

# **SBICAP (UK) LIMITED**

## **PRIVACY NOTICE**

### **ABOUT US**

We SBICAP (UK) Limited (also referred to as “we”, “us”, or “our”) are a registered company in England (Company no. 05461622). Our registered address is 702 & 703, Tower 42, 25 Old Broad Street, London, United Kingdom, EC2N 1HN.

### **The PURPOSE OF THIS NOTICE**

This Notice is designed to help you understand what kind of information we collect in connection with our services and how we will process and use this information. In the course of providing you with services we will collect and process information that is commonly known as personal data.

This Notice describes how we collect, use, share, retain and safeguard personal data.

This Notice sets out your individual rights, we explain these later in the Notice but in summary these rights include your right to know what data is held about you, how this data is processed and how you can place restrictions on the use of your data. We reserve the right to change our privacy statement from time to time.

### **WHAT IS PERSONAL DATA?**

Personal data is information relating to an identified or identifiable natural person. Examples include an individual’s name, age, address, date of birth, gender and contact details.

Personal data may contain information which is known as special categories of personal data. This may be information relating to an individual’s health, racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic and biometric data, or data relating to sexual orientation.

Personal data may also contain data relating to criminal convictions and offences.

For the purposes of safeguarding and processing criminal conviction and offence data responsibly, this data is treated in the same manner as special categories of personal data, where we are legally / regulatorily required to comply with specific data processing requirements.

### **PERSONAL DATA WE COLLECT**

In order for us to provide you with information about our services while we act as a financial intermediary, we will collect and process personal data about you. We will also collect your personal data where you request information about our services.

We may also need to collect personal data relating to others when providing you with our services as part of a specific transaction. In most circumstances, you will provide us with this information. Where you disclose the personal data of others, you must ensure you are entitled to do so.

You may provide us with personal data when signing up to our services, when you contact us via the telephone, or when writing to us directly.

As a provider of financial services in corporate finance, including arranging loans to non-retail clients and mergers & acquisitions advisory, we may process the following data categories including:

- Personal data such as an individual's name, contact details, age, date of birth and address
- Data relating to criminal convictions and offences such as details on fraud

We also showcase/ market capital market products (debt and equity securities) originating from India, for which we may process the following data categories including:

- Personal data such as an individual's name, contact details and official address

If you object to the collection, sharing and use of your personal data we may be unable to provide you with our services.

Where we collect data directly from you, we are considered to be the controller of that data i.e. we are the data controller. Where we use third parties to process your data, these parties are known as processors of your personal data.

We will collect your personal data when you visit our website, where we will collect your unique online electronic identifier; this is commonly known as an IP address. We will also collect electronic personal data when you first visit our website where we will place a small text file that is commonly known as a cookie on your computer. Cookies are used to identify visitors and to simplify accessibility, and to monitor visitor behaviour when viewing website content, navigating our website and when using features. We use necessary cookies which let you move around our website and use all its features. Without them, you wouldn't be able to use our website. We also use performance cookies which help us improve the way our website works. They help us in informing how each page was used, which ones commonly viewed and whether any errors occurred.

## **PERSONAL DATA WE SHARE**

We will share your personal data within our group of companies and with authorised third parties. This is necessary to place, administer your investments and our business and employees and to check on your suitability for our products and services. Third parties that we may share your data with include:

- Lenders;
- Credit reference agencies;
- Debt recovery agencies;
- Regulators
- Sub consultants

## **WHY DO WE NEED YOUR PERSONAL DATA?**

We will use your personal data to provide you with our financial services in corporate finance, including arranging loans to non-retail clients and mergers & acquisitions advisory. We will use your personal data to administer our business, to respond to any requests from you about services we provide and to process complaints. We will also use your personal data to market our services and to showcase/ market capital market products (debt and equity securities) originating from India.

## **LAWFUL BASIS FOR PROCESSING DATA**

We may rely on different lawful basis for collecting and processing your personal data including contractual necessity, legal obligation, legitimate interest and consent.

In purchasing our products you should understand that you are forming a contract with us. We would collect personal information about yourself and your business when you request our services and will collect personal data for the performance of contract with you including providing our service and communicating with you about our services.

We may process your personal data to allow us to comply with certain legal and regulatory obligations which we are subject to. We may process your personal data for our legitimate business interests, while considering and balancing your rights and interests. We note to ensure that our legitimate interests do not override your rights and interests under the data protection regulation. We may process your personal data to provide our best and relevant services.

As an example, we may rely on our legitimate interest to process your data

- to manage and maintain records of our relationships and communications with you.
- to communicate what we think would be important updates about our services.
- to market our services to you when a commercial relationship develops following an introduction or the exchange of contact details such as when attending an event or promotion, or where you contact us to express an interest in our services.
- to conduct business development and related activities such as contacting you through meetings, mails and phone in relation to our sphere of activities.

In some situations we may request your consent to market our services to you. Where we require consent, your rights and what you are consenting to will be clearly communicated to you. We may also request consent when processing special category and criminal conviction data. Where you provide consent, you can withdraw this at any time by contacting our data privacy representative.

## **FOR HOW LONG DO WE NEED YOUR DATA?**

We will only retain personal data for as long as necessary, for the purposes for which it was gained and where we continue to have a lawful basis for doing so. If the personal data is no longer necessary, or where we no longer have the lawful basis for processing we will delete or fully anonymise the data. We will retain your personal data from the end of any contractual agreement or facility period for a period of 5 years. We will retain special category and criminal conviction data for a period of 5 years. Where you have complained about the services you have received we will retain your data for a period of 7 years. Where you have contacted us for details of our products and services, we will retain your personal data for 2 years.

The retaining of data is necessary where required for contractual, legal or regulatory purposes or for our legitimate business interests and marketing purposes. Sometimes we may need to retain your data for longer, for example if we are defending ourselves in a legal dispute or as required by law or where evidence exists that a future complaint may occur.

## **INTERNATIONAL TRANSFERS OF PERSONAL DATA**

We will transfer your data to third parties based outside the European Economic Area, particularly to our parent company SBI Capital Markets Limited who are based in India. This is necessary for the purposes of placing and administering our business. Such parties are not permitted to use your personal data for any other purpose than for what has been agreed with us. These parties are also required to safeguard your personal data through the use of appropriate technical, organisational and physical data security measures and are prohibited from disclosing or sharing your data with other third parties without prior authorisation, or unless as required by law.

Please contact our data privacy representative for further information on the measures undertaken to safeguard your data.

## **AUTOMATED DECISION-MAKING TOOLS**

We may use services/ tools and techniques to check on your suitability for our products and services, for example we might perform a credit search. If you object to the use of these tools, we may be able to offer an alternative method for checking suitability; however in some situations we may not be able to provide you with our services.

## **YOUR RIGHTS**

Individuals are provided with legal rights governing the use of their personal data. These grant individuals the right to understand what personal data relating to them is held, for what purpose, how it is collected and used, with whom it is shared, where it is located, to object to its processing, to have the data corrected if inaccurate, to take copies of the data and to place restrictions on its processing. Individuals can also request the deletion of their personal data.

These rights are known as Access Rights under the Data Protection Act 2018. The following list details these rights:

- The right to be informed about the personal data being processed;
- The right of access to your personal data;
- The right to object to the processing of your personal data;
- The right to restrict the processing of your personal data;
- The right to rectification of your personal data;
- The right to erasure of your personal data;
- The right to data portability (to receive an electronic copy of your personal data);
- Rights relating to automated decision making including profiling.

Individuals can exercise their Access Rights at any time. As mandated by law we will not charge a fee to process these requests, however if your request is considered to be repetitive, wholly unfounded and/or excessive, we are entitled to charge a reasonable administration fee.

In exercising your Access Rights, you should understand that in some situations we may be unable to fully meet your request, for example if you make a request for us to delete all your personal data, we may be required to retain some data for taxation, prevention of crime and for regulatory and other statutory purposes.

## **PROTECTING YOUR DATA**

We will take all appropriate technical, organisational and physical steps to protect the confidentiality, integrity, availability and authenticity of your data, including when sharing your data within our group of companies and authorised third parties.

## **DATA PRIVACY REPRESENTATIVE**

To ensure data privacy and protection has appropriate focus within our organisation we have a data privacy representative who reports to our senior management team. The data privacy representative's contact details are as follows:

Data Privacy Representative

e-mail: sbicapslondon@sbicaps.uk

Tel: +44 20 7877 0029

## **COMPLAINTS**

If you are dissatisfied with any aspect of the way in which we process your personal data please contact data privacy representative. You also have the right to complain to the UK's data protection supervisory authority, the Information Commissioner's Office (ICO). The ICO may be contacted via its website which is <https://ico.org.uk/concerns/>, by live chat or by calling their helpline on 0303 123 1113.

## **HOW TO CONTACT US**

If you have any questions regarding this Notice, the use of your data and your Individual Rights please contact our data privacy representative at SBICAP (UK) Limited, 702 & 703, Tower 42, 25 Old Broad Street, London, EC2N 1HN or by emailing sbicapslondon@sbicaps.uk or by telephoning +44 20 7877 0029.