

**KOTAK MAHINDRA (UK) LIMITED
PORTSOKEN HOUSE, 155-157 MINORIES
LONDON EC3N 1LS**

GENERAL DATA PROTECTION REGULATIONS - PRIVACY NOTICE

The General Data Protection Regulation (GDPR) of the European Union comes into force on 25 May, 2018. We are issuing this notice to enable you to find out how we use and protect your information or information provided by you about individuals who are concerned with your business with Kotak Mahindra (UK) Limited ("KMUK"). This notice is effective from 25 May 2018. The manner in which we use personal information will not change. However, this notice will provide you with additional details such as:

- The legal grounds for how we use personal information.
- Your increased rights in relation to the information we hold about you or individuals concerned with your business with KMUK;
- The types of personal information KMUK collects, and how we collect and use it and who we might share it with;

The Privacy Notice will apply to any investment products or services provided to you by or through KMUK.

Contact details of the Data Controller and Data Protection Officer

KMUK is the data controller of the personal data you provide us. KMUK is responsible for deciding the purposes and means of processing personal data. KMUK is also one of the data processors. You may contact the Data Protection Officer ("DPO") of KMUK at Portsoken House, 8th Floor, 155-157 Minories, London, EC3N 1 LS. Phone: +44 207 977 6900. Alternatively, you can contact the DPO by email at: Kminternational.dpo@kotak.com.

Personal Data

"**Personal Data**" is information that identifies an individual or relates to an identifiable individual, including:

- Name
- Postal address
- Telephone or fax number
- Email address and other identifying addresses for electronic communications

- Date of birth, place and country of birth
- Nationality
- Details from passport and other government or state issued forms of personal identification (including social security or similar, driver's license, national insurance, tax identification numbers and other identifying numbers)
- Photographic or video images
- Telephonic or electronic recordings
- Any other document containing employment/self-employment details and income.

In the course of providing certain services, we may also receive from you, or third parties, information including:

- Information about regulatory and other investigations or litigation to which you are or have been subject; and
- Source of wealth of beneficial owner(s).

Collection of Personal Data

KMUK collects your personal data or personal data about individuals who are concerned with your business with KMUK by the following means:

- Directly from you;
- From a third party acting on our behalf e.g. an intermediary or an introducer;
- From other Kotak Group companies;
- From publicly available sources including the internet; and
- From other organisations and third parties.

Why does KMUK collect and process Personal Data

KMUK collects and processes personal data in connection with offering you investment products and services. KMUK is a financial services firm authorised and regulated by the Financial Conduct Authority, United Kingdom and is required to comply with applicable laws and regulations. Therefore, KMUK is required to collect and process personal data to enable it to comply with all applicable laws and regulations.

KMUK does not process sensitive personal data other than ethnic origin. Ethnic origin is processed to comply with Indian laws that apply to KMUK in relation to certain India related products.

Use of personal information by KMUK

KMUK may use the personal information for our legitimate business interests, including the following:

- To confirm your identity and address in order to allow access to client accounts, or conduct transactions;
- To comply with applicable laws and regulations;
- To assess the suitability or appropriateness of the products and services offered to you, where applicable;
- To enable you to invest in various investment products including those of third party product providers;
- To carry out your instructions;
- To offer you other services or products we believe may be of interest to you unless you ask us not to;
- To validate authorized signatories when concluding agreement and transactions;
- To contact nominated individuals in connection with existing transactions and contractual agreements;
- To send administrative information to you, such as changes to our terms, conditions and policies;
- For risk management and compliance with our legal and regulatory obligations and for fraud detection, prevention and investigation, including “know your customers”, requirements, anti-money laundering, conflict and other necessary on-boarding and ongoing client checks, due diligence and verification requirements, credit checks, credit risk analysis, compliance with the sanctions regime and tax reporting;

Personal Data of children or minors

KMUK does not offer products and services to individuals under the age of 18 and we do not knowingly collect personal data from individuals under 18. Where you, as a parent, provide KMUK information on your children or other minors who are dependent on you, KMUK shall process that information only to assess the financial impact on you of your family circumstances to determine if the product or service being offered to you is appropriate.

Legal basis for processing Personal Data

We collect and process personal data under one or more of the following legal basis:

- a. Your consent

KMUK may process personal data where you have given your explicit consent to do so. Where we process data solely on the basis of your consent, you have the right to withdraw the consent. However, KMUK may continue to process data on any other legal basis set out in this notice.

b. Contract

KMUK may process personal data in relation to the terms of business that may have been issued to you from time to time or contracts entered into with you or in negotiating a contract with you concerning products and services offered by KMUK.

c. Legal obligation

As a regulated financial services firm, KMUK shall process personal data to meet its obligations under applicable law including but not limited to the Financial Services and Markets Act 2000 as amended from time, Anti-Money Laundering legislation and various tax laws.

d. Legitimate interests

KMUK may process personal data for its legitimate interests and those of third parties including but not limited to, fraud prevention, marketing, intra-group transfers, IT security, and disclosure of possible criminal acts and threats to relevant authorities.

Disclosure of Personal Data

- KMUK may provide personal data collected and/or processed by it to investment product providers or their agents where you have made or decided to make an investment in the products of such providers;
- KMUK may share personal data with other companies with which it may have a business relationship;
- KMUK may share personal data with other entities related or affiliated to KMUK for processing including those established in countries outside the European Economic Area;
- KMUK may disclose personal data to relevant regulatory and law enforcement authorities when necessary;
- KMUK may share personal data with banking and communication infrastructure providers including SWIFT, financial institutions or intermediaries with which we may have dealings including correspondent banks, insurers, insurance brokers, central counterparties, clearing houses, clearing and settlement systems, exchanges, trading platforms, financial brokers, other banks, issuers of securities and other service providers.
- KMUK may share personal data with third party experts and advisers (including external legal counsel, auditors, tax advisers, custodians);
- KMUK may share personal data with third party service providers who provide services such as data analysis, payment processing, order fulfilment, information technology and related infrastructure provision, customer service, email delivery, auditing and other services;
- KMUK may share personal data with third party storage providers (including archive service providers, document repositories and trade data repositories);
- KMUK may share personal data with other persons as agreed with you or as required or expressly permitted by applicable law.

KMUK may also use and disclose Personal Data as it believes necessary or appropriate:

- a. To comply with applicable law including treaties or agreements with or between foreign or domestic governments (including in relation reporting requirements under tax laws/agreements);
- b. To central banks, regulators, trade data repositories, or approved reporting mechanisms which may be outside your country or the European Economic Area;
- c. To courts, litigation counterparties and others, pursuant to a court order or process or otherwise as reasonably necessary to prepare for or conduct any litigation, arbitration and/or similar proceedings; and
- d. To protect our rights, privacy, safety or property, and/or that of our affiliates, you or others.

Details of international data transfers

KMUK may transfer personal data for processing including storage to countries outside the European Economic Area. The data protection laws in such countries may not be as strong and may not provide the same level of protection for personal information as in Europe or other developed jurisdictions. When KMUK transfers data to entities outside Europe including to entities related/affiliated with KMUK, we will ensure that appropriate level of protection is provided to personal data.

Recording of communications

When individuals communicate with KMUK, to the extent permitted or required by applicable law, telephone conversations and electronic communications, including emails, text messages and instant messages, may be recorded and/or monitored for evidentiary, compliance, quality assurance and governance purposes.

Retention

KMUK will keep personal data for as long as you have a business relationship with it. After it ends KMUK will retain personal data for periods prescribed by applicable laws including the laws on anti-money laundering. In relation to any complaint or litigation, KMUK may keep personal data as long as it is required.

Security

KMUK shall use reasonable organizational, technical and administrative measures to protect Personal Data.

Your rights

You have a number of rights relating to your information e.g. to access the personal data held by KMUK, to ask KMUK to share it with another party or to update incorrect or incomplete information, to object to or restrict processing it, to make a compliant and to object to processing for the purposes of direct marketing. When you make a data access request, KMUK shall provide you with a copy of the information held free of charge. KMUK may charge a reasonable fee for such requests in certain circumstances. If you have a concern about KMUK's practices in processing of your data you may complain to the Information Commissioner's Office using their telephone helpline 0303 123 1113. More information about

the Information Commissioner's Office can be found using this link:
<https://ico.org.uk/concerns/>

Your responsibility

You are responsible for making sure you give KMUK accurate and up-to-date information. If you provide information for an entity or individual in relation to your business with KMUK, you will need to share with them this Privacy Notice and make sure they agree to KMUK using their information for the purposes set out in this notice. Such individuals could be but not limited to, any director, partner, officer, employee, shareholder, beneficial owner, trustee, settlor, protector or authorised signatories or any other person with whom you have a relationship relevant to your business with or through KMUK. Please also make sure that you have the authority to provide information on such individuals.

The Privacy Notice ensures that KMUK continues to comply with privacy law and regulation. There are no changes to our terms of business, including what we ask of you. If we propose changes to any of these in future, we will keep you informed.