

Holland & Knight LLP
Client Data Protection Policy

1. DATA PROTECTION PRINCIPLES

Holland & Knight adheres to the following principles when processing your personal data:

- 1.1 Lawfulness, fairness and transparency – data must be processed lawfully, fairly and in a transparent manner.
- 1.2 Purpose limitation - data must be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- 1.3 Data minimization - data must be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- 1.4 Accuracy - data must be accurate and, where necessary, kept up to date.
- 1.5 Storage limitation - data must be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal information are processed.
- 1.6 Integrity and confidentiality - data must be processed in a manner that ensures appropriate security of the personal information, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage by using appropriate technical or organizational measures.

2. INFORMATION WE COLLECT

- 2.1 We collect personal information as necessary to enable us to carry out your instructions and to manage and operate our business, and to comply with our legal and regulatory obligations.
- 2.2 The personal information that we collect in the course of our representation of you may include, but is not limited to, the following:
 - your name;
 - business address;
 - contact details (such as telephone numbers and email address);
 - information relating to the matter in which you are seeking our advice or representation;
 - other personal information contained in correspondence and documents which you may provide to us; and
 - information we obtain from our IT and communications monitoring.
- 2.3 This personal information is required to enable us to provide our service to you. If you do not provide personal information we ask for, it may delay or prevent us from providing services to you.
- 2.4 You confirm that you are authorized to provide to us the personal information which we shall process on your behalf.
- 2.5 Where the personal information relates to your directors, shareholders, beneficial owners, employees, agents, associates or family members it is not reasonably practicable for us to provide to them the information set out in this Policy. Accordingly, where appropriate you are responsible for providing this information to any such person.

3. HOW YOUR INFORMATION IS COLLECTED

We collect most of this information from you directly, however, we also collect information:

- 3.1 from publicly accessible sources;
- 3.2 directly from a third party, e.g. client due diligence providers;
- 3.3 from a third party with your consent, e.g.:
 - your bank, another financial institution, or advisor; and
 - consultants and other professional we may engage in relation to your matter;
- 3.4 via our website - we use cookies on our website;
- 3.5 via our information technology systems, e.g.:
 - online case management, document management and time recording systems;
 - door entry systems and reception logs; and
 - CCTV and access control systems.

4. SPECIAL CATEGORIES OF (“SENSITIVE”) PERSONAL INFORMATION

You may also supply us with, or we may receive, special categories of “sensitive” personal information. We process these special categories of personal information on the basis of one or more of the following:

- 4.1 where you have given explicit consent to the processing of the personal information for one or more specified purposes;
- 4.2 where the processing relates to personal information which is manifestly made public by you;
- 4.3 where the processing is necessary for the establishment, exercise or defence of legal claims; or
- 4.4 where the processing is necessary for reasons of substantial public interest, in accordance with applicable law. Such reasons include where the processing is necessary:
 - for the purposes of the prevention or detection of an unlawful act or for preventing fraud; and
 - for the provision of confidential advice.

5. DATA RELATING TO CRIMINAL CONVICTIONS & OFFENCES

We collect and store personal information relating to criminal convictions and offences (including the alleged commission of offences) only where necessary for the purposes of:

- 5.1 the prevention or detection of an unlawful act and as necessary for reasons of substantial public interest;
- 5.2 providing or obtaining legal advice; or
- 5.3 establishing, exercising or defending legal rights.

6. HOW AND WHY WE USE YOUR INFORMATION

- 6.1 Our use of your personal information is subject to your instructions, data protection laws and our professional duty of confidentiality.
- 6.2 We will only process your personal information if we have a legal basis for doing so, including where:

- processing is necessary for the performance of our contractual engagement with you: this relates to all personal information we reasonably need to process to carry out your instructions;
- processing is necessary for compliance with a legal obligation to which we are subject; or
- processing is necessary for the purposes of the legitimate interests pursued by us or by a third party, except where such interests are overridden by your interests or fundamental rights and freedoms: this relates to our processing for marketing purposes, for our management, accounting and administration purposes and for data security.

6.3 The table below further explains the purposes for which Holland & Knight will use your personal information (excluding sensitive personal information) and our legal basis for doing so:

Purposes for which we will process the information	Legal Basis for the processing
To provide legal professional services to you in connection with your matters.	For the performance of our engagement with you or to take steps at your request before entering into an engagement.
To carry out associated administration and accounting in connection with your matters and other processing necessary to comply with our professional, legal and regulatory obligations.	For the performance of our engagement with you or to take steps at your request before entering into an engagement. To comply with our legal and regulatory obligations.
To comply with our internal business policies.	It is in our legitimate interests or those of a third party to adhere to our own internal procedures so that we can deliver an efficient service to you. We consider this use to be necessary for our legitimate interests and proportionate.
For operational reasons, such as improving efficiency, training and quality control.	It is in our legitimate interests to be as efficient as we can so we deliver the best service for you.
To prevent unauthorized access and modifications to our systems.	It is in our legitimate interests to prevent and detect criminal activity that could be damaging for Holland & Knight and for you. To comply with our legal and regulatory obligations
For updating client records.	For the performance of our engagement with you or to take steps at your request before entering into an engagement. To comply with our legal and regulatory obligations.
For marketing our services.	It is in our legitimate interests to market our services. We consider this use to be proportionate and will not be prejudicial or detrimental to you.

- 6.4 Where we request personal information to identify you for compliance with anti-money laundering regulations, we shall process such information only for the purposes of preventing money laundering or terrorist financing, or as otherwise set out in this Policy or permitted by law.
- 6.5 Holland & Knight acts as a data controller in relation to the processing of personal information as set in this Policy. However, in some circumstances we may process personal information on your behalf as a data processor for the purposes of data protection laws. Where we process any personal information on your behalf as your data processor, the terms of any data processing addendum to which we mutually agree shall apply.

7. THIRD PARTY PROCESSORS

- 7.1 Our information technology systems are operated by us but some data processing is carried out on our behalf by third parties.
- 7.2 Where processing of personal information is carried out by a third party data processor on our behalf we endeavour to ensure that appropriate security measures are in place to prevent unauthorized access to or use of your data.

8. DISCLOSURE OF PERSONAL INFORMATION

- 8.1 Personal information will be retained by us and will not be shared, transferred or otherwise disclosed to any third party, except as set out in this Policy.
- 8.2 If we are working with other professional advisers on your behalf we shall assume that we may disclose your information to them, unless you instruct us otherwise.
- 8.3 We may disclose and share personal information:
- with Holland & Knight partners, staff and consultants;
 - with our Affiliated Firms;
 - to other professional advisers, expert witnesses and third parties in accordance with your instructions;
 - to our professional indemnity insurers, brokers or advisers, and auditors, lawyers or risk managers who we or they may appoint;
 - third party processors, service providers, representatives and agents that we use to make our business more efficient, e.g. document collation or analysis suppliers; and
 - if we, acting in good faith, consider disclosure to be required by law or the rules of any applicable governmental, regulatory or professional body.
- 8.4 Should we be requested by certain authorities to provide them with access to your information in connection with the work we have done, or are doing, for you, we will comply with that request only to the extent that we are bound by law to do so and, in so far as it is allowed, we will notify you of that request or provision of information.
- 8.5 We only allow our service providers to handle your personal information if we are satisfied they take appropriate measures to protect your personal information. We also impose contractual obligations on service providers relating to ensure they can only use your personal information to provide services to us and to you.
- 8.6 We may also need to share some personal information with other parties, such as potential buyers of some or all of our business or during a re-structuring. The recipient of the information will be bound by confidentiality obligations.

9. SECURITY OF YOUR INFORMATION

9.1 We may store your information in paper and digital formats. Information may be held at our offices in the United States, the United Kingdom, Mexico, and Colombia. We use industry standard technical and organizational measures to protect information from the point of collection to the point of destruction. For example:

- We use, as appropriate, encryption, firewalls, access controls, policies and other procedures to protect information from unauthorized access.
- Where appropriate, we use pseudonymisation and / or encryption to protect your information.

9.2 We will only transfer personal information to a third party if they agree to comply with those procedures and policies, or if they put in place adequate measures themselves.

9.3 Unfortunately, the transmission of information in paper format via post mail or commercial delivery service provider, as well as transmission of information in digital format via the internet, is not completely secure. Although we will endeavour to protect your personal information, we cannot guarantee the security of your data during transmission.

10. TRANSFERRING YOUR PERSONAL INFORMATION OUTSIDE COUNTRY OF ORIGIN

10.1 Holland & Knight is an international organization with offices in the United States, the United Kingdom, Mexico and Colombia. Authorized personnel may access your information in any country in which we operate. To deliver services to you, it is sometimes necessary for us to transfer and store your personal information outside its country of origin as follows:

- with our Affiliated Firms;
- with our service providers located outside the data's country of origin;
- if you are based outside the data's country of origin; or
- where there is an international aspect to the matter representation.

10.2 This includes the United States, the United Kingdom, Mexico, Colombia, any country outside the data's country of origin in which you are based, and any country outside the data's country of origin which we have been instructed if there is an international aspect to the matter.

10.3 We will ensure that we take appropriate or suitable safeguards in connection with any transfers of personal information.

11. INFORMATION RETENTION PERIODS

11.1 Personal information received by us will only be retained for as long as necessary to fulfill our engagement. Following the end of our engagement we will retain your information:

- to enable us to respond to any queries, complaints or claims made by you or on your behalf; and
- to the extent permitted for legal, regulatory, fraud and other financial crime prevention and legitimate business purposes.

11.2 After this period, when it is no longer necessary to retain your personal information, we will securely delete or anonymise it in accordance with our data retention policies.