

Investec Bank (Channel Islands) Limited  
Guernsey Fiduciary Introducer Certificate



*Out of the Ordinary*



**Investec**

Private Banking

# Guernsey Fiduciary Introducer Certificate – FIC1

Please complete all sections fully. As many of the questions on this form relate to mandatory regulatory requirements failure to complete all sections fully may delay or prevent the opening of the account.

To: Name of accepting financial services business

From: Name of Introducer

GIIIN of Introducer

Entity/Customer name (in full)

**Entity type – you must ensure that both FATCA and CRS classifications are indicated:**

**FATCA**

**CRS**

- |   |  |
|---|--|
| <input type="checkbox"/> Registered deemed compliant FFI                                      | <input type="checkbox"/> Reporting Financial Institution     |
| <input type="checkbox"/> Participating FFI/Model 1 or 2 IGA FFI                               | <input type="checkbox"/> Non-Reporting Financial Institution |
| <input type="checkbox"/> Sponsored FFI  | <input type="checkbox"/> Passive NFE                         |
| <input type="checkbox"/> Certified deemed compliant FFI                                       | <input type="checkbox"/> Active NFE                          |
| <input type="checkbox"/> Active NFFE  | <input type="checkbox"/> Active NFE Publicly Traded          |
| <input type="checkbox"/> Passive NFFE   |  |
| <input type="checkbox"/> Direct Reporting NFFE  |  |
| <input type="checkbox"/> Trustee documented trust/Non-Reporting IGA FFI                       |  |
| <input type="checkbox"/> Exempt beneficial owner  |  |
| <input type="checkbox"/> Non-participating FFI – IBCI will not service non-participating FFIs |  |

GIIIN of company (if applicable)

or name & GIIIN of sponsoring entity (if applicable)

Name

GIIIN

Details of associated account/s which are part of the same structure

**Introducer's contact details**

Address

Telephone  Fax

Email address

# Guernsey Fiduciary Introducer Certificate – FIC1

## Assurance from the Introducer

The Introducer certifies that it is a Guernsey licensed financial services business and in respect of this account it has obtained and holds the verification required to satisfy the Handbook for Financial Services Business on Countering Financial Crime and Terrorist Financing ("Handbook") issued by the Guernsey Financial Services Commission, as updated from time to time. The information disclosed for this account by the Introducer accurately reflects the information held and is being given for account opening and maintenance purposes only.

We confirm that we have not relied upon any other party to apply identification measures in relation to the introduced Entity/Customer, nor have we applied simplified identification measures in relation thereto.

We confirm that our customer due diligence procedures and record keeping procedures are in line with the standards established in the Handbook.

**The Introducer undertakes to notify Investec of material changes to the information provided in this certificate as soon as the Introducer becomes aware of it.**

**The Introducer undertakes to supply certified copies or originals of the verification documentation upon request without delay.**

**The Introducer confirms having established the tax status of the Entity/Customer and undertakes to carry out the tax reporting for any entities introduced to the Bank where appropriate.**

**Assurance to be signed by two directors/officers/authorised signatories who have the capacity to bind the Introducer.**

Signature

Print name

Official position

Date

Signature

Print name

Official position

Date

For further details as to how Investec uses personal data, please refer to our Data Protection Notice at the end of this application or online at [https://www.investec.com/en\\_chis/legal/UK/data-protection-notice/channel-islands.html](https://www.investec.com/en_chis/legal/UK/data-protection-notice/channel-islands.html)

# Identification information – FIC2

## To be completed for applicants for business who are companies, partnerships, trusts or foundations

Are you aware of any derogatory information relating to this Entity/Customer or Principals?

(If Yes please contact your Relationship Manager prior to submitting this application)

Yes  No

Date of incorporation (if a Company or Partnership)

Place of incorporation (if a Company or Partnership)

Registration number (if a Company or Partnership)

Current registered office address (if a Company or Partnership)

Are bearer shares currently in issue? Yes  No

If no, can bearer shares be issued (this includes associated entities in the structure)? Yes  No

Is it a trading company? Yes  No

Date of Establishment (if a Trust or Foundation)

Legal jurisdiction (if a Trust or Foundation)

Type of trust/foundation/company/partnership

Tax residence of Entity/Customer

Tax Identification Number/Functional equivalent

## To be completed by all applicants for business

Is the Entity/Customer or any related parties associated with a PEP? Yes  No

Is commission and/or consultancy fees a source of wealth? Yes  No

Is the Entity/Customer connected with a high risk jurisdiction? – see FIC6 Yes  No

Is the Entity/Customer part of a complex structure? – If yes provide structure chart Yes  No

Has the Entity/Customer (or trust in respect of which the Entity/Customer acts) been established for the holding of assets for investment purposes? Yes  No

Does the Entity/Customer have any link to a sanctioned country, individual or activity (regardless of the percentage of ownership or control). Yes  No

If the answer to any of the above questions is 'Yes' please provide full details in FIC5.

# Identification information – FIC2

## To be completed for all applicants for business

Date relationship between the Entity/Customer and Introducer commenced

Nature of activities or purpose and intended nature of business relationship (please provide full description)

Is the account to be used for a specific transaction? Yes  No

If Yes please provide details of the transaction including length of time the account will be required

Geographical sphere of activities – please include any applicable high risk activities and jurisdictions

Type, volume, value and regularity of expected Account activity.

If you expect funds to be deposited on a regular basis please provide details including frequency and amounts

If you expect funds to be withdrawn on a regular basis please provide details including frequency and amounts

## Source of Wealth background

Please specify the economic activity that generated the **total net worth** of the Entity/Customer and connected parties, the geographical sphere of the activity and identify the period over which this has been derived.

Total net wealth of relevant Principal

# Related parties – FIC3

**Details of all underlying customers/introduced customers/Principals (see FIC6 for definition):**

**Individuals, Partners, Trustees, Protectors, Settlers, Beneficiaries, Beneficial Owners and External Directors, excluding officers of the Introducer. If a company is owned by a trust please detail all related Principals.**

Please complete the section below and attach additional copies of this sheet as required.

## 1st Principal

Surname (or Entity name)

First name (and middle names)

Former names (e.g. maiden name) and any other names used

Title (Mr/Mrs/Miss)  Gender  Nationality/ies

Marital status

Date of birth/incorporation  Place of birth/incorporation

Current residential address (please include postcode). Note: a PO Box only address is not acceptable

Role of Principal: (see FIC 6)

Appointment date of Principal/Date Relationship Commenced

Has the individual been met face to face by the Introducer? Yes  No

FATCA/CRS Controlling Person? (if Entity/customer is PNFPE/PNFE) Yes  No

Include country/ies of tax residence and Tax Identification Number/functional equivalent if Entity/Customer is a Passive Non-Financial Foreign Entity (PNFFE) or a Passive Non-Financial Entity (PNFE)

If shareholder % holding

# Related parties – FIC3

## 2nd Principal

Surname (or Entity name)

First name (and middle names)

Former names (e.g. maiden name) and any other names used

Title (Mr/Mrs/Miss)  Gender  Nationality/ies

Marital status

Date of birth/incorporation/establishment  Place of birth/incorporation/establishment

Current residential address (please include postcode). Note: a PO Box only address is not acceptable

Role of Principal: (see FIC 6)

Appointment date of Principal/Date relationship commenced

Has the individual been met face to face by the Introducer? Yes  No

FATCA/CRS Controlling Person? (if Entity/customer is PNFFE/PNFE) Yes  No

Include country/ies of tax residence and Tax Identification Number/functional equivalent if Entity/Customer is a Passive Non-Financial Foreign Entity (PNFFE) or a Passive Non-Financial Entity (PNFE)

If shareholder % holding

## 3rd Principal

Surname (or Entity name)

First name (and middle names)

Former names (e.g. maiden name) and any other names used

Title (Mr/Mrs/Miss)  Gender  Nationality/ies

Marital status

Date of birth/incorporation/establishment  Place of birth/incorporation/establishment

Current residential address (please include postcode). Note: a PO Box only address is not acceptable

Role of Principal: (see FIC 6)

Appointment date of Principal/Date relationship commenced

Has the individual been met face to face by the Introducer? Yes  No

FATCA/CRS Controlling Person? (if Entity/customer is PNFFE/PNFE) Yes  No

Include country/ies of tax residence and Tax Identification Number/functional equivalent if Entity/Customer is a Passive Non-Financial Foreign Entity (PNFFE) or a Passive Non-Financial Entity (PNFE)

If shareholder % holding

Initial of signatory/ies completing FIC3

# Related parties – FIC3

## 4th Principal

Surname (or Entity name)

First name (and middle names)

Former names (e.g. maiden name) and any other names used

Title (Mr/Mrs/Miss)  Gender  Nationality/ies

Marital status

Date of birth/incorporation/establishment  Place of birth/incorporation/establishment

Current residential address (please include postcode). Note: a PO Box only address is not acceptable

Role of Principal: (see FIC 6)

Appointment date of Principal/Date relationship commenced

Has the individual been met face to face by the Introducer? Yes  No

FATCA/CRS Controlling Person? (if Entity/customer is PNFFE/PNFE) Yes  No

Include country/ies of tax residence and Tax Identification Number/functional equivalent if Entity/Customer is a Passive Non-Financial Foreign Entity (PNFFE) or a Passive Non-Financial Entity (PNFE)

If shareholder % holding



# Minority shareholders – FIC4

**Minority shareholders** – please list all named shareholders of the entity with a shareholding between 10% and 24.99% (where applicable)

Surname	Forename(s)	Date of birth/incorporation	% shareholding

### Relationships

Please state the nature of the relationship between the Settlor(s) and the Beneficiaries.


## Additional information – FIC5

This section is to be used by the financial services business to identify **any additional information** or documentation that they require over and above the stated minimum and/or the introducer to provide additional information to supplement the details contained in **FIC1, FIC2, FIC3, FIC4**.

# Notes and guidance – FIC6

These notes and the definitions below are intended to assist the Introducer in completing the required forms and to enable greater consistency to be achieved.

<b>Associated accounts</b>	Refers to an account held with Investec where any of the individuals named are connected with an account in the same group or structure.
<b>Account activity</b>	An estimate of the total flow of funds in and out of the account should be provided. An estimated maximum account turnover should also be provided. For a trading operation, the scale and volume of transactions should be explained.
<b>Bearer shares</b>	Investec will not accept an Entity/Customer application which has bearer shares issued anywhere within its structure.
<b>Certified copy</b>	An officer or authorised signatory of a regulated financial services business will be an acceptable certifier. An acceptable "certified copy" document should be an accurate and complete copy of the original such that the certifier will sign and date the copy document printing their position, capacity and company name.
<b>GIIN</b>	To the extent that an entity has registered with the US Internal Revenue Service it will have a Global Intermediary Identification Number issued by IRS. This applies only to Financial Institutions and Direct Reporting NFFEs (Non-Financial Foreign Entities).
<b>High risk jurisdiction</b>	<p>A country may be considered to be high risk where it:</p> <ul style="list-style-type: none"><li>· is generally considered to be "un-cooperative" in the fight against money laundering and terrorist financing;</li><li>· has inadequate safeguards in place against money laundering or terrorism;</li><li>· has high levels of organised crime;</li><li>· has strong links (such as funding or other support) with terrorist activities;</li><li>· is vulnerable to corruption; or bribery scoring 30 or lower on the Transparency International Corruption Index;</li></ul> <p>or</p> <ul style="list-style-type: none"><li>· is the subject of UN or EU sanctions measures;</li></ul> <p>having regard to objective data available from the IMF, FATF, World Bank, the Egmont Group, US Department of State (International Narcotics Control Strategy Report), US Office of Foreign Assets Control, and Transparency International (Corruption Perception Index).</p> <p>Investec's definition of high risk country is also set out in our High Risk Country List as amended from time to time.</p>
<b>Introducer</b>	Is a regulated financial service provider that satisfies the Investec requirements to be classified as an equivalent jurisdiction following a suitable risk assessment.
<b>Investec</b>	<p>Investec Bank (Channel Islands) Limited is part of Investec Private Banking and a subsidiary of Investec Bank PLC. Investec Bank (Channel Islands) Limited is licensed by the Guernsey Financial Services Commission with registered address: Glatigny Court, Glatigny Esplanade, St Peter Port, Guernsey, GY1 1WR (registration number 5845). The Jersey Branch of Investec Bank (Channel Islands) Limited is regulated by the Jersey Financial Services Commission to carry on deposit taking business under the Banking Business (Jersey) Law 1991, as amended. The Jersey Branch registered address is One The Esplanade, St Helier, Jersey, JE2 3QA.</p>
<b>Nature of activities or purpose and intended nature of business relationships</b>	A sufficient description should be provided to enable Investec to properly categorise the underlying nature of the arrangements. If the activity is of a commercial nature, then additional information may be required.

# Notes and guidance – FIC6

## PEP

A Politically exposed person which means:

- (i) a person who has, or has had at any time, a prominent public function or who has been elected or appointed to such a function in a country or territory other than the Bailiwick of Guernsey including, without limitation:
  - (a) heads of state or heads of government;
  - (b) senior politicians and other important officials of political parties;
  - (c) senior government officials;
  - (d) senior members of the judiciary;
  - (e) senior military officers; and
  - (f) senior executives of state owned body corporates;
- (ii) **an immediate family member of such a person** including, without limitation, a spouse, partner, parent, child, sibling, parent-in-law or grandchild of such a person and in this subparagraph **“partner”** means a person who is considered by the law of the country or territory in which the relevant public function is held as being equivalent to a spouse; or
- (iii) a close associate of such a person, including, without limitation a person who is widely known to maintain a close business relationship with such a person, or a person who is in a position to conduct substantial financial transactions on behalf of such a person.

## Underlying customer/ introduced customer/ principal (and any beneficial owners, controllers and external directors)

### Individuals who ultimately own or control the relationship which

For a trust, beneficial owners and controllers include:

- Settlor(s), Trustee(s), Protector(s);
- Beneficiaries who have received a benefit or have a vested right;

For legal bodies and Foundations beneficial owners and controllers include:

- The individuals with ultimate effective control over the legal bodies' assets including the individuals comprising the mind and management of the legal body whether under a power of attorney or otherwise;
- The individuals ultimately holding a 25% or more interest in the capital of the legal body;
- External directors (not officers of the Introducer);
- The Bank reserves the right to request identification and verification information relating to individuals holding less than a 25% interest in the capital of the legal body in order to comply with relevant legislation or to manage risk set out in FIC4; and:
- The individuals ultimately holding a material interest in the capital of the legal body.

Note: where the introducing financial services business is in control of the assets held with Investec and where an underlying customer/introduced customer (and any beneficial owners and controllers) changes or is to receive a distribution subsequent to the supply of this certificate, the introducing financial services business undertakes to identify and verify the individual and to inform Investec accordingly.

## Role

This might include, for example, a **beneficial owner, a shareholder owning 25% or more, beneficiary, settlor, partner, director, protector, founder, member etc.**

## Signature

The Introducer's Certificate may **only** be signed and initialled (where appropriate) by an officer of the regulated financial services business authorised to do so on the Introducer's current mandate/authorised signature list.

## Source of wealth

Source of wealth describes the historic and current activities which have generated the **total net worth** of a person i.e. those activities which have generated a customer's total funds and property. Also identify the period over which this has been derived.

Information concerning the **geographical sphere** of the activities that have generated a customer's wealth may also be relevant. Where this emanates from a high risk jurisdiction you must include this information.

Bland statements are **not acceptable**, such as 'life time savings'; fuller descriptions, such as 'life time savings of settlor who was a doctor', will be required.

**This section must be completed in all cases.**

## Trading

Implies commercial activity which may include a business, invoicing or re-invoicing operations. For clarity, a "trading company" does not include a personal service/employment company.

**Please refer to your Investec Relationship Manager should you have any doubt or queries about completing the Introducer Certificate Form.**

# Guidance notes for the purposes of International Tax Information Exchange

These guidance notes are intended to assist you in completing this application form. The tax regulations involved here are very complex and these guidance notes are not exhaustive. We strongly recommend you seek the assistance of a professional tax advisor when completing this application form.

The US government has introduced tax regulations aimed at combating tax evasion by US tax residents using foreign accounts (commonly known as the 'FATCA Regulations'). The Crown Dependencies of Guernsey, Jersey and the Isle of Man have entered into agreements with the US to enable FATCA to be implemented. You can find the Intergovernmental agreements between the Channel Islands and the US on the Treasury website at the following address, <https://www.treasury.gov/resource-center/tax-policy/treaties/pages/FATCA.aspx>.

From 1 January 2016 the OECD Common Reporting Standard (CRS) came into force which will see tax information exchange being implemented with an additional 53 countries known as the 'early adopters'. From January 2017 a number of additional countries will also adopt the Common Reporting Standard. You can find additional guidance in relation to CRS at the following address: <http://www.oecd.org/tax/automatic-exchange/>

The information in these Guidance Notes is correct as at 31 January 2017 but is subject to change, as and when tax regulations and/or guidance notes are updated.

Please tick the relevant FATCA **and** CRS classification for the entity. Your tax advisor can explain what these categories mean, and further information is available in the FATCA Guidance and the Crown Dependencies Guidance on the HMRC website or States of Guernsey website.

Within this form we have used the following categories:

## FATCA

### Registered deemed compliant FFI

#### (Foreign Financial Institution)

Includes a sponsored investment entity, restricted funds, financial institutions with only a local client base, qualified investment vehicles and other forms of registered deemed compliant institution.

**Participating FFI/Model 1 or 2 IGA FFI** Where the entity has been issued with its own Global Intermediary Identification Number ("GIIN").

#### Sponsored FFI

Where a Financial Institution (FI) has entered into a sponsoring agreement with another FI who will fulfil the sponsored entities reporting and due diligence requirements under the regime.

#### Sponsored investment entities

Please provide both the sponsored and sponsoring entities GIIN.

#### Certified deemed compliant FFI

Includes a sponsored closely held investment vehicle, FFI with only low value accounts, advisory only investment managers and advisors and any other entity included in Annex II of the relevant IGA.

#### Active NFFE

Active Non-Financial Foreign Entity such as an asset holding company where less than 50% of the entity's income is from Passive sources, such as investment income, rents and interest.

#### Passive NFFE

Passive Non-Financial Foreign Entity such as a property holding company where more than 50% of the entity's income is derived from passive sources such as rent from property.

#### Direct Reporting NFFE

Direct Reporting Non-Financial Foreign Entity which has chosen to register with the IRS in its own right in order to complete its own reporting in respect of FATCA and has been issued with a GIIN.

#### Non-participating FFI

Includes any entity that is not compliant under FATCA, is not registered with the IRS as an FFI or does not have an alternative FATCA compliant status such as a Trustee Documented Trust or Sponsored Closely Held Investment Vehicle. Please note if your entity is resident in a country that has entered into a Model 1 or Model 2 IGA with the United States there is no ability to classify the entity as a non-participating FFI. In addition Investec Bank (Channel Islands) Limited is unable to offer banking services to non-participating FFIs.

#### Exempt beneficial owner

Includes exempt retirement plans such as Sec 157A RATS and not for profit organisations such as registered charities.

# Guidance notes for the purposes of International Tax Information Exchange

## CRS

### Reporting Financial Institution

The term "Financial Institution" means a "Custodial Institution", a "Depository Institution", an "Investment Entity", or a "Specified Insurance Company". Please see the relevant domestic guidance and the CRS for further classification definitions that apply to Financial Institutions.

### Non-Reporting Financial Institution

A Non-Reporting Financial Institution" means any Financial Institution that is:

- a Governmental Entity, International Organisation or Central Bank, other than with respect to a payment that is derived from an obligation held in connection with a commercial financial activity of a type engaged in by a Specified Insurance Company, Custodial Institution, or Depository Institution;
- a Broad Participation Retirement Fund; a Narrow Participation Retirement Fund; a Pension Fund of a Governmental Entity, International Organisation or Central Bank; or a Qualified Credit Card Issuer;
- an Exempt Collective Investment Vehicle; or
- a Trustee-Documented Trust: a trust where the trustee of the trust is a Reporting Financial Institution and reports all information required to be reported with respect to all Reportable Accounts of the trust;
- any other defined in a countries domestic law as a Non-Reporting Financial Institution.

## NFE

An NFE is any Entity that is not a Financial Institution.

### Passive NFE

Under the CRS a "Passive NFE" means any:

- (i) NFE that is not an Active NFE; and
- (ii) Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution.

### Active NFE

An NFE is an Active NFE if it meets any of the criteria listed below. In summary, those criteria refer to:

- active NFEs by reason of income and assets;
- Governmental Entities, International Organisations, Central Banks, or their wholly owned Entities;
- holding NFEs that are members of a nonfinancial group;
- start-up NFEs;
- NFEs that are liquidating or emerging from bankruptcy;
- treasury centres that are members of a nonfinancial group; or
- non-profit NFEs.

### Active NFE Publicly Traded

Where its stock is regularly traded on an established securities exchange.

# Guidance notes for the purposes of International Tax Information Exchange

## **For Passive NFFEs only**

Please note if the entity meets the definition to be treated as a Passive NFFE under the regulations, IBCI will be responsible for reporting information about the controlling persons behind the account. We would therefore ask that you consider carefully if this method of reporting is appropriate or whether it would be better served by being a Direct Reporting NFFE or treated as an FFI under the regulations, meaning that you would be responsible for reporting information relevant to your entity. Should your entity be classified as a Passive NFFE please indicate in section 2, your organisation's owners and controllers as well as their tax status. To assist you, we set out below who these people are likely to be, based on the different types of organisations we usually deal with.

If your organisation is a limited company (including a charitable company) we need information about:

- anyone who owns 25% or more of the company, or who has 25% or more of the voting rights in the company
- where the company is owned by another organisation, any individuals who are the ultimate beneficial owners of the company

If your organisation is a limited liability partnership (LLP), we need information about:

- anyone who owns 25% or more of the LLP or who has 25% or more of the voting rights in the LLP
- where the LLP is owned by another organisation, any individuals who are the ultimate beneficial owners of the LLP

If your organisation is a limited partnership, we need information about:

- anyone who owns 25% or more of the partnership
- where the partnership is owned by another organisation, any individuals who are the ultimate beneficial owners of the partnership
- the general partners

If your organisation is another type of corporate body, we need information about:

- anyone who owns 25% or more of the organisation
- where your organisation is owned by another organisation, any individuals who are the ultimate beneficial owners of your organisation.

## **Controlling Persons**

Under CRS there is a specific requirement that, where an entity is determined to be a controlling person of a Passive NFE, the entity must be looked through in order to determine who the underlying individual controlling persons are. As per the Standard the term 'Controlling Persons' means the natural person(s) who exercise control over an entity. In the case of a trust such term means the settlor(s), the trustee(s), the protector(s), the beneficiary(ies) or classes of beneficiary(ies) and any other natural person(s) exercising ultimate, effective control over the trust. In the case of a legal arrangement other than a trust such term means persons in equivalent or similar positions. The term 'Controlling Persons' must be interpreted in a manner consistent with the Financial Action Task Force Recommendations.

# Investec Bank (Channel Islands) Limited

## Data Protection Notice

Investec Bank (Channel Islands) Limited (“we”, “us”, “our”) is committed to protecting the privacy and security of your personal data. This Notice aims to give you information on how your personal data (i.e., information which directly or indirectly identifies you) are processed by us. For the purposes of the European data privacy laws (including the ‘General Data Protection Regulation’ (GDPR) and all legislation in the Bailiwicks of Guernsey and Jersey implementing GDPR equivalent provisions (together, the “**Applicable Data Protection Laws**”), we are the Data Controller. This means that we are primarily responsible for making determinations about how and why we process your personal data.

### Collecting your personal data

We may collect the following categories of personal data, including, without limitation:

- all personal data provided by you to us, such as:
  - name and contact details
  - nationality and national identity number(s)
  - identification documentation
  - tax status and tax identification number
  - employment history, income and personal wealth (for example properties)
  - bank account details and/or account balance information including account activity and history
- information (such as those categories of personal data described above) received from another person, for example, if a person applies for a joint account with you, they may share your personal data with us or if you are a stakeholder in or manager of a business, and the business applies for products or services or enters into an agreement or interacts with us, we may obtain personal data about you to carry out checks against the business
- where permitted, information received from third parties acting on our behalf such as credit reference agencies, fraud prevention agencies and from other public sources (such as an electoral register)
- electronic communications and electronic transactions which we may monitor and/or record.

In limited cases, we may also collect “special categories” of data. Our money laundering, sanctions, financial crime and fraud prevention checks sometimes result in us obtaining information about actual or alleged criminal convictions and offences, as well as (for example) information relating to a person’s ethnicity, political opinions or religious beliefs. To the extent that we process such data, we will ensure that we have a lawful basis for processing. This may either be because we are required to comply with a legal obligation imposed by enactment, or because we have obtained your prior explicit consent. You have a right to withdraw your consent at any time.

#### How we will use your personal data

We will use your personal data for:

- i. the provision of products and/or services requested by you
- ii. managing your accounts
- iii. making credit decisions (where applicable)
- iv. detecting and preventing financial crime such as fraud, money laundering, terrorist financing, bribery, corruption, tax evasion and to prevent the provision of financial and other services to persons who may be subject to economic or trade sanctions, on an ongoing basis (“**Regulatory Assessments**”)
- v. statistical analysis, market research and assessment
- vi. retaining your personal data processed as part of our Regulatory Assessments for future services entered into by you
- vii. to monitor and record calls and electronic communications for:
  - a. investigating, preventing, detecting and prosecuting financial crime
  - b. enforcing and defending our and our affiliates’ rights, either ourselves, or through third parties
  - c. quality, business analysis, training and related purposes
- viii. conducting direct marketing as described under heading ‘Marketing’ below
- ix. otherwise as necessary to comply with applicable laws, regulations or codes of practice.

The provision of personal data by you may be necessary in order for us, and other third parties to which personal data are disclosed, to comply with our legal and regulatory obligations or for the performance of any contractual relationship with you or, for any other purposes, where it is in our legitimate interests to process such information (such as those described under paragraphs (i), (ii), (iii), (v), (vi), (vii)(c) and (viii) above).

#### How we will disclose your personal data

We may disclose certain personal data:

- to other affiliates in the Investec Group. Investec Group consists of Investec Bank plc (a company registered in the UK) and Investec Limited (a company registered in South Africa) and any of their direct or indirect subsidiaries and/or holding companies
- to our professional advisors, receivers and administrators (where applicable), and service providers (including, information technology systems providers)
- to courts, governmental and non-governmental regulators and ombudsmen
- to law enforcement agencies
- to relevant tax authorities
- to credit reference agencies
- to fraud prevention agencies, who will use it to prevent financial crime such as fraud and money-laundering and to verify your identity. If financial crime is detected, you could be refused certain services, finance or employment. Further details of how your information will be used by us and these fraud prevention agencies, and your data protection rights, can be viewed at [https://www.investec.com/en\\_gb/legal/UK/fraud-prevention-notice.html](https://www.investec.com/en_gb/legal/UK/fraud-prevention-notice.html)
- to any third party that acquires, or is interested in acquiring, all or part of our assets or shares, or that succeeds us in carrying on all or a part of its business, whether by merger, acquisition, reorganisation or otherwise
- as required or permitted by law
- to an introducer where you have been introduced to us (for example an independent financial adviser). We will inform the introducer of the outcome of the enquiry including whether we have agreed to provide you with the relevant product or service.



# Investec Bank (Channel Islands) Limited

## Data Protection Notice

### Transfer of personal data outside the European Economic Area (“EEA”), the Bailiwick of Guernsey and the Bailiwick of Jersey

We may transfer your personal data to recipients (including affiliates in the Investec Group) located in countries outside of the EEA, the Bailiwick of Guernsey and the Bailiwick of Jersey, including in South Africa, which may not have data privacy laws equivalent to those in the EEA. In those instances, we will take all necessary steps to protect your personal data in accordance with Applicable Data Protection Laws.

### Your rights

Under Applicable Data Protection Laws, you may have a right (in certain circumstances):

- to request access to and rectification or erasure of your personal data
- to restrict or to object to the processing of your personal data
- to data portability (i.e. to request the transfer of personal data from one data controller to another in certain circumstances).

If you wish to exercise any of these rights you should contact our Data Protection Officer, whose details are described below under the heading 'Enquiries, Requests or Concerns'.

You also have the right to lodge a complaint about the processing of your personal data with your local data protection authority if you consider that the processing of your personal data carried out by us or our affiliates, infringes Applicable Data Protection Laws. The relevant data protection authorities in the Channel Islands are set out below:

The Office of the Data Protection Commissioner in Guernsey: Web: <https://dataci.gg>

The Office of the Information Commissioner in Jersey: Web: <https://www.oicjersey.org>

### Marketing

We may contact you periodically to provide information regarding events, products, services and content that may be of interest to you and to invite you to participate in market research. If Applicable Data Protection Laws requires that we receive your consent before we send you certain types of marketing communications, we will only send you those types of communications after receiving your consent.

If you wish to stop receiving marketing or market research communications from us, you can click on the unsubscribe link in the marketing communication or contact the Data Protection Officer as described below.

### Security and data retention

We will take steps to protect your personal data against loss or theft, as well as from unauthorised access, disclosure, copying, use or modification, regardless of the format in which it is held. Subject at all times to applicable laws, we will retain your personal data for a minimum period of 10 years from the end of our relationship with you.

### Changes to this Data Protection Notice

We may revise or supplement our Data Protection Notice from time to time to reflect for example, any changes in our business, law, markets, and the introduction of any new technology. We will publish the updated Data Protection Notice on our website at [https://www.investec.com/en\\_chis/legal/UK/data-protection-notice/channel-islands.html](https://www.investec.com/en_chis/legal/UK/data-protection-notice/channel-islands.html) and is available on request.

### Enquiries, requests or concerns

All enquiries, requests or concerns regarding this Notice or relating to the processing of personal data, should be sent to the Data Protection Officer at Investec Bank (Channel Islands) Limited, Glategny Court, Glategny Esplanade, St Peter Port, Guernsey, GY1 3LP, Channel Islands or by email to [dataprotection@investec-ci.com](mailto:dataprotection@investec-ci.com)

This Notice was last updated on 23 March 2018.

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