



# PERSONAL PRIVACY NOTICE

## 1. OVERVIEW

Martyn Fiddler Tax Limited (the 'Company' or 'MFT') is committed to protecting the privacy and security of your personal information. MFT is a subsidiary of ICM Group Limited (the 'Group').

This Privacy Notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the General Data Protection Regulation ('GDPR').

MFT is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this Privacy Notice (the 'Notice'). This Notice does not form part of any contract to provide services. We may update this Notice at any time.

It is important that you read this Notice, together with any other Privacy Notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information. The registered office of MFT is 9 Station Road, Stansted, Essex, CM23 8BE, United Kingdom.

## 2. THE TYPE OF INFORMATION WE HOLD ABOUT YOU

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

Depending on your relationship with the Company, we may collect, store, process and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses;
- Date of birth;
- Place of birth;
- Gender;
- Passport details;
- Nationality;
- National identification numbers, tax reference numbers and tax codes;
- Tax status information;
- Years at residential address;
- Source of wealth information;
- Employment details;
- Bank account details;
- Photographs; and
- Any other relevant information obtained through background checks and online screening.

### **3. HOW WE COLLECT YOUR PERSONAL INFORMATION**

We collect personal information about you through the application and onboarding process, either directly from you or a third party representative which you have appointed. We may collect additional personal information in the course of the relationship from background check agencies.

### **4. LEGAL BASIS FOR PROCESSING YOUR PERSONAL INFORMATION**

We comply with our obligations under the GDPR by keeping personal data up to date; storing and destroying it securely; not collecting or retaining excessive amounts of data; protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect your personal information.

We will process your personal information in the following lawful circumstances:

- Where we need to perform the contract we have entered into with you;
- Where we need to comply with a legal obligation; and
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override these interests.

### **5. DO WE NEED YOUR CONSENT?**

We do not need your consent when processing your personal information in accordance with this Privacy Notice. Your personal information is required to enable us to perform the contract we have entered into with you, to comply with our legal obligations and for our legitimate interests.

In limited circumstances, we may approach you for your written consent to allow us to process particularly sensitive data or for certain marketing purposes where we do not have a legitimate interest. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

### **6. SITUATIONS IN WHICH WE WILL USE YOUR PERSONAL INFORMATION**

We obtain all the categories of information in the list above (see clause 2) primarily to allow us to perform our contract with you and to enable us to comply with our legal obligations. In some cases, we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below.

- To maintain accurate “know your customer” information and conducting anti-money laundering, sanctions and background checks;
- To provide, operate, process and administer our services or to process applications for our services;
- To fulfil foreign and domestic legal, regulatory, governmental, tax, law enforcement and compliance requirements;

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- To protect and/or enforce our legal rights and interests, including defending any claims;
- To verify the identity or authority of relevant individuals, representatives who contact us or may be contacted by us;
- To carry out or respond to requests, questions or instructions from verified representatives;
- For risk assessment, statistical and trend analysis and planning purposes, including to carry out data processing, statistical and anti-money laundering and sanctions analyses;
- For crime and fraud detection, prevention, investigation and prosecution;
- To contact you and to respond to communications from you, including a complaint;
- To perform internal management and management reporting, to operate control and management information systems, and to carry out business risk, control or compliance review or testing, internal audits or enable the conduct of external audits;
- To comply with contractual arrangements or to support initiatives, projects and programs by or between financial industry self-regulatory organisations, financial industry bodies, associations of financial services providers or other financial institutions;
- To manage the Company's relationship with you;
- To comply with any obligations, requirements, policies, procedures, measures or arrangements for sharing data and information within the Group and any other use of data and information in accordance with any Group wide programs for compliance with tax, sanctions or prevention or detection of money laundering, terrorist financing or other unlawful activities;
- To improve the quality of our products and services, to develop additional products and services, and for staff training and quality assurance purposes; and
- Where processing is necessary for the purposes of a legitimate interest pursued by us, including sending you our news emails, information about our services, invites to our events and related information which may be of interest to you. Where we have obtained your consent to send marketing and promotional material, then we will instead rely on consent as the legal basis. Unless you have indicated at any time that you do not wish for us to do so. You can instruct us to cease sending you marketing information by objecting or withdrawing your consent at any time.

## 7. PROCESSING OF THIRD PARTY PERSONAL DATA

When you supply us with personal data about another individual you must ensure that you:

- Notify the third party that you are providing their personal information to us and obtain their permission;
- Provide the third party with a copy of this Notice;
- Promptly notify the third party of any changes to this Privacy Notice that we notify you of; and
- Ensure that, to the best of your knowledge, the personal information is accurate and up to date, and promptly notify us if you become aware that it is incorrect.

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9 Station Road • Stansted • Essex • CM24 8BE • UK t: +44 1279 810020 • f: + 44 1279 819064  
 e: [info@martynfiddler.aero](mailto:info@martynfiddler.aero) • w: [www.martynfiddler.aero](http://www.martynfiddler.aero)  
 Registered in England & Wales No: 10416646. • Directors: A. Parcell-Jones • H. Gordon • C. Lees

## **8. IF YOU FAIL TO PROVIDE PERSONAL INFORMATION**

If you fail to provide certain information when requested, we may not be able to perform the contract you have entered into with us, or we may be prevented from complying with our legal obligations.

## **9. CHANGE OF PURPOSE**

We will only use your personal information 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 provide you with an updated Privacy Notice which will explain the legal basis which allows us to do so.

Please note that we may process your personal information for another purpose without your knowledge or consent, where this is required or permitted by law.

## **10. DATA RETENTION**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are contained within our Data Retention Policy.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer a client of the Company we will retain and securely destroy your personal information in accordance with our Data Retention Policy.

## **11. DATA SHARING**

Any data we receive will be kept strictly confidential, unless it is appropriate for us to share your personal information with contractors, consultants, regulatory bodies, banks, background checks, government, tax authorities, IT services and other members within the Group, who require such information to assist us with establishing, managing or terminating our relationship with you, or when we are compelled to disclose it by law.

## **12. WHY MIGHT WE SHARE YOUR PERSONAL INFORMATION WITH THIRD PARTIES?**

We may share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

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All our third-party service providers and other entities within the Group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

Third parties will dispose of your personal data in line with our internal procedures when it is no longer required in order to fulfil the service.

### **13. SHARING YOUR PERSONAL INFORMATION WITH OTHER ENTITIES WITHIN THE ICM GROUP**

We may share your personal information with other entities within the Group as part of our regular reporting activities on the company, for system maintenance support and for compliance with imposed regulations.

### **14. OTHER THIRD PARTIES**

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also share your personal information with a regulator or to otherwise comply with the law.

### **15. TRANSFER OF YOUR PERSONAL DATA**

The Company may transfer the personal information we collect about you to another country in order to perform our contract with you or when required to do so by law.

Whenever we transfer your personal data to an organisation outside of the European Economic Area, we will only do so where:

- The country or organisation we are transferring your data to is recognised by the European Commission as providing adequate data protection standards; or
- We have implemented appropriate safeguards to ensure the protection of your personal data.

### **16. DATA SECURITY**

We have implemented appropriate security measures designed to protect your personal data from accidental loss, use, unauthorised access, alteration and disclosure. These measures include industry standard firewalls and intrusion detection.

In addition we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. These employees or parties are limited in number, will only process your data on our instruction and are subject to a duty of confidentiality. Details of these measures are available upon request.

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## 17. EXERCISING YOUR RIGHTS

Unless subject to an exemption under the General Data Protection Regulation, you have the following rights with respect to your personal information:

- The right to request a copy of your personal data which we hold about you;
- The right to object to processing that is likely to cause or is causing damage or distress;
- The right to prevent processing for direct marketing;
- The right to object to decisions being taken by automated means;
- The right in certain circumstances to have inaccurate personal data rectified, blocked, erased or destroyed; and
- The right to claim compensation for damages caused by a breach of the GDPR.

You will not have to pay a fee to exercise any of your rights. However if your request for access is clearly unfounded or excessive, we may charge a reasonable fee. Alternatively, we may refuse to comply with the request in such circumstances.

We may require specific information from you to assist us in confirming your identity and ensure your right to access the information. This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

If you would like to exercise any of your rights please contact Chris Lees, Data Protection Officer, at [info@icmgroup.im](mailto:info@icmgroup.im).

You have the right to lodge a complaint to the Information Commissioner Office if you believe that we have not complied with the requirements of the General Data Protection Regulation.



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