



# Holborn Assets

PRIVACY POLICY



## PRIVACY POLICY

### **Introduction**

Holborn Assets Wealth Management (Cyprus) Ltd (hereinafter, “the Company” and or “HAWM (CY)”) is regulated by The Cyprus Securities and Exchange Commission (CySEC) for the following activities:

### **Investment Services**

- Reception and Transmission
- Execution of Orders on behalf Client
- Investment Advice
- Portfolio Management

### **Ancillary Services**

Investment research and financial analysis or other forms

The Company has established a Privacy Policy (the “Policy”) appropriate to the size and organisation of the Company and the nature, scale and complexity of the Company’s business.

### **Purpose and Scope**

The Policy is meant for use by Holborn Assets Wealth Management (Cyprus) Ltd, Clients and relevant authorities.

HAWM (CY) are compliant with the requirements of the General Data Protection Regulation as well as other legislations applicable in Cyprus.

HAWM (CY) has established this Privacy Policy in accordance with the General Data Protection Regulation (GDPR) and laws, regulations and/or directives issued pursuant to this Law.

This policy applies to former, existing and potential clients as well as to any visitors of the company website

This policy aims to provide you with information on what type of information we collect, how it is used and the circumstances where it could be shared with third parties.

### **Commitment**

The protection of your privacy and personal information is very important to us. This is in relation to personal and financial information and any other data as provided to us by you whether in paper form, verbally or electronically.

We are committed to safeguarding any Client information we collect, process and store, applying all reasonable measures, including strict security standards and sophisticated security technology, to ensure that Clients' personal data will be processed in a manner that provides protection against unauthorized or unlawful processing and against accidental loss, destruction or damage.

### **Collection of personal data**

HAWM (CY) shall collect information required to fulfil their legal and regulatory obligations and to improve our service to you.

HAWM (CY) will gather information and documentation to personally identify, contact or locate you and may gather information from third parties and or other sources which will help HAWM (CY) to offer our services effectively.

As a client, you are responsible for the true and accurate information and to keep HAWM (CY) informed of any changes in your personal information or circumstance by emailing [contact@holbornassets.com.cy](mailto:contact@holbornassets.com.cy)

We are required to evaluate the appropriateness of the financial instruments and suitability based on three main parameters;

- a) The sources of your income and wealth as well as your financial obligations
- b) Your investment knowledge and experience including your objectives, your knowledge and experience of the financial market along with your understanding of the risks involved.
- c) Your experience in dealing in complex and non-complex financial instruments, especially your investment and risk attitude as they relate to such financial instruments.

The following is an example of personal data that is required from you:

Personal information requested during the registration process such as your name, date, place of birth, citizenship, nationality.

- Status, identification numbers and contact details;
- Financial information such as your income, source of funds, investment objectives;
- Verification of your identity and residency

HAWM (CY) is obliged by Law to maintain these records for five years after the termination of a client relationship, or up to 7 years, upon request by the local competent authority.

### **Purpose of collecting and processing of personal data**

Your personal data is used for specific, explicit and legitimate purposes and only as required to provide a quality service to you and to comply with applicable legislations as referred to above. The personal data collected from you is used to verify your identity, to construct your economic and investment profile in order to ensure that we provide you with products and services suitable to your requirements, knowledge and risk appetite, to manage your account with us, to process your transactions, to provide you with post-transaction information, to inform you of additional products and / or services relevant to your economic profile, to produce analysis and statistical data which will help us improve our products and services, and for website improvement purposes. These are necessary for the entry into or performance of our contract once signed. We will carry out regular checks to ensure that our systems are working as intended.

### **Affiliates and Partners**

Clients acknowledge and consent that the Company and its partners, affiliates and/or associates may share information in a manner that is useful and relevant only to do so and in relation to one of the following purposes:

- a) Reasonably required by such affiliate, partner and/or associate of the Company to provide products and services to its clients,
- b) To offer additional similar products and services that meet clients' needs

The Company may disclose clients' personal information to any organisation at the clients' request or to any persons acting on behalf of clients, including clients' financial adviser, broker, solicitor or accountant.

The Company may disclose clients' personal information to companies hired by the Company to provide limited services on behalf of the Company, including but not limited to packaging, mailing and delivering purchases, postal mail. The Company will take all reasonable measures to ensure that the said companies will be subject to such personal information/data necessary to deliver the service and are prohibited from using personal information for any other purpose.

### **Non-affiliated third parties**

The Company may disclose information to non-affiliated third parties where necessary in order to carry out the following internal functions of the Company:

- a) Use of Credit reporting or collection agencies as reasonably required in order to provide the services to its clients;
- b) Use of specialized agencies to help carry out certain internal functions such as account processing, fulfilment, client service, client satisfaction surveys or other data collection activities relevant to its business.

### **Use of "Cookies"**

The Company may use cookies to assess and improve the performance of the website and its products and services offered to its clients. Cookies are used by most internet browsers and are small pieces of information which use a unique identification tag and are stored on clients' device as a result of clients using the Company's website or other services the Company provides to its clients.

Clients may be able to refuse to have cookies stored on their device they may be able to change the setting of their browser to refuse all cookies, and/or have their device to notify them each time a cookie is sent to their device. By controlling their cookies in this way may impair the quality of service provided by the Company to its clients and therefore, it is recommended for clients to allow cookies on their device to ensure the best possible experience and quality services provided by the Company.

### **Contact Clients/Recordings**

The Company may contact clients by telephone, email or other means of medium for the purpose of offering them further information about the Company's product and services and/or informing clients of unique promotional offerings. The client consent to the receipt of such contact.

For regulatory and quality assurance purposes, any type of communication between the clients and the Company whether in writing, email or by telephone or other means of medium shall be monitored and may be

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recorded by the Company. Clients accept that such recordings constitute conclusive evidence of the Orders/Instructions/Requests or conversations so recorded.

### **Who controls and processes your personal data**

HAWM (CY), and any undertakings being a member of our group or agents which we engage with for the purpose of collecting, storing and processing personal data and any third parties acting on our or their behalf, may collect, process and store personal data provided by you.

For the purpose of processing and the storage of personal data provided by you in any jurisdiction within the European Union or outside of the European Union, HAWM (CY) can confirm this will be done in accordance with applicable laws.

HAWM (CY) can confirm that if they contract any third party a written contract will be in place and this privacy statement will be updated accordingly. The contract is important so that both parties understand their responsibilities and liabilities. The GDPR sets out what needs to be included in the contract which HAWM (CY) has adhered to, the below is not an exhaustive list of the obligations of all relevant parties;

- The third party must only act on the written instructions of the HAWM (CY) (unless required by law to act without such instructions);
- Ensure that people processing the data are subject to a duty of confidence;
- Take appropriate measures to ensure the security of processing;
- The rights of Clients will not be impaired in meeting with GDPR requirements;
- The security of processing, the notification of personal data breaches and data protection impact assessments will not be impaired;
- Deletion or return of all personal data as requested at the end of the contract;

HAWM (CY) has a regulatory obligation to supervise and effectively oversee the outsourced functions and its obligation to take appropriate measures when it determines that the service provider is not performing the said functions effectively and in accordance with the applicable legislation.

We may use or disclose personal information without your consent only in certain circumstances:

- if required by law or by order of a court, administrative agency, or other government entities;
- if there are reasonable grounds showing disclosure is necessary to protect the rights, privacy, property, or safety of users or others;
- if HAWM (CY) believes the information is related to a breach of an agreement or violation of the law, that has been, is being, or is about to be committed;
- if it is necessary for fraud protection, risk reduction, or the establishment or collection of funds owed to HAWM (CY);
- if it is necessary to enforce or apply the Terms and Conditions and other agreements, to pursue remedies, or to limit damages to HAWM (CY);
- for other reasons allowed or required by law.
- if the information is public;

When we are required or permitted to disclose information without consent, we will not disclose more information than necessary to fulfil the disclosure purpose.

HAWM (CY) informs all clients to maintain confidentially and not share with others its usernames and private password. HAWM (CY) bears no responsibility for any unlawful or unauthorized use of clients' personal information due to the misuse or misplacement of clients' access codes (i.e. passwords /credentials), negligent or malicious, however conducted.

Processing and storage of your personal data provided by you may be carried out in or from any jurisdiction within the European Union. HAWM (CY) use Google Cloud

<https://cloud.google.com/security/gdpr>

## **Your rights**

### **Rights to Access:**

You have the right to request copies of your personal data.

Information must be provided without delay and at the latest within one month of receipt. HAWM (CY) will be able to extend the period of compliance by a further two months where requests are complex or numerous. If this is the case, HAWM (CY) will inform the individual within one month of the receipt of the request and explain why the extension is necessary.

Can HAWM (CY) charge a fee for dealing with a subject access request:

HAWM (CY) must provide a copy of the information free of charge. However, a "reasonable fee" can be charged when a request is manifestly unfounded or excessive, particularly if it is repetitive.

The fee if applied will be based on the administrative cost of providing the information.

If at any time, HAWM (CY) refuses to respond to a request, HAWM (CY) will explain why, informing them of their right to complain to the supervisory authority and to a judicial remedy without undue delay and at the latest within one month.

### **When information is provided:**

HAWM (CY) will verify the identity of the person making the request, using reasonable means with data provided by you.

### **Right for rectification;**

When should personal data be rectified?

Individuals are entitled to have personal data rectified if it is inaccurate or incomplete.

The GDPR includes a right for individuals to have inaccurate personal data rectified or completed if it is incomplete. You can make a request for rectification verbally or in writing.

If HAWM (CY) have disclosed the personal data in question to others, HAWM (CY) must contact each recipient and inform them of the rectification - unless this proves impossible or involves disproportionate effort. If asked to, HAWM (CY) must also inform the individuals about these recipients.

### **How long does HAWM (CY) have to comply with a request for rectification?**

HAWM (CY) must respond within one month.

This can be extended to two months where the request for rectification is complex.

Where HAWM (CY) are not taking action in response to a request for rectification, HAWM (CY) must explain why to the individual, informing them of their right to complain to the supervisory authority and to a judicial remedy.

### **Your right to erasure;**

When does the right to erasure apply?

The right to erasure does not provide an absolute 'right to be forgotten'. Individuals have a right to have personal data erased and to prevent processing in specific circumstances:

- Where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed.
- When the individual withdraws consent.
- When the individual objects to the processing and there is no overriding legitimate interest for continuing the processing.
- The personal data was unlawfully processed (i.e. otherwise in breach of the GDPR).
- The personal data has to be erased in order to comply with a legal obligation.
- The personal data is processed in relation to the offer of information society services to a child.

There are some specific circumstances where the right to erasure does not apply and HAWM (CY) can refuse to deal with a request

HAWM (CY) has a legal obligation to obtain data on you meeting with their regulatory obligations, based on the legal obligations imposed on HAWM (CY), individuals may have no right to erasure, no right to data portability or right to object on the information gathered meeting with HAWM (CY) legal obligation under their license to provide financial services.

### **When can HAWM (CY) refuse to comply with a request for erasure?**

HAWM (CY) can refuse to comply with a request for erasure where the personal data is processed for the following reasons:

- to comply with a legal obligation for the performance of a public interest task or exercise of official authority.
- the exercise or defence of legal claims.

### **Does HAWM (CY) have to tell other organisations about the erasure of personal data?**

If HAWM (CY) have disclosed the personal data in question to others, they must contact each recipient and inform them of the erasure of the personal data - unless this proves impossible or involves disproportionate effort. If asked to, HAWM (CY) must also inform the individuals about these recipients.

## **Your right to restrict processing;**

When does the right to restrict processing apply?

HAWM (CY) will be required to restrict the processing of personal data in the following circumstances:

- Where an individual contests the accuracy of the personal data, HAWM (CY) should restrict the processing until you have verified the accuracy of the personal data.
- Where an individual has objected to the processing (where it was necessary for the performance of a public interest task or purpose of legitimate interests), and HAWM (CY) are considering whether HAWM (CY) organization's legitimate grounds override those of the individual.
- When processing is unlawful, and the individual opposes erasure and requests restriction instead.
- If HAWM (CY) no longer needs the personal data but the individual requires the data to establish, exercise or defend a legal claim.

HAWM (CY) may need to review procedures to ensure HAWM (CY) are able to determine where HAWM (CY) may be required to restrict the processing of personal data.

If HAWM (CY) have disclosed the personal data in question to others, HAWM (CY) must contact each recipient and inform them of the restriction on the processing of the personal data - unless this proves impossible or involves disproportionate effort. If asked to, HAWM (CY) must also inform the individuals about these recipients.

HAWM (CY) must inform individuals when HAWM (CY) decided to lift a restriction on processing.

## **Your right to data portability:**

- The right to data portability allows individuals to obtain and reuse their personal data for their own purposes across different services.
- It allows them to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without hindrance to usability.
- It enables consumers to take advantage of applications and services which can use this data to find them a better deal or help them understand their spending habits.
- HAWM (CY) will respond without undue delay, and within one month. This can be extended to two months where the request is complex or where HAWM (CY) may receive a number of requests. HAWM (CY) will inform the individual within one month of the receipt of request and explain why the extension is necessary, if applicable.
- Where HAWM (CY) is not taking action in response to a request, HAWM (CY) will explain why to the individual, informing them of their right to complain to the supervisory authority and to a judicial remedy without undue delay and at the latest within one month.

## **Right to object:**

Individuals have the right to object to:

- processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling);

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- direct marketing (including profiling);
- processing for purposes of scientific/historical research and statistics.

**HAWM (CY) will stop processing the personal data unless:**

- HAWM (CY) can demonstrate compelling legitimate grounds for the processing, which override the interests, rights and freedoms of the individual; or
- the processing is for the establishment, exercise or defence of legal claims.

**HAWM (CY) does not process your personal data for marketing purposes.**

**HAWM (CY) does not process your personal data for research purposes.**

**Raising a concern:**

You have the right to be confident that HAWM (CY) handles your personal information responsibly and in line with good practice.

If you have a concern about the way HAWM (CY) is handling your information, for example if you feel HAWM (CY) may not be;

- keeping your information secure;
  - holds inaccurate information about you;
  - has disclosed information about you;
  - is keeping information about you for longer than is necessary; or
  - has collected information for one reason and is using it for something else;
- HAWM (CY) takes all concerns seriously and will work with you to resolve any such concerns.

Any concerns and/or requests can be raised to HAWM (CY)'s appointed contact person, as stated below:

Holborn Asset Wealth Management (Cyprus) Ltd

210 Amathountos Boulevard,

4534 Pyrgos,

Limassol, Cyprus

Tel: +357 25 560 504

Email: [contact@holborn.com.cy](mailto:contact@holborn.com.cy)

If you are not satisfied with any responses provided by HAWM (CY) you have the right to raise such matters with the **Data Protection Commissioner**;

Data Protection Commissioner

1 Iasonos Street,

1082 Nicosia,

Cyprus

Tel: +357 22 304 565

Email: [info@dataprotection.gov.cy](mailto:info@dataprotection.gov.cy)





HOLBORN

