



ARIA | CAPITAL

## Privacy Statement Updated May 2018

*Aria Capital Limited is regulated by the Central Bank of Ireland*

*(Regulated Business only)*

Aria Capital | 66 Fitzwilliam Square, Dublin 2 | D02 AT27 | Ireland  
t (+353 1) 685 4100 | [www.aria-capital.ie](http://www.aria-capital.ie)

## 1. Introduction

Protecting our clients' personal data is very important to Aria Capital Limited ("Aria"). This Privacy Statement sets out how we collect, use, store, share and protect your personal data in compliance with Data Protection legislation.

**1.1 Company Information.** Aria is a specialist provider of Investment Management and Corporate Advisory services. Its registered office is 66 Fitzwilliam Square, Dublin 2, Ireland and its company number 442904. Further information about Aria can be found at [www.aria-capital.ie](http://www.aria-capital.ie) ("the website").

**1.2 Contact us.** If you have questions as to the manner in which your personal data is being handled or if you require any further information you can email [dataprotection@aria-capital.ie](mailto:dataprotection@aria-capital.ie) or write to us at Aria Capital Limited, 66 Fitzwilliam Square, Dublin 2, D02 AT27, Ireland.

**1.3 Statement Review.** This Statement will be regularly reviewed to ensure we continue to meet our obligations in processing your personal data and protecting your privacy. In order to do so we reserve the right to update, modify and amend this Statement at any time. We recommend that you check regularly to keep informed of any updates. We will not make any significant changes to the Statement without informing you.

**1.4 Protecting your Information.** We are committed to protecting your personal data and to implementing appropriate technical and organisational security measures to protect it against any unauthorised or unlawful processing and against any accidental loss, destruction, or damage.

**2. Data we Collect** In order to provide financial products and services and provide you with information on these products and services we need to collect a number of categories of personal data through a number of channels including directly from you and, with your permission, from third party financial services providers who may have data on you or financial services providers with whom we have set up contracts for you. We obtain this personal data mainly from Aria data capture and application forms that you complete and also from a variety of other means including by post, over the phone, by email or at meetings. We also collect data from third party application forms that we arrange for you to complete so that you can avail of financial services products or services with these companies. Neither Aria nor such third parties can provide you with financial products or services or offer you any contracts for these products or services unless we have the necessary information.

These personal data categories include but are not limited to:

- Name
- Address
- Contact details such as telephone number, mobile phone number, email address
- Date and place of birth
- Marital status, details of dependents, mother's maiden name
- Bank details
- Tax information including PPS number and tax residence
- Professional advisers and information on wills and estate planning
- Sources of funds
- Details of assets, liabilities and financial services contracts and contract and reference numbers
- Occupation, income, employer/company name and information on shareholdings
- Information on investment experience, skills and qualifications
- Information on investment horizons and attitude to risk
- Marketing preferences
- Medical information and history
- Pastimes, pursuits and travel history and plans

As part of our regulatory requirements we are required to collect and retain documentation for clients including copies of passports, driving licences or other ID, utility bills, bank and credit card statements, tax documentation or correspondence and company documentation including Memorandum and Articles of Association and company financial statements.

**3. How we use your Information.** We will use your personal data to provide you with financial products and services and to allow us to better manage your client account. In particular we may use your personal data for the following purposes:

**3.1 Account Management.** In order to set up, administer and manage your client account and your contact with us we are required to process your personal data. This involves processing personal data for the purpose of account set up, identity verification, monitoring and managing your account and to allow us to provide you with recommendations and high quality service. Some of the legal bases for this include the following:

- The processing is necessary for the performance of the contract which you are party to or in order to take specific steps prior to you entering into a contract.
- The processing is necessary to comply with our legal obligations.
- The processing is necessary for our legitimate interests or those of a third party. It is within Aria's legitimate interest to use certain personal data to establish, maintain and review an account to allow Aria to better manage clients' accounts and to ensure clients are provided with the most suitable and appropriate products and services.

**3.2 Client Support.** In order to respond to queries and manage and investigate any complaints we are required to process your personal data. If you contact us or if we contact you we will use personal data such as account information and contact history. We may monitor and record such communications, email and other electronic communication to help track client orders, investigate any queries or complaints and for training purposes. Some of the legal bases for this include the following:

- The processing is necessary for the performance of the contract which you are party to in order to take specific steps prior to you entering into a contract.
- The processing is necessary to comply with our legal obligations.
- The processing is necessary for our legitimate interests or those of a third party. It is within Aria's legitimate interest to use certain personal data to establish, maintain and review an account to allow Aria to better manage clients' accounts, enforce rights set out in the terms & conditions of supply, and to ensure clients are provided with the most appropriate products and services and that client queries or complaints are resolved appropriately.

**3.3 Marketing.** In accordance with your marketing preferences, we may provide you with an email newsletter (currently the weekly "Investment Insight") and from time to time we may provide you with information on our products and services/promotional efforts or invitations to seminars and events.

Depending on your marketing preferences and as otherwise permitted by law we may contact you by:

- (a) Non-electronic means, including by post or in person; and
- (b) Electronic means including telephone calls, email and SMS (texts or other messaging services).

Some of the legal bases for this include the following:

- The processing is based on your consent for the specific purpose (e.g. by opting in and receiving certain marketing communications on sign up or otherwise).
- The processing is necessary for our legitimate interests or those of a third party. It is within Aria's legitimate interest to provide you with information on Aria products and services including information that we have tailored to your interests.

If you wish to change your marketing preferences you can do so at any time by writing to us at the address provided above, emailing us [marketing@aria-capital.ie](mailto:marketing@aria-capital.ie) or by calling us on +353 1 6854100. For the newsletter there is also an "unsubscribe" button at the bottom of the email.

**3.4 Improving our Products & Services.** In order to improve our products, services and client interaction we may carry out client surveys and market research which involves the processing of personal data. Some of the legal bases for this include the following:

- The processing is necessary for our legitimate interests or those of a third party. It is within Aria's legitimate interest to provide you with the best client experience by ensuring that we continually improve our processes and offerings.

**3.5 Debt Management.** In order to allow Aria to appropriately manage any debt or recovery issues if they were to occur. Some of the legal bases for this include the following:

- The processing is necessary for the performance of the contract to which you are party or in order to take specific steps prior to entering into a contract.
- The processing is necessary for our legitimate interests of the controller or those of a third party. It is within Aria's legitimate interest to use certain personal data to help manage a debt issue and enforce rights set out in our fees proposals, Letters of Engagement and Terms of Business.

**3.6 Regulatory, Consumer Protection, Garda Siochana and Revenue Commissioners.** In order to meet our regulatory and licence requirements, requirements under Anti Money Laundering Legislation, requirements of the Consumer Protection Code and other legislation and requirements of the Revenue Commissioners, Aria is required to process personal data and provide information to the Regulatory Authorities (such as the Central Bank of Ireland) and government departments such as the Revenue Commissioners. Some of the legal bases for this include the following:

- The processing is necessary to comply with legal obligations to which we are subject under our licence and authorisation requirements, Irish and international legislation and from the Revenue Commissioners.

**3.7 Website Statistics.** Like with most others, our website gathers statistical and other analytical information of all visitors to our website including cookies and click trails. We use the data gathered to get a better understanding of where our visitors come from and to help us better design and organise our website. Some of the legal bases for this include the following:

- The processing is necessary for our legitimate interests or those of a third party. It is within Aria's legitimate interest to provide you with the best client website experience by ensuring that we continually improve our processes and website.

**3.8 Recruitment.** If you submit a job application we will use your personal data for recruitment-related purposes, which may include contacting you via email, telephone, SMS or post. Some of the legal bases for this include the following:

- The consent of the individual.

- The processing is necessary to comply with legal obligations to which we are subject under our employment law.

#### **4. Sharing your Information**

There are a number of circumstances in which we may share your personal data with third parties. Below is a list of such potential recipients or categories of recipients with whom we may share information.

- In order to provide you with financial products and services we may be required to share certain personal data with third parties with which you are entering into a contract or setting up an account. Generally this is provided through an application form completed and signed off by you which is transmitted to such a third party provider.
- In order to provide you with financial products and services we may be required to share certain personal data with third parties with which you have previously entered into a contract or have set up an account (not necessarily established through Aria).
- In order to make enquiries of financial services providers with which you may have financial products and contracts in place, following authorisation having been provided by you.
- In order to meet our licence and regulatory requirements we may be required to share certain personal data with the Central Bank of Ireland, the Financial Services and Pensions Ombudsman and related bodies.
- In order to meet our requirements under tax legislation we may be required to share certain personal data with the Revenue Commissioners.
- In order to meet our requirements under anti-money laundering legislation we may be required to share certain personal data with the Garda Siochana and international law enforcement agencies.
- We may disclose information when required by law or legal process for the administration of justice, to protect your vital interest, for investigations by law enforcement or regulatory bodies, to protect and defend Aria's property and legal rights or by order of a valid order from a court or law enforcement agency.
- In order to meet legal and regulatory requirements we may share personal data with fraud prevention agencies.
- For debt management purposes we may in certain cases be required to share personal data with debt collection agencies.
- Organisations who act as service providers to Aria such as providers of dealing services, investment platforms, asset custodianship, telecommunications, postal services, records storage, data storage, document production and destruction, IT services and security, fraud detection, market research and making and receiving financial payments.

We may pass personal data to our agents and service providers and group companies when relevant for these purposes, including the use of cloud providers.

## 5. Retention of your information

We will retain your personal data only for as long as is necessary for the purposes for which it was collected and in order to meet the legal and business requirements of managing your client account and experience with us. In particular:

- We will retain personal data that is necessary for us to provide you with a product or service that you have requested or purchased for as long as it takes us to provide that product or service;
- We will retain personal data for as long as is required by the Central Bank of Ireland, the Revenue Commissioners and other relevant bodies;
- We will retain your contact details for marketing purposes for as long as we have your permission to send you marketing information or for as long as we are permitted to do so, subject to your right to object at any stage;
- We will retain records of any transactions you enter into with us or products or services you receive for up to seven years after the end or cessation of the service. This is so that we can respond to any complaints or disputes that arise in that period;
- We will retain any financial transaction information for seven years after the end date of those transactions; and
- We will retain other personal data necessary for us to do so to comply with our regulatory and legal requirements.

## 6. Your rights

The General Data Protection Regulation provides you with a number of rights under the legislation as a data subject. We will respond to your requests within one month of the receipt of your request or inform you in circumstances where an extension may be required.

**6.1 Right of access.** You have the right to be provided with details of the processing of your personal data and to obtain a copy of the personal data we hold about you, subject to applicable exemptions. To help us better manage your request please provide us with the information necessary to identify you (name, address, date of birth and account number) and identify the personal data that you require.

In order to make an access request please email [dataprotection@qaria-capital.ie](mailto:dataprotection@qaria-capital.ie) or send your request in writing to: Aria Capital, 66 Fitzwilliam Square, Dublin 2, D02 AT27, Ireland.

**6.2 Right to rectification.** If the personal data we hold on you is inaccurate or incomplete you have the right to rectify such personal data and we would encourage you to ensure the personal data we hold on you is kept as up to date and accurate as possible.

**6.3 Right to Erasure.** In certain circumstances you have the right to request the deletion of your personal data where there is no compelling reason for us to continue processing it.

**6.4 Right to restrict processing.** In certain circumstances you can request the restriction of the processing of your personal data where you contest the accuracy of the information; where you object to processing which is based on legitimate interests; where the processing is unlawful and you wish to restrict the processing rather than seek erasure; or where we no longer require to retain your personal data but you wish the personal data to be held while you establish, exercise or defend a legal claim.

**6.5 Right to data portability.** You can request to receive your personal data, which you provided to us, in a structured, commonly used and machine readable format and have the right to transmit this data to another controller.

**6.6 Right to withdraw consent.** If we are processing your personal data on the legal basis of consent you have the right to withdraw your consent at any time. If you withdraw your consent we will no longer be able to carry out processing based on your consent. However by withdrawing your consent it does not invalidate any processing which was undertaken prior to the withdrawal of your consent.

**6.7 Right to object to processing.** You have the right to object to processing based on legitimate interests and to direct marketing (including profiling for the purpose of direct marketing).

Where we have indicated that we are processing your personal data based on legitimate interest you are entitled to object to such processing on grounds relating to your particular situation. We will stop processing your personal data unless we

can demonstrate compelling legitimate grounds for the processing which overrides your interests, rights and freedoms or where the processing is necessary for the establishment, exercise or defence of legal claims.

If you wish to object to receiving direct marketing please use the provided opt-outs or contact us to do so.

**6.8 Automated Decision making including profiling.** You have the right not to be subject to automated individual decision making, including profiling, which produce legal effects concerning you or similarly significantly affect you unless it is necessary for the entry into or performance of a contract, authorised by EU or member state law, or based on your explicit consent.

**6.9 Right to lodge a complaint with Data Protection Commissioner.** You have the right to lodge a complaint with the Data Protection Commissioner by emailing [info@dataprotection.ie](mailto:info@dataprotection.ie) or writing to the Data Protection Commissioner, Canal House, Station Road, Portarlinton, R32 AP23 Co. Laois, Ireland.