

**Andrew Mortimer
Notary Public**

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DATA PROTECTION PRIVACY NOTICE – MAY 2018

1. The business of **ANDREW MORTIMER NOTARY PUBLIC** of 13 Queen Square, Bath BA 2HJ (the '**Business**') is registered with the Information Commissioner's Office (the '**ICO**') under number **ZA287100**.
2. If you have any questions about this privacy notice (the '**Notice**'), please contact the Business.
3. The Business will process your and third parties' personal data, as further explained below, in the course of providing you with notarial and associated services (the '**Services**').
4. The Business will let you know, by posting on its website or otherwise, if it make any changes to this Notice from time to time. Your continued use of the Services after notifying such changes will amount to your acknowledgement of the amended Notice.

What is Personal Data?

5. '**Personal data**' means any information relating to an identified or identifiable natural person, known as '**data subject**', who can be identified directly or indirectly; it may include name, address, email address, phone number, IP address, location data, cookies and similar information. It may also include '**special categories of personal data**' such as racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a data subject, data concerning health or data concerning a natural person's sex life or sexual orientation.
6. The Business may process personal data and special categories of personal data which you provide in connection with the Services about yourself and other data subjects, e.g. individuals whose details are included in any materials provided by you to the Business. The Business may obtain information about you and other data subjects from third party service providers, such as due diligence platforms. If you use our online Services, the Business may collect information about your devices including clickstream data.
7. The provision of certain personal data (e.g. information for formal identification – your name, address, email and telephone number) is mandatory in order for the Business to comply with mandatory client due diligence requirements and consequently to provide the Services. You warrant on a continuous basis that such personal data is accurate, complete and up to date. Failure to comply may result in documents being rejected by the relevant certification authorities, held invalid in the destination country or other difficulty to successfully completing the Services.
8. In relation to personal data of data subjects other than yourself you warrant to the Business on a continuous basis that:
 - (a) where applicable, you are authorised to share such personal data with the Business in connection with the Services and that wherever another data subject is referred to, you have obtained the explicit and demonstrable consent from all relevant data subjects to the inclusion and use of any personal data concerning them;

- (b) to the extent this is required in connection with the Services, such personal data is accurate, complete and up to date; and
- (c) either you provide your explicit consent and warrant that each data subject has provided explicit consent for the transfer of personal data to foreign organisations in connection with the Services as set out at paragraph 12, or that an alternative legal gateway for such transfer (such as transfer necessary for the conclusion or performance of a contract concluded in the interest of the data subject) has been satisfied.

How do we use your personal data?

9. The Business will only process personal data, in accordance with applicable law, for the following purposes:
- (a) **responding to your queries, requests and other communications;**
 - (b) **providing the Services**, including, where applicable, procuring acts from foreign organisations;
 - (c) **enabling suppliers and service providers to carry out certain functions on behalf of the Business in order to provide the Services**, including webhosting, data storage, identity verification, technical, logistical, courier or other functions, as applicable;
 - (d) **allowing you to use features on our website**, when you choose to do so;
 - (e) **sending you personalised marketing communications** requested by you;
 - (f) **ensuring the security of the Business and preventing or detecting fraud;**
 - (g) **administering the Business**, including complaints resolution, troubleshooting of our website, data analysis;
 - (h) **complying with applicable law**, including Notary Practice Rules, guidelines and regulations or in response to a lawful request from a court or regulatory body.

The legal basis for our processing of personal data for the purposes described above will typically include:

- processing necessary to fulfil a **contract** that we have in place with you or other data subjects, such as processing for the purposes set out in paragraphs (a), (b), (b) and (d);
- your **consent**, such as processing for the purposes set out in paragraph (e);
- processing necessary for our or a third party's **legitimate interests**, such as processing for the purposes set out in paragraphs (a), (b), (b), (f), (g) and **Error! Reference source not found.**, which is carried out on the basis of the legitimate interests of the Business to ensure that Services are properly provided, the security of the Business and its clients and the proper administration of the Business; and
- processing necessary for compliance with a **legal obligation** to which we are subject, such as processing for the purposes set out in paragraph (h).

Cookie statement

10. When you visit our website, we collect and use information about the use of the website, and “traffic patterns”, to identify what individuals are looking at when they visit us. When initially collected, some of the information relates to you as an individual, but is later anonymised, and in all cases is only used to improve the performance and use of the website.

We also collect information and data automatically through the use of cookies. Cookies are small text files the website can use to recognise repeat users, allow us to observe behaviour and compile aggregate data in order to improve the experience of the website for you.

- For example, cookies will tell us whether you viewed the website with sound or with text on your last visit. Cookies also allow us to count the number of unique and return visitors to our website.
- All of this data is eventually anonymised, so that you cannot be identified from it, and we would only use it for the reasons given above.
- Some of the associated companies, such as twitter, LinkedIn, Facebook, may themselves use cookies on their own websites. We have no access to, or control of, these cookies, should this occur, and more details of those cookies will be available from those sites.

- Cookies will either be essential – which means that they are required to enable you to navigate and view the site, or to log on. Others are non-essential, such as those which we use to track and identify patterns.
- You can turn off cookies through you web browser, and they should provide instructions on how to do this. You should be aware that some functions will not operate without the use of cookies, and others will not functions as well without them. Unfortunately, we cannot accept liability for any malfunctioning of your PC or its installed web browser as a result of any attempt to turn off cookies.

To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, visit www.allaboutcookies.org.

Disclosure of personal data

11. There are circumstances where the Business may wish to disclose or is compelled to disclose your personal data to third parties. These scenarios include disclosure to:

- its **subsidiaries** or **associated offices**;
- its **suppliers** and **service providers** to facilitate the provision of the Services, including couriers, translators, IT consultants and legalisation and other handling agents, webhosting providers, identity verification partners (in order to verify your identity against public databases), consultants, for example, in order to protect the security or integrity of the Business, including its databases and systems and for business continuity reasons;
- **public authorities** to carry out acts which are necessary in connection with the Services, such as the Foreign Office;
- **foreign organisations** to carry out acts which are necessary in connection with the Services, such as Embassies, Consulates and High Commissions;
- **professional organisations** exercising certain public functions in relation to the notaries profession, such as Chambers of Commerce;
- subject to your consent, **advertising** and **marketing partners** who enable the Business, for example, to deliver personalised ads to your devices or who may contact you by post, email, telephone, SMS or by other means;
- **successor or partner legal entities**, on a temporary or permanent basis, for the purposes of a joint venture, collaboration, financing, sale, merger, reorganisation, change of legal form, dissolution or similar event relating to the Business. In the case of a merger or sale, your personal data will be permanently transferred to a successor company;
- **public authorities** where the Business is are required by law to do so; and
- **any other third party** where you have provided your consent.

International transfer of your personal data

12. The Business may transfer your personal data to a third party in countries outside the country in which it was originally collected for further processing in accordance with the purposes set out above. In particular, your personal data may be transferred to foreign organisations such as foreign Embassies located in the UK or abroad. Such organisations will process personal data in accordance with the laws to which they are subject and international treaties over which the Business has no control.

13. If the Business transfers personal data to private organisations abroad, such as subcontractors, it will, as required by applicable law, ensure that your privacy rights are adequately protected by appropriate technical, organisation, contractual or other lawful means. You may contact the Business for a copy of such safeguards in these circumstances.

Retention of personal data

14. Your personal data will be retained for as long as is reasonably necessary for the purposes listed above or as required by the law. For example, the Notaries Practice Rules require that that notarial acts in the public form will be preserved permanently. Records of acts not in public form will be preserved for a minimum period of 12 years. Please contact the Business for further details of

applicable retention periods. Personal data may for reasons of security and convenience be stored on remote data facilities but in an encrypted form.

15. We may keep an anonymized form of your personal data, which will no longer refer to you, for statistical purposes without time limits, to the extent that we have a legitimate and lawful interest in doing so.

Security of personal data

16. The Business will implement technical and organisational security measures in order to prevent unauthorised access to your personal data.
17. However, please be aware that the transmission of information via the internet is never completely secure. Whilst the Business can do its best to keep its own systems secure, it do not have full control over all processes involved in, for example, your use of our website or sending confidential materials to it via email, and the Business cannot therefore guarantee the security of your information transmitted to it on the web.

Data subject rights

18. Data subjects have numerous rights in relation to their personal data. For further information about your data protection rights please visit the ICO [website](#).

- **Right to make a subject access request (SAR).** Data subjects may request in writing copies of their personal data. However, compliance with such requests is subject to certain limitations and exemptions and the rights of other data subjects. Each request should make clear that a SAR is being made. You may also be required to submit a proof of your identity and payment, where applicable.
- **Right to rectification.** Data subjects may request that the Business rectifies any inaccurate or incomplete personal data.
- **Right to withdraw consent.** Data subjects may at any time withdraw their consent to the processing of their personal data carried out by the Business on the basis of previous consent. Such withdrawal will not affect the lawfulness of processing based on previous consent.
- **Right to object to processing, including automated processing and profiling.** The Business does not make automated decisions. Profiling may be carried out for Business administration purposes, such as monitoring trends in user visits of our website, and in order to deliver targeted ads. The Business may use third party due diligence platforms which provide recommendations about data subjects by automated means. The Business will comply with any data subject's objection to processing unless it have a compelling overriding legitimate ground for the processing, the processing is for the establishment, exercise or defence of legal claims, or the Business has another lawful reason to refuse such request. The Business will comply with each valid opt-out request in relation to marketing communications.
- **Right to erasure.** Data subjects may request that the Business erases their personal data. The Business will comply, unless there is a lawful reason for not doing so. For example, there may be an overriding legitimate ground for keeping the personal data, such as archiving obligations that the Business has to comply with.
- **Restriction.** Data subjects may request that the Business restricts its processing of their personal data in various circumstances. The Business will comply, unless there is a lawful reason for not doing so, such as a legal obligation to continue processing your personal data in a certain way.
- **Right to data portability.** In certain circumstances, data subjects may request the controller to provide a copy of their personal data in a structured, commonly used and machine readable format and have it transferred to another provider of the same or similar services. To the extent such right applies to the Services, the Business will comply with such transfer request. Please note that a transfer to another provider does not imply erasure of the data subject's personal data which may still be required for legitimate and lawful purposes.
- **Right to lodge a complaint with the supervisory authority.** The Business suggests that data subjects contacts it about any questions or complaints in relation to how it processes personal data. However, each data subject has the right to contact the relevant supervisory authority

directly. . For the purposes of the Business, this is the Information Commissioner's Office, and further details about how to contact the ICO can be found on their website at www.ico.org.uk