

1.1 **Who are we?**

Higgs & Johnson is a full-service corporate and commercial law firm, operating from The Bahamas and the Cayman Islands and serving clients around the globe. We provide legal and other client services in accordance with the relevant laws of the jurisdictions in which we operate. We are committed to protecting the privacy of people who use our services. This Privacy Statement details how Higgs & Johnson collect, use, disclose, transfer and store your personal information. This Policy which governs Higgs & Johnson and its corporate service entities (H&J Corporate Services Ltd. and H&J Corporate Services (Cayman) Ltd.), may be amended or updated from time to time to reflect changes in our practices with respect to the processing of personal data, or changes in applicable law. We encourage you to read this Policy carefully, and to regularly check this page to review any changes we might make to the terms of this Policy

Our Internal Data Protection Officers (DPO) and data protection representatives can be contacted directly here:

- Natasha Green – DPO (The Bahamas)
Higgs & Johnson
Ocean Centre, Montague Foreshore
East Bay Street
P.O. Box N 3247
Nassau, Bahamas
E-mail: ngreen@higgsjohnson.com
Telephone: 1 242 502 5200
- Diane Knowles – Representative (The Bahamas)
Higgs & Johnson
Ocean Centre, Montague Foreshore
East Bay Street
P.O. Box N 3247
Nassau, Bahamas
E-mail: dknowles@higgsjohnson.com
Telephone: 1 242 502 5200
- Michael F. L. Allen – Representative (The Bahamas)
Higgs & Johnson
Ocean Centre, Montague Foreshore
East Bay Street
P.O. Box N 3247
Nassau, Bahamas
E-mail: mallen@higgsjohnson.com
Telephone: 1 242 502 5200

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- Delia Bunce – DPO (Cayman)
 Higgs & Johnson
 Willow House, Second Floor
 Cricket Square
 P.O. Box 866
 Grand Cayman KY1-1103
 Cayman Islands
 E-mail: dbunce@higgsjohnson.com
 Phone: 1-345-949-7555
- Raybel Robles – Representative (Cayman)
 Higgs & Johnson
 Willow House, Second Floor
 Cricket Square
 P.O. Box 866
 Grand Cayman KY1-1103
 Cayman Islands
 E-mail: rrobles@higgsjohnson.com
 Phone: 1-345-949-7555

The personal data we would like to collect and process on you is:

Personal Data Type	Source
	We anticipate that all information will be obtained from you directly or through your legal representative or designated agent. Information may also be sourced from public sources such as LinkedIn and publicly available local or international registries.
Name	
Sex	
Date of Birth	
Place of Birth	
Nationality	
Postal Address	
Home Address	
Business Address	
Telephone Numbers – Home Mobile and Office	
Email Address	
Fax Number	
National Identity Number	
Name and address of bank or financial institution	
Occupation	
Employer	
Principal Place of Business	

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Source of Income	
Information related to court proceedings	
Information related to assets held and registered on public registries	
Subscription preferences	
Criminal record information	

The personal data we collect will be used for the following purposes:

- Communicating with you
- Providing legal services
- Effectively managing our professional relationship with you including record keeping
- Advising you of additional services we may provide
- Securing responses to surveys and questionnaires to improve our services
- For record keeping and compliance with know your customer and anti-money laundering regulations
- Compliance with all legal and regulatory requirements imposed on legal corporate and financial service providers.

Our legal basis for processing of the personal data is as follows:

- Compliance with Central Bank of The Bahamas Anti-money Laundering and Counter Terrorist Financing Guidelines and all statutory and regulatory requirements referenced in the Guidelines
- The fulfillment of Contractual obligations established between you and Higgs & Johnson

Any legitimate interests pursued by us, or third parties we use, are as follows:

- To ensure that we maintain accurate records of our business relationships and dealings
- To ensure that we are able to contact clients served by us from time to time.
- To maintain and develop professional relationships to enhance the quality and profitability of our services.
- To enable us to respond to requests and or instructions received from you, from time to time.
- To enable us to ensure proper accounting and verify payment of debt obligations
- Expanding business relationships

Higgs & Johnson does not generally require the processing of special categories of personal data unless the same is provided by you and requested to be processed by you, for purposes expressly consented to by you. We note that the nature of certain legal services including court proceedings may require that your interests be protected and advanced by the processing of special category data such as health data, sexual orientation, or trade union membership.

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1.2 Consent

By consenting to this privacy notice you are giving us permission to process your personal data specifically for the purposes identified.

Consent is required for Higgs & Johnson to process both types of personal data, but it must be explicitly given. Where we are asking you for sensitive personal data we will always tell you why and how the information will be used.

You may withdraw consent at any time by sending a notice in writing signed by you and addressed to the Data Protection Officer in the relevant jurisdiction.

1.3 Disclosure

Subject to the exception in this paragraph Higgs & Johnson will not pass on your personal data to additional third parties without first obtaining your consent. The following third party will receive your personal data for the following purpose(s) as part of the processing activities:

Third country (non-EU)/international organisation	Safeguards in place to protect your personal data	Retrieve a copy of the safeguards in place here:
Mimecast - For the Purpose of business continuity	Privacy Policies and Procedures	Release and Privacy Policy
Mailchimp – service provider to facilitate electronic distribution of H&J material	Privacy Policies and Procedures	Privacy Policy
H&J Corporate Services Ltd. – Provider of Corporate Services to Higgs & Johnson’s clients	Privacy Policies and Procedures	Privacy Policy
H&J Corporate Services (Cayman) Ltd. – Provider of Corporate Services to Higgs & Johnson’s clients.	Privacy Policies and Procedures	Privacy Policy

1.4 Retention period

Higgs & Johnson will process personal data for a period of a minimum of 6 years and will store the personal data electronically. The retention period will be determined from the date the administrative file is opened in your name.

1.5 Your rights as a data subject

At any point while we are in possession of or processing your personal data, you, the data subject, have the following rights:

- Right of access – you have the right to request a copy of the information that we hold about you.
- Right of rectification – you have a right to correct data that we hold about you that is inaccurate or incomplete.
- Right to be forgotten – in certain circumstances you can ask for the data we hold about you to be erased from our records.
- Right to restriction of processing – where certain conditions apply to have a right to restrict the processing.

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- Right of portability – you have the right to have the data we hold about you transferred to another organisation.
- Right to object – you have the right to object to certain types of processing such as direct marketing.
- Right to object to automated processing, including profiling – you also have the right to be subject to the legal effects of automated processing or profiling.
- Right to judicial review: in the event that Higgs & Johnson refuses your request under rights of access, we will provide you with a reason as to why. You have the right to complain as outlined in clause 3.6 below.

All of the above requests will be forwarded on should there be a third party involved (as stated in 3.4 above) in the processing of your personal data.

1.6 Complaints

In the event that you wish to make a complaint about how your personal data is being processed by Higgs & Johnson (or third parties as described in 3.4 above), or how your complaint has been handled, you have the right to lodge a complaint directly with the Higgs & Johnson's data protection representatives.

The details for each of these contacts are:

- Natasha Green – DPO (The Bahamas)
Higgs & Johnson
Ocean Centre, Montague Foreshore
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Nassau, Bahamas
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Phone: +1 345 949 7555

2. Privacy Statement - GDPR

Personal data

Under the EU's General Data Protection Regulation (GDPR) personal data is defined as:

“any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person”.

How we use your information

This privacy notice tells you how we, Higgs & Johnson will collect and use your personal data for purposes as reflected above.

Why does Higgs & Johnson need to collect and store personal data?

In order for us to provide you with the services outlined above we need to collect personal data. In any event, we are committed to ensuring that the information we collect and use is appropriate for this purpose, and does not constitute an invasion of your privacy.

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In terms of being contacted for marketing purposes beyond what is specified in the policy Higgs & Johnson is required to contact you to secure your consent or additional consent.

Will Higgs & Johnson share my personal data with anyone else?

We may pass your personal data on to third-party service providers contracted to Higgs & Johnson as referenced above in the course of dealing with you. Any third parties that we may share your data with are obliged to keep your details securely, and to use them only to fulfil the service they provide you on our behalf. When they no longer need your data to fulfil this service, they will dispose of the details in line with Higgs & Johnson's agreed procedures. If we wish to pass your sensitive personal data onto any other third party we will only do so once we have obtained your consent, unless we are legally required to do otherwise.

How will Higgs & Johnson use the personal data it collects about me?

Higgs & Johnson will process (collect, store and use) the information you provide in a manner compatible with local and certain international guidelines including the EU's General Data Protection Regulation (GDPR). We will endeavour to keep your information accurate and up to date, and not keep it for longer than is necessary. Higgs & Johnson is required to retain information in accordance with the law, such as information needed for any tax and audit purposes. How long certain kinds of personal data should be kept may also be governed by specific business-sector requirements and agreed practices. Personal data may be held in addition to these periods depending on individual business needs.

Under what circumstances will Higgs & Johnson contact me?

Our aim is not to be intrusive, and we undertake not to ask irrelevant or unnecessary questions. Moreover, the information you provide will be subject to rigorous measures and procedures to minimize the risk of unauthorized access or disclosure. Our contact will be limited to business purposes.

Can I find out the personal data that the organisation holds about me?

Higgs & Johnson at your request, can confirm what information we hold about you and how it is processed. If Higgs & Johnson does hold personal data about you, you can request the following information:

- Identity and the contact details of the person or organisation that has determined how and why to process your data. In some cases, this will be a representative in the EU.
- Contact details of the data protection officer, where applicable.
- The purpose of the processing as well as the legal basis for processing.
- If the processing is based on the legitimate interests of Higgs & Johnson or a third party, information about those interests.

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- The categories of personal data collected, stored and processed.
- Recipient(s) or categories of recipients that the data is/will be disclosed to.
- If we intend to transfer the personal data to a third country or international organisation, information about how we ensure this is done securely. The EU has approved sending personal data to some countries because they meet a minimum standard of data protection. In other cases, we will ensure there are specific measures in place to secure your information.
- How long the data will be stored.
- Details of your rights to correct, erase, restrict or object to such processing.
- Information about your right to withdraw consent at any time.
- How to lodge a complaint with the supervisory authority.
- Whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether you are obliged to provide the personal data and the possible consequences of failing to provide such data.
- The source of personal data if it wasn't collected directly from you.
- Any details and information of automated decision making, such as profiling, and any meaningful information about the logic involved, as well as the significance and expected consequences of such processing.

What forms of ID will I need to provide in order to access this?

Higgs & Johnson accepts the following forms of ID when information on your personal data is requested:

Passport, driving licence, birth certificate, utility bill (from last 3 months)

Additionally, Higgs & Johnson may require a call back confirmation from you where Higgs & Johnson personnel may call you at a telephone number provided us by you and retained on file.

Document Owner and Approval

The respective Data Protection Officers are the owners of this document and are responsible for ensuring that this record is reviewed in line with the review requirements of the GDPR.

A current version of this document is available to all members of staff on the Firm's intranet.

Last updated 30th May, 2018