

## CLIENT PRIVACY NOTICE

### 1 About us

LK Shields Solicitors LLP is a partnership of solicitors whose principal business address is at 38 Upper Mount Street, Dublin 2, Ireland (**LK Shields, we, us or our**) and is the controller for the purpose of this privacy notice.

### 2 Who this notice applies to

This privacy notice explains our control and processing of personal data in the course of providing our professional services to our clients (**Services**). This privacy notice applies to our prospective, current and former clients. More particularly, it applies to sole traders and other individuals connected with our clients, such as their employees, business colleagues, partners, directors, officers, company secretaries, shareholders, beneficial owners, trustees, advisors, suppliers and persons identified in our anti-money laundering, terrorist financing and sanctions (**AML and Sanctions**) policies and supporting processes and, in the case of private clients, their beneficiaries and dependents and next of kin (collectively **Associates, you and your**).

### 3 The personal data we receive about you

**Personal data** means information about an individual from which that person can be identified. It does not include information where an individual's identity has been removed (anonymous data). Throughout this privacy notice we use the term **processing** (and derivatives of this term) to refer to all activities involving your personal data, including collecting, handling, storing, securing, accessing, using, disclosing, transferring, erasing and disposing of it.

The types of personal data that we will process will depend upon the Services we are requested to provide. Where applicable, we will receive and process the following categories of personal data about you:

- **Business Contact Data** such as your name, title, organisation, job title and function, occupation, address, telephone number, email address, preferences relevant to the Services and other personal data contained in documents and communications and otherwise received in the course of us providing our Services or prior to us providing our Services (e.g. pre-engagement telephone calls or meetings);
- **AML and Sanctions Data** obtained in the context of compliance with our AML and Sanctions obligations such as your name, date of birth, nationality, residential address, country of residence, proof of identity, proof of address, information relating to business operations and activities (including affiliates) and relevant jurisdictions including those jurisdictions which are subject to internal sanctions policies, government issued identification number(s), identification photographic image(s), directorships, corporate shareholdings, ultimate beneficial ownership and any other relevant shareholder interests, source of wealth, source of funds or other associated assets relevant to the Services to be provided, status as a Politically Exposed Person (PEP), personal data obtained for the purposes of determining a PEP connection and the status of the relationship where a PEP connection is identified and any other personal data that is collated during the course of completing a PEP questionnaire, involvement in any pending or threatened litigation, arbitration, administrative actions or proceedings, criminal convictions and offences (including allegations), violations and public disclosures;
- **Financial Data** such as your tax status, tax number, bank account details, financial information, transaction information, relevant asset and financial details, credit history including court judgments and any other information necessary for processing and collecting payments and fraud prevention; and
- **Marketing and Communications Data** including your Business Contact Data, preferences in receiving electronic marketing communications from us, your communication preferences, your acceptance of invitations for and your attendance at events we host, and in some cases your personal image contained in photographs or videos we take at these events.

Depending on the particular Services we provide to a client, we may process additional types of personal data. Also, depending on the circumstances, we may process (i) **special categories of personal data**

relating to you and your Associates (this is personal data that reveals racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership; genetic data; biometric data for the purpose of uniquely identifying an individual or data concerning health or sexual orientation), for example, where we need to process health-related personal data as part of a personal injury claim; and/or (ii) information relating to **criminal convictions and offences (including allegations)**, for example, where this is required as part of our AML and Sanctions processes.

Where we are required by law or regulation to process personal data, or it is necessary for us to do so in order to perform our Services or otherwise under the terms of a contract we have with you and you do not provide that personal data when requested, we may not be able to provide our Services or perform the contract we have or are proposing to enter into with you.

#### 4 How we receive your personal data

**Direct interactions:** We will receive your Business Contact Data, AML and Sanctions Data and Financial Data through your interactions with us including when:

- you meet with us (in person or remotely) to discuss proposed or actual instructions or other Services-related matters;
- we communicate by post, email, telephone, SMS, video conference or by any other means; and
- you furnish us, or our service providers, forms, documents, contracts and other materials containing your personal data.

We will also receive your Marketing and Communications Data when you join our mailing lists to receive marketing communications and when you register for or attend one of our events (including those held remotely).

**Indirect interactions:** We may receive Business Contact Data, AML and Sanctions Data and Financial Data concerning you from our client, our client's Associates, service providers and other third parties involved in or related to the Services and any other services you or our client request.

**Third party or publicly available sources:** We may receive your Business Contact Data, AML and Sanctions Data and/or Financial Data through various sources including:

- government departments, public and semi-state bodies, public registries and databases including company registers and electoral registers in Ireland and abroad;
- professional and social media platforms, internet searches and other publicly available sources;
- credit rating agencies and fraud prevention agencies in Ireland and abroad;
- third party 'know-your-client' software services; and
- company search agents and other service providers who have access to information held on databases which they have access.

**Automated technologies or interactions:** Whenever you communicate with us by email our IT systems will automatically save the communications.

**Other individuals' personal data:** If you provide us personal data relating to any individual other than you (including, without limitation, any of your Associates), you must ensure that you do so in accordance with applicable data protection laws and ensure that those individuals understand how we will process their personal data for the purpose of the Services.

#### 5 How we use your personal data

We have set out below a description of the ways we use your personal data and the legal grounds we rely on to do so.

Purpose / Activity	Type of Data	Legal Grounds
--------------------	--------------	---------------

<p>To manage our relationships including to: (i) respond to communications; (ii) schedule, prepare for and attend meetings (in person and remotely); (iii) manage, administer and take decisions regarding the on-boarding of our clients; (iv) provide, manage and administer our Services and our relationship with our client including accounting, auditing, operational and taking other steps linked to the performance of our business relationship; (v) carry out our obligations under and arising from any agreements with our client; (vi) manage, collect and pursue monies owed to us; (vii) notifying you and our client of changes to our terms of service and other agreements we may have with you or our client; (viii) notifying you and/or our client of changes to this privacy notice and to administer data protection, privacy and other rights.</p>	<p>Business Contact Data  AML and Sanctions Data  Financial Data</p>	<p>Necessary for the performance of a contract with you or in order to take steps at your request prior to entering into a contract.</p> <p>Necessary to comply with a legal obligation.</p> <p>Necessary for our legitimate interests for responding to communications, attracting new clients and business, running our business, on-boarding our client, providing our Services to our client, providing service information and keeping records.</p>
<p>To detect, prevent, report and disclose money laundering activity, terrorist financing, fraud and to meet our legal and regulatory obligations and to create and maintain records of same, including automated checks against relevant databases and contacting you to confirm your and Associates' identity and making records of our communications with you and/or our client for compliance purposes. We conduct financial and credit checks with agencies in Ireland or abroad which may reveal your and your Associates' credit performance and any court judgments made against you or your Associates. Details of which agency we have used are available on request. In respect of our AML and Sanctions obligations, we may be obliged to conduct client screening and due diligence and ongoing monitoring of same which may involve us processing personal data relating to status as a Politically Exposed Person (PEP) and/or criminal convictions and offences (including allegations); and sanctions screening to ensure we do not act on behalf of sanctioned</p>	<p>Business Contact Data  AML and Sanctions Data  Financial Data</p>	<p>Necessary to comply with our legal obligations.</p> <p>Necessary for the performance of a contract with you or in order to take steps at your request prior to entering into a contract.</p> <p>Necessary for the purpose of providing or obtaining legal advice or for the purposes of, or in connection with, legal claims, prospective legal claims, legal proceedings or prospective legal proceedings, or is otherwise necessary for the purposes of establishing, exercising or defending legal rights.</p> <p>Processing relates to personal data which are manifestly made public by the data subject.</p> <p>Necessary for our legitimate interests of managing our business including credit risk management, detection and prevention of fraud and other unlawful activity.</p>

persons or persons located in sanctioned jurisdictions.		
Protecting the security of and maintaining our communications and other systems and to prevent and detect security threats, fraud or other criminal or malicious activities.	Business Contact Data  Financial Data	Necessary for the performance of a contract with you or in order to take steps at your request prior to entering into a contract.  Necessary to comply with a legal obligation.  Necessary for our legitimate interests to protect our property, assets, staff and others; to detect, investigate, prevent and address unlawful activity and to establish, exercise or defend legal rights.
Conducting or exploring any re-organisation of some or all of our business and assets, merger or acquisition or other corporate deal.	Business Contact Data  Financial Data	Necessary for our legitimate interests to run our business, expand or otherwise restructure our business and assets; make corporate decisions, negotiate and enter into corporate transactions.
To deal with and manage complaints, claims and legal disputes involving our client, you and/or others; to identify and/or prevent fraud or other breaches of laws; conduct or assist with internal, government, regulatory, law enforcement and other investigations, inquiries or actions; comply with our insurance policies and to exercise or defend our legal rights or to comply with court orders or orders by applicable regulators.	Business Contact Data  Financial Data  AML and Sanctions Data	Necessary for the performance of a contract with you.  Necessary to comply with a legal obligation.  Necessary for the purposes of obtaining legal advice or for the purposes of, or in connection with, legal claims, prospective legal claims, legal proceedings or prospective legal proceedings, or is otherwise necessary for the purposes of establishing, exercising or defending legal rights.  Necessary for our legitimate interests of managing our business including complying with our policies of insurance and complying with or cooperating with any regulatory requirement or matter.
To register you for or to allow you to register for our marketing mailing lists; to send you news, insights, podcast episodes and publications; and to manage your preferences in receiving these When subscribing for our mailing lists or changing your preferences for same you may indicate areas of interest for which you would like to receive our publications, which will involve limited profiling.	Business Contact Data  Marketing and Communications Data	Necessary to comply with a legal obligation.  Necessary for our legitimate interests to develop and improve our services, to grow our business, to inform our marketing and business strategy and output and to conduct direct marketing.
To invite you to and allow you to register for events we host (which may be held in person or remotely (e.g. webinars)) and send you details of and administer those events or others we think you	Business Contact Data	Necessary to comply with a legal obligation.  Necessary for our legitimate interests to develop and improve our services, to grow our business, to inform our marketing and

<p>might be interested in. If you attend our events, your personal image may be captured by our photographer or videographer and included in our social media. We may contact you by email after the event to seek your feedback and will use this feedback to inform our planning of future events. We may process personal data associated with your attendance at an event (including for example webinars) for CPD purposes. When subscribing for our events you may indicate areas of interest for which you would like to receive future invites, which will involve limited profiling.</p>	<p>Marketing and Communications Data</p>	<p>business strategy and output, to conduct direct marketing and to confirm attendance for CPD purposes.</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------	--------------------------------------------------------------------------------------------------------------

**Marketing:** We will ask for your consent to send you marketing messages when you subscribe to our mailing list through our website, apps, emails and social media. If you are a new client, we will add you to our marketing mailing list so that we can keep you informed of news, insights, podcast episodes and publications. If you do not wish to receive these communications you can unsubscribe and opt-out at any time by emailing us at [dataprotection@lkshields.ie](mailto:dataprotection@lkshields.ie) or by using the 'unsubscribe' link in our marketing communications.

**Anonymisation:** We may anonymise certain of your personal data so that it may be used in conjunction with other anonymised data for statistical and other purposes. We rely upon our legitimate interests to collate statistical information to enhance our services and business. Anonymised data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity.

## 6 Disclosure of your personal data

In some circumstances, it may be necessary for your personal data to be processed by a third party described below for the purposes and legal grounds set out in section 5 above.

- **Affiliates:** UMS Management Services Limited is a company affiliated with LK Shields, which provides various back-office services to us and generally supports us in providing our Services to our clients. **Maple Secretaries Limited** is a company affiliated with LK Shields, which provides various company secretarial and corporate governance services to our clients and will be an independent controller of your personal data.
- **Service providers:** Third parties that provide products and services to us, such as professional advisors, auditors, providers of information and communications systems, software and support, data storage solutions, records storage providers and other service providers. We do not allow service providers who process personal data on our behalf to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.
- **Persons involved in or connected to a legal matter:** We may disclose your personal data to third parties in the course of providing our Services to our clients. For example, to our client, other law firms, barristers, insurance companies, claims handlers, experts, medical practitioners, actuaries, private investigators, mediators and others involved in a matter in respect of which we are providing Services. Please note that some of these recipients may be independent controllers of your personal data (e.g. insurance companies) and their control of your personal data will be subject to their own data protection notices and practices.
- **Providers related to AML and Sanctions and related checks:** Companies providing services for money laundering, terrorist financing and sanctions checks, credit risk reduction and other fraud and crime prevention purposes and companies providing similar services, including

financial institutions, credit reference agencies and regulatory bodies with whom such personal data is disclosed.

- **Public and Government Authorities:** This includes law enforcement, Revenue and entities that regulate or have jurisdiction over us. We may be required to disclose your personal data in order to comply with a legal obligation for example if we are ordered to do so by a court of competent jurisdiction, law enforcement body, regulatory authority or administrative authority. We may also do so where we consider it necessary in order to enforce or apply our terms of engagement or other agreement we may have with you and/or to enforce or to protect our rights and property and/or those of our staff, clients and others.
- **Business reorganisation:** We may disclose your personal data with third parties in the context of the possible sale or restructuring of our business or parts of our business. In this circumstance we will, so far as reasonably possible, disclose de-identified information with the other parties before the transaction completes. Once the transaction is completed, we will disclose such of your personal data with the other parties if and to the extent required under the terms of the transaction.

## 7 International transfers

In some circumstances, it may be necessary for us to process your personal data outside of the European Economic Area (EEA) for the purposes described in this privacy notice. In which case, we comply with Irish data protection law when doing so, such as by ensuring that the country or territory where your personal data will be processed is deemed by the European Commission to have an adequate level of protection for personal data or by using a lawful safeguard, such as the European Commission's standard contractual clauses. For further information, including details of the specific legal mechanism used to ensure the lawful processing of your personal data outside of the EEA, please use the information provided in the 'Contact us' section below.

## 8 Retention

We keep your personal data for no longer than is necessary, based on the purposes set out in this privacy notice and for the purposes of complying with any legal, regulatory or professional requirements or in order for us to establish, exercise or defend our legal rights. When determining the appropriate period to retain personal data, we consider various factors including relevant regulatory guidance, specific legal or regulatory obligations and applicable statutory limitation periods.

## 9 Your legal rights

Under certain circumstances, an individual may have the following rights:

- **Access.** The right to request a copy of your personal data we control.
- **Correction.** The right to request to have corrected any incomplete or inaccurate personal data about you that we control.
- **Erasure.** The right to request us to delete or remove your personal data where there is no valid reason for us continuing to process it. This also encompasses the right to ask us to delete or remove personal data where you have exercised your right to object to processing (see below), where we may have processed your personal data unlawfully or where we are required to erase your personal data to comply with local law. We may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, following our receipt of your request.
- **Object.** The right to object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and you wish to object to processing on this ground because you consider it impacts your fundamental rights and freedoms. You also have the right to object where we process your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your personal data which override your rights and freedoms.
- **Restriction.** The right to ask us to suspend the processing of your personal data in the following scenarios: (i) if you want us to establish its accuracy; (ii) where you consider our use of the

personal data is unlawful but you do not want us to erase it; (iii) where you need us to hold the personal data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (iv) you have objected to our use of your personal data but we need to verify whether we have overriding legitimate grounds to use it.

- **Data portability.** You can ask us to provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. This right only applies to automated information which you initially provided consent for us to process or where we processed the personal data to perform a contract with you.
- **Withdraw consent.** If you provided your consent to the processing of your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Once we have received notification that you wish to withdraw your consent, we will take steps to ensure we no longer process your personal data for the purpose(s) you originally agreed to, unless we have another legitimate basis for doing so in law. Withdrawal of consent will not affect the lawfulness of processing based on consent before withdrawal.

**Exercising your rights:** In order to exercise one or more of your rights in respect of your personal data, please contact us in writing using the 'Contact us' details below.

**Exceptions:** The rights afforded to you and the obligations placed on us under Irish data protection law may under those laws be restricted or may not apply depending on the particular circumstances. For example, the legal rights set out above may not be available to you: (i) if your personal data is processed by us for the purpose of providing legal advice; (ii) if a claim of privilege could be made for the purpose of or in the course of legal proceedings, including personal data consisting of communications between us and our client; or (iii) if the exercise of your rights or the performance of our data protection obligations would constitute a contempt of court.

**Data Protection Commission (DPC):** You have the right to make a complaint at any time to the DPC, the Irish supervisory authority for data protection issues ([www.dataprotection.ie](http://www.dataprotection.ie)). We would appreciate the chance to deal with your concerns before you contact the DPC and ask that you contact us in the first instance.

## 10 Updating your personal data

It is important that the personal data we hold about you is accurate and current. Please keep us informed, using the 'Contact us' details below, if any of your personal data changes during your relationship with us.

## 11 Changes to this Notice

We will change this privacy notice from time to time and any changes will be contained in a revised privacy notice posted on our website. This version of the privacy notice was last updated on 31 January 2022. Historic versions of this privacy notice can be obtained by contacting us using the details below.

## 12 Contact us

If you have any questions about this privacy notice, including any requests to exercise your legal rights, please write to us at [dataprotection@lkshields.ie](mailto:dataprotection@lkshields.ie) or at Data Protection Team, LK Shields Solicitors LLP, 38 Upper Mount Street, Dublin 2, Ireland.