

Privacy & Security Statement

1. Introduction

The objective of this Data Protection and Privacy Statement is to inform you of how InCred Capital Wealth Portfolio Managers Private Limited (INCRED CAPITAL) which provides or will provide services and/or products to you, as well as its representatives, affiliates and/or agents, (collectively referred to herein as “INCRED CAPITAL”, “us”, “we” or “our”) manages Personal Data (as defined below). We ask that you read this Data Protection and Privacy Statement carefully as it contains important information about what to expect when we collect Personal Data about you or from you and how we will use and/or disclose such Personal Data.

This Personal Data Protection Policy Statement supplements but does not supersede or replace any other consent you may have previously provided to INCRED CAPITAL in respect of your Personal Data, and your consents herein are additional to any rights to which INCRED CAPITAL may have at law to collect, use or disclose your Personal Data.

2. Personal Data

In this Data Protection Policy Statement, “Personal Data” refers to any data about you or a Relevant

Person, such that you or such natural person (as the case may be) can be identified

(a) from that data; or

(b) from that data and other information to which we have or are likely to have access, including data in our records as may be updated from time to time.

Examples of such Personal Data you may provide us include your name, company name, title, passport or other identification number, telephone number(s), mailing address, email address, account number, assets, income and financial situation and any other information relating to any Relevant Person which you have provided us in any forms you may have submitted to us in taking steps to enter or entering into a contact to provide you with services. When we process such Personal Data INCRED CAPITAL will rely on Contract as its lawful basis for processing.

We may also collect personal information about you from applications, forms or questionnaires you may complete or agreements you enter into with us or in the course of your establishing or maintaining a customer relationship with us, including information about your credit history or financial situation, and your transactions with us or others who provide services to us. Again, when processing such Personal Data INCRED CAPITAL will be relying on Contract as its lawful basis for processing.

We may also collect personal information about you as a result of us recording certain telephone calls which our employees may have with you, and storing these recordings, in order to satisfy our legal and regulatory obligations or for INCRED CAPITAL business purposes. Apart from Personal Data, we may collect other types of information which is not linked to a natural person and which is anonymous. For example, the number of website visitors and the number of website users using a particular service. In this way, we hope to improve our customer services.

3. Purposes for the Collection, Use and Disclosure of Personal Data Generally, INCRED CAPITAL collects, uses and discloses Personal Data for the following purposes:

a. processing applications for account opening, account maintenance and operations relating to your account(s), including without limitation, processing your applications or requests for services and/or products, processing your transactions, operating and closing your account(s);

b. providing services and/or products to you (including the services and products of external providers) from time to time and dealing with all matters relating to the services and products;

c. administration and/or managing the relationship between us and / or your account;

d. carrying out your instructions or responding to your enquiries or feedback;

e. conducting identity and/or credit checks, and carrying out customer due diligence and other checks and screenings and ongoing monitoring that may be required under any applicable law, regulation or directive or internal policies and procedures of INCRED CAPITAL (including but not limited to those designed to combat bribery and corrupt practices, money laundering, terrorist financing and financial crime);

f. preventing, detecting and investigating fraud, misconduct or any unlawful activities, whether or not requested by any relevant governmental or regulatory authority, and analysing and managing commercial risks;

g. complying with all applicable laws, regulations, rules, directives, orders, instructions and requests from any governmental, tax, law enforcement or other authorities (whether local or foreign);

h. managing INCRED CAPITAL's infrastructure and business operations and complying with INCRED CAPITAL's policies and procedures that may be required by applicable laws and regulations including those relating to risk control, security, audit, finance and accounting, systems and business continuity;

i. addressing or investigating any complaints, claims or disputes;

j. developing new services and/or products and updating you on our products and services from time to time;

k. unless you have indicated your preference to opt out, providing you with marketing, advertising and promotional information, materials and/or documents relating to banking, investment, credit and/or financial products and/or services that INCRED CAPITAL may be selling, marketing, offering or promoting, whether such products or services exist now or are created in the future;

l. carrying out research, planning and statistical analysis;

- m. organizing promotional events; and
- n. enforcing our legal and/or contractual rights against you including, but not limited to, recovering any and all amounts owed to us, (collectively, the “Purposes”)
- o. all other incidental and associated purposes relating to the above and any other purpose which a customer may from time to time agree.
- p. We will not lend or sell your information to third parties.

4. Consent

INCREC CAPITAL may also use this information to provide you with information about other services we offer that are similar to those that you have already engaged us to provide or enquired about or to provide information about INCREC CAPITAL by way of news letters or emails.

In such instances INCREC CAPITAL will only do so where we have either received consent from you or we have assessed that there is a legitimate interest for us to send you the communication. When assessing legitimate interest, we will balance our interests with your rights and will only send communications where you would reasonably expect to hear from us. You may opt out of receiving this information when we collect details or at any time by contacting us using the contact details below;

If you do not wish for us to continue to use your Personal Data or the Personal Data provided by you to us for any of the Purposes at any time in the future, you must notify us in writing to withdraw your consent. Depending on the circumstances, your withdrawal of consent may result in INCREC CAPITAL’s inability to provide you with the services and/or products that we have been offering to you, and consequently, may result in the termination of your relationship and/or accounts with us.

Where the personal data protection laws of the relevant jurisdictions permit us to collect, use or disclose the Personal Data without your or the Relevant Person’s consent, such permission granted by law will continue to apply.

5. Disclosure, Sharing and Transfer of Personal Data Overseas Subject to the provisions of any applicable law, Personal Data may be disclosed or transferred to, shared with or kept by the following entities, wherever located, for any of the Purposes or for processing for any of the Purposes:

- a. other members of the INCREC CAPITAL group of companies; (“Group” means INCREC CAPITAL and any holding Company of INCREC CAPITAL and any Company of which INCREC CAPITAL, any such holding company or subsidiary of INCREC CAPITAL or such holding company, holds or controls more than 20% in the nominal value of the equity share capital.)

- b. any third-party service providers, including archival management service providers, those providing administrative, telecommunications, computer, financial intermediary, payment or securities clearing or other services to INCREC CAPITAL in connection with the operation of its business;

c. our professional advisers (including lawyers) and agents (including our executing brokers, clearing houses and settlement agents);

d. our auditors;

e. any person to whom disclosure is permitted or required by law or any court order;

f. any local or foreign government agencies, regulatory authorities and statutory bodies having jurisdiction over us; and

g. any of their respective successors and assigns.

To the extent that we may need to transfer personal data outside the relevant jurisdiction, we shall do so in accordance with the personal data protection law of that jurisdiction to ensure that we provide a standard of protection to the Personal Data so transferred that is comparable to the protection under that jurisdiction.

6. Accuracy, Access and Correction

If you would like to obtain access to check for accuracy and make corrections to your Personal Data, you may contact us in writing at the address set out in Section 15 below referencing 'Data Protection & Privacy Statement'. In exceptional circumstances, we reserve the right to deny you access to your Personal Data and may provide an explanation as required by applicable laws.

7. Retention & Erasure

INCREC CAPITAL are committed to only keeping your personal data for as long as we need to in order to fulfil the relevant purpose(s) it was collected for, as set out above in this notice, and for as long as we are required or permitted to keep it by law.

We shall cease to retain Personal Data, or remove the means by which the Personal Data can be associated with particular individuals, as soon as it is reasonable to conclude that the purpose for which that Personal Data was collected is no longer being served by retention of the Personal Data and retention is no longer necessary for legal or business purposes.

We retain copies of our customer contracts in order to enable us to deal with any legal issues and the information provided to us for identification verification checks, financial crime and anti-money laundering checks (as required by law) for up to 7 years after termination or expiry of our contract with you. We retain details of complaints for up to 7 years from the date of receipt.

We shall keep records of the following for up to 7 years:

- electronic communications and minutes of face-to-face meetings;
- suitability and appropriateness assessments;
- periodic statements (for example, valuations); and
- all orders and transactions in financial instruments on your behalf (including information about your identity).

8. Data Security

INCREC CAPITAL has taken and will continue to take reasonable efforts to protect Personal Data in our possession or control by making reasonable security arrangements to prevent unauthorised access, collection, use, disclosure, copying, modification, disposal or similar risks.

While we strive to protect your Personal Data, we cannot ensure the security of any Personal Data which you may have transmitted to us, via the Internet, and we urge you to take every precaution to protect your Personal Data and use a secure browser.

9. Updates to The Data Protection and Privacy Statement

INCREC CAPITAL may from time to time update this Personal Data Protection & Privacy Statement to ensure that it is consistent with our future developments, industry trends and/or any changes in legal or regulatory requirements. Such changes will be posted on our website. Such changes to our Data Protection & Privacy Statement shall apply from the time that we post the same on this website.

10. Subject Access Request

When we receive such a request, we will endeavor to provide you with these details without delay and at the latest within one month of receipt. We may extend the period of compliance by a further two months where requests are complex or numerous. In such instances INCREC CAPITAL will inform you within one month of the receipt of the request and explain why the extension is necessary.

When INCREC CAPITAL receives a subject access request we will provide a copy of the information held free of charge. INCREC CAPITAL may charge a reasonable fee to comply with requests for further copies of the same information. This does not mean that we will charge for all subsequent access requests rather that the INCREC CAPITAL reserves the right to charge a fee based on the administrative cost of providing the information.

If the after reviewing a request the Data Protection Officer believes a request is manifestly unfounded or excessive, particularly if it is repetitive, then INCREC CAPITAL may charge a 'reasonable fee' which will be decided on a case by case basis. In certain circumstances INCREC CAPITAL may even refuse to respond to such requests.

11. Your rights

You also have the following rights (unless exemptions apply), which can be exercised by contacting us using the details provided below:

- To ask us not to process your personal data for marketing purposes;
- To prevent any processing of personal data that is causing or is likely to cause unwarranted and substantial damage or distress to you or another individual;
- To request the rectification or completion of personal data which are inaccurate or incomplete;
- To restrict or object to the processing of your personal data (from 25th May 2018 onwards);

- To request its erasure under certain circumstances;
- To be informed about any use of your personal data to make automated decisions about you, and to obtain meaningful information about the logic involved, as well as the significance and the envisaged consequences of this processing; and
- To lodge a complaint about the way in which your personal data is being used to your Data Protection Authority: The Information Commissioner's Office (United Kingdom).

When you contact us to exercise any of the rights above, we may ask you to provide some additional information in order to verify your identity, such as your name, your address and proof of identity. If you would like to lodge a complaint or exercise any of your rights set out above, you can contact us at:

E-mail: compliance@incredcapital.com

12. Cookies

A cookie is an alphanumeric identifier which we transfer to your hard drive through your web browser when you visit our website. It enables our own system to recognise you when you visit our website again and improve our service to you.

The information is used to track visitor use of the website and to compile statistical reports on website activity. Cookies may also be used to compile aggregate information about areas of our website that are visited most frequently. This traffic information can be used to enhance the content of our website and make your use of it easier.

For further information about cookies visit www.aboutcookies.org or www.allaboutcookies.org. If you wish to reject our cookie, you can configure your browser to do so. However, in a few cases some of our website features may not function if you remove cookies from your browser.

13. Third Party Websites

Our website may contain links to other websites. Please note that we are not responsible for the privacy practices of such other websites and you are advised to read the privacy statement of each website you visit which may collect your Personal Data.

14. Third party personal information

If you provide personal data to us about someone else (such as one of your directors or employees, or someone with whom you have business dealings) you must ensure that you are entitled to disclose that personal data to us and that, without our taking any further steps, we may collect, use and disclose that personal data as described in this Privacy Notice.

In particular, you must ensure the individual concerned is aware of the various matters detailed in this Privacy Notice, as those matters relate to that individual, including our identity, how to contact us, our purposes of collection, our personal data disclosure practices (including disclosure to overseas recipients), the individual's right to obtain access to the personal data and make complaints about the handling of the personal data, and the consequences if the personal data is not provided (such as our inability to provide services).

15. Contacting Us

If you have any comments or questions about the collection, use or disclosure of your Personal Data or this Data Protection and Privacy Statement, please contact us in writing at the address below referencing 'Data Protection and Privacy Statement':

InCred Capital Wealth Portfolio Managers Private Limited
Unit No. 1203, 12th Floor, B Wing, The Capital,
C-70, G Block, Bandra Kurla Complex, Bandra East
Mumbai – 400 051, India
Email: compliance@incredcapital.com