



TANYA SCOTT-TOMLIN
NOTARY PUBLIC

PRIVACY NOTICE

Effective Date: 25 May 2018

This Privacy Notice explains how I collect, use and disclose your personal data, and your rights in relation to the personal data I hold. It supersedes any previous Privacy Notice or equivalent which you may have been provided with or seen prior to the Effective Date stated above.

TANYA SCOTT-TOMLIN, Notary Public, (in this Privacy Notice, "I", "me" and "my") is the data controller of your personal data and is subject to the EU General Data Protection Regulation 2016/679 (the "**GDPR**") and the Data Protection (Jersey) Law, 2005 (the "**DP(J)L**"). I am registered with the Office of the Information Commissioner, Brunel House, Old Street, St Helier, Jersey JE2 3RG ("**OIC**") under number 58921.

1. Your rights

Under the GDPR and DP(J)L you have the following rights:

- to obtain access to, and copies of, the personal data that I hold about you;
- to require that I cease processing your personal data if the processing is causing you damage or distress;
- to require me not to send you marketing communications;
- to require me to erase your personal data;
- to require me to restrict my data processing activities;
- to receive from me the personal data I hold about you which you have provided to me, in a reasonable format specified by you, including for the purpose of you transmitting that personal data to another data controller; and
- to require me to correct the personal data I hold about you if it is incorrect.

Please note that the above rights are not absolute and I may be entitled to refuse requests where exceptions apply. You can find out more about your rights at the OIC.

If you have any questions about how I use your personal data, or you wish to exercise any of the rights set out above, please contact me.

If you are not satisfied with how I am processing your personal data, you can make a complaint to the OIC.

2. How I collect your data

I collect your personal data in a number of ways, for example:

- from the information you provide to me when you meet me;
- from information about you provided to me by your company or an intermediary;
- when you communicate with me by telephone, fax, email or other forms of electronic communication. In this respect, I may monitor, record and store any such communication;
- from your agents, advisers, intermediaries or custodians of your assets;
- from publicly available sources.

3. The categories of personal data I collect

I collect the following categories of personal data about you:

- an understanding of your goals and objectives in procuring notarial and associated services (the "Services");
- your name and contact information such as your home or business address, email address and telephone number;
- biographical information which may confirm your identity including your date of birth, tax identification number and your passport number or national identity card details, country of domicile and/or your nationality;
- information relating to your financial situation such as income, expenditure, assets and liabilities, sources of wealth, as well as your bank account details;
- information about your involvement in litigation, transactions and business undertakings;
- information about your employment, education, family or personal circumstances, and interests, where relevant; and
- information to assess whether you may represent a money laundering or terrorist financing risk.

4. The basis for processing your personal data (other than with your consent), how I use that personal data and whom I share it with

(a) Performance of a contract with you

I process your personal data because it is necessary for the performance of a contract to which you are a party or in order to take steps at your request prior to entering into a contract.

In this respect, I use your personal data for the following:

- responding to your queries, requests and other communications regarding the Services;
- to provide you with the Services in accordance with my Terms of Business or as otherwise agreed with you from time to time;
- enabling suppliers and service providers to carry out certain functions on my behalf in order to provide the Services, including webhosting, data storage, technical, logistical, courier or other functions, as applicable;
- complying with applicable law, including Notary Practice Rules, guidelines and regulations or in response to a lawful request from a court or regulatory body.
- to deal with any complaints or feedback you may have;
- for any other purpose for which you provide me with your personal data.

In this respect, I may share your personal data with or transfer it to the following:

- your agents, advisers, intermediaries and custodians of your assets who you tell me about;
- third parties whom I engage to assist in delivering the Services to you, including couriers, translators, IT consultants and legalisation and other handling agents and webhosting providers;

- public authorities to carry out acts which are necessary in connection with the Services, such as the Jersey Legalisation 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;
- public authorities where I am required by law to do so; and
- any other third party where you have provided your consent.

(b) Legitimate interests

I also process your personal data because it is necessary for my legitimate interests, or sometimes where it is necessary for the legitimate interests of another person. In this respect, I use your personal data for the following:

- for the administration and management of my notarial practice;
- seeking advice on my rights and obligations, such as where I require my own legal advice;

In this respect I will share your personal data with my advisers or agents where it is necessary for me to obtain their advice or assistance.

(c) Legal obligations

I also process your personal data for my compliance with a legal obligation which I am under. In this respect, I will use your personal data for the following:

- to meet my compliance and regulatory obligations, such as compliance with Jersey anti-money laundering laws and any rules imposed on Jersey Notaries by The Master of the Faculties, Faculty Office of the Archbishop of Canterbury, 1 The Sanctuary, Westminster, London SW1P 3JT (“The Master”);
- as required by tax authorities or any competent court or legal authority.

In this respect, I will share your personal data with the following:

- my agents where it is necessary for me to obtain their advice or assistance;
- with relevant regulators or law enforcement agencies where I am required to do so.

(d) Any other applicable legal grounds for processing from time to time

5. Where I need your explicit consent to process your data

In providing the Services it will be necessary in certain cases for me to process personal data revealing your racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership; biometric (e.g. fingerprints or facial recognition) or genetic information; or information about your health, sex life or sexual orientation, or relating to criminal convictions or offences (including allegations) (“**Sensitive or special categories personal data**”) provided that you have given your explicit consent. Note that if you do not agree to this or you withdraw your consent then I may not be able to provide all or some of my services to you.

6. Withdrawal of Consent

If you have given your consent and you wish to withdraw it at any time, please contact me.

7. International transfer and processing of your personal data

- The nature of notarial acts is such that I may be required 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 United Kingdom or abroad. Such organisations will process personal data in accordance with the laws to which they are subject and international treaties over which I have no control.
- Upon your instructions I may transfer your personal data to private organisations abroad. In such circumstances I will not be responsible to ensure that your privacy rights are adequately protected.

8. Retention of your data

I will only retain your personal data for as long as I have a lawful reason to do so. In particular where I have collected your personal data as required by anti-money laundering legislation and specifically in accordance with the rules imposed on Jersey Notaries by The Master I will retain that personal data:

- permanently in the case of a notarial act in the public form; or
- for a minimum period of twelve years in the case of a notarial act not in public form.

Personal data may for reasons of security and convenience be stored on remote data facilities.

9. Security of personal data

I have implemented technical and organisational security measures in order to prevent unauthorised access to your personal data however the transmission of information via the internet is never completely secure. Whilst I can do my best to keep my own systems secure, I do not have full control over all processes involved in, for example, you sending confidential materials to me via email, and I cannot therefore guarantee the security of your information transmitted to me electronically.