Through the collection, generation and compiling of your financial portfolio, payment instructions and transaction data.

We may also collect personal information in our direct communication with you:

- If you contact us with a query;
- When you report any issues;
- Provide us with feedback; and
- Submit an additional Compliance, KYC or AML document.

Additionally, as you interact with us through the Site, we may keep technical data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. Your data may also be collected from publicly available sources such as company registration databases, court databases or general online searches.

## 5. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you in respect of your customer relationship with us.
- For the purpose of preparing investment proposals;
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.
- For training purposes, to improve our services and their delivery, including by recording telephone calls

We may also use your personal information in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest (or for official purposes).

Generally, we do not rely on consent as a legal basis for processing your personal data, other than in relation to your receipt of marketing material. You have the right to withdraw consent to such marketing at any time by contacting us on the contact information included in section 2 (ii) above.

## 6. Disclosures of your personal data

### How we share your information within MAM

We may share and aggregate information about you from across the Company, including personal information held within MAM relating to other investments, products or services held with us, and depending on your preferences, we may use this information to:

- help us identify products and services that may be of interest to you, to tailor and package our products and services;
- to determine pricing and/or offer available discounts; and
- conduct customer research and develop marketing campaigns.

If you request a quote, or purchase a product or service from us, your personal information will be used and shared within MAM for the purposes of administration (including processing of purchases or sale orders of shares, bonds and funds, issuing of contract notes, processing income and issuing of income certificates and identifying your tolerance to risks related to investments). We will use your information to communicate with you about your investment, product or service.

We may, as a matter of law, and without requiring notice or consent, use your information for crime and fraud prevention, systems administration within MAM and to monitor and/or enforce MAM's compliance with any regulatory rules and codes.

### How we share your information outside of MAM

We may have to share your personal data with the parties set out below for the purposes set out above.

- Public authorities, meaning the Commission of Inland Revenue, regulators, law enforcement agencies and other authorities who require reporting of processing activities, or may request information from us, in terms of applicable law and in certain circumstances;
- our associated companies, introducers, intermediaries and agents;

- service providers, transfer agents, fund administrators, registrars, auditors and other professional advisors

We require all third parties to respect the security of your personal data and to treat it in accordance with the law (including applicable data protection and privacy law). We do not allow our third-party business partners or service providers 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. Furthermore, these third parties access and process your data on the basis of strict confidentiality and subject to the appropriate security measures and safeguards.

Your information may be disclosed when we believe in good faith that the disclosure is required:

- by law;
- to protect the safety of our employees, the public or MAM property;
- to comply with a judicial proceeding, court order or legal process; or
- in the event of a merger, asset sale, or other related transaction; or

In order to prevent and detect fraud we may share your information with regulatory bodies in Malta or if applicable, overseas, as well as with other public bodies including the Police and other organisations and may undertake credit or fraud searches with relevant agencies.

We may disclose your information to third party suppliers or service providers to conduct our business, including to help administer your investments, to help us manage and store data, provide data analytics, conduct market research and to communicate with you effectively. This may include any online or digital partners we work with.

In addition, depending on your marketing preferences, we may share your information with third parties who help run our marketing campaigns. We do not share personal data with non-affiliates third parties for their own marketing use without your permission.

We may also share your personal data:

- in the event of any contemplated or actual reorganisation, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock; and
- to meet any legal obligation, including to the relevant ombudsman/arbitrator if you make a complaint about the product or service we have provided to you.

## 7. International transfers

We do not transfer your personal data outside the European Economic Area (“EEA”), except as may be required to provide you with services that you request from us (i.e. contractual performance).

Should we need to transfer your personal data to outside of the EEA, we will ensure a similar degree of protection is afforded to it by ensuring that at least one of the following safeguards is implemented

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see European Commission: Adequacy of the protection of personal data in non-EU countries

- In the absence of an adequacy decision, we will use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see European Commission: Model contracts for the transfer of personal data to third countries.
- Where we use providers based in the United States (“US”), we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between Europe and the US. For further details, see European Commission: EU-US Privacy Shield.

Please contact us on [info@medinam.com](mailto:info@medinam.com) if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

## 8. Data Security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to have it. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## 9. Data Retention

We consider our relationship with you to be an ongoing and continuous customer relationship, until such time that either we or you terminate it in accordance with our terms and conditions.

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for (i.e. the ongoing service provision) and, thereafter, for the purpose of satisfying any legal, accounting, tax and reporting requirements and obligations to which we may be subject and/or to the extent that we may also need to retain your personal data to be able to assert, exercise or defend possible future legal claims against or otherwise involving you.

In some circumstances, you can ask us to delete your data. See Request erasure below for further information.

## 10. Your rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

- **Right of access to personal information** – you have the right to receive a copy of the information that we hold about you. In this regard, you may send an email to [info@medinam.com](mailto:info@medinam.com) requesting information as the personal data which we process. You shall receive one copy free of charge via email of the personal data which is undergoing processing. Any further copies of the information processed shall incur a charge of €25.
- **Right of rectification of Personal Information** – you have a right to ask us to correct data that we hold about you where it is inaccurate or incomplete. This enables you to have any incomplete or inaccurate data we hold about you corrected and/or updated, though we may need to verify the accuracy of the new data you provide to us. As mentioned, it is in your interest to keep us

informed of any changes or updates to your personal data which occur during the course of your relationship with us.

- **Right to erasure of Personal Information** – in certain circumstances you can ask for the data we hold about you to be erased from our records. Hence this enables you to ask us to delete or remove personal data where:
  - there is no good reason for us continuing to process it;
  - you have successfully exercised your right to object to processing;
  - we may have processed your information unlawfully; or
  - we are required to erase your personal data to comply with local law

We may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request. In particular, notwithstanding a request for erasure, we may continue to retain your personal data where necessary for:

- compliance with a legal or regulatory obligation to which we are subject; or
  - the establishment, exercise or defence of legal claims.
- **Right to restriction of processing of Personal Information** – you have the right to request that we suspend our use of your Personal Information in certain circumstances. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
    - if you want us to establish the data's accuracy;
    - where our use of the data is unlawful but you do not want us to erase it;
    - where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or
    - you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
  - **Right to data portability** – you can obtain your Personal Information in a format which enables you to transfer that Personal Information to another organization. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
  - **Right to object to processing of Personal Information** – You have the right to object to our use of your Personal Information in certain circumstances.
  - **Right to object to automated processing, including profiling** – you also have the right not to be subject to the legal effects of automated processing or profiling in certain circumstances.
  - **Right to complain to the relevant data protection authority** - should you think that we have processed your Personal Information in a manner that is not in accordance with data protection law, you can make a complaint to the [Office of the Information and Data Protection Commissioner](#).
  - **Right to withdraw consent at any time** – where we are relying on consent to process your personal data (for example for marketing purposes). This will not however affect the lawfulness of any processing which we carried out before you withdrew your consent.

If you wish to exercise these rights, please contact us using the details provided in point 2 (ii) above. You will not normally have to pay a fee to exercise your data subject rights. However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in such circumstances. 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 of your other data subject rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response. We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month 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.

## 11. Conclusion

This Privacy Policy was last updated on the 24/05/2018. We review this Privacy Policy regularly and reserve the right to make changes at any time. If there are any changes to this policy, we will replace this page with an updated version. It is therefore in your own interest to check the “Privacy Policy” page any time you access our web site so as to be aware of any changes which may occur from time to time.