

Data Protection and Privacy Notification

DATA PROTECTION POLICY AND PRIVACY NOTIFICATION

1. WHO IS RESPONSIBLE FOR YOUR DATA?

Momentum Pensions (Gibraltar) Limited (“Momentum” / “we” / “us”, “our”) is registered with Gibraltar Regulatory Authority. Whilst Momentum Pension (Gibraltar) Limited controls and processes personal information, administration of the Gibraltar Pension Plan is processed by Momentum Pensions Malta Limited and Steadfast Trustees Limited both governed by outsourcing agreements.

The term “personal data” refers to information that relates to you and allows us to identify you, either directly or in a combination with other information that we may hold. The below sets out the way Momentum collects, stores and otherwise uses your personal data and the reasons for doing that.

2. TYPES OF PERSONAL DATA WE COLLECT

Momentum collects personal data from you at various points during your membership to one of our Schemes, including when applying to become a Member, or using our website. We may collect and process the following categories of information about you (please note this list is not exhaustive):

Category of Personal Information	Description
Personal identifiers	Title, name, surname, gender, date of birth
Contact	Permanent residential address, correspondence address, home/mobile/work phone number and E-mail address
Social demographic	Nationality, country of birth, city of birth, country of issue of identity card/ passport, Politically Exposed Person (“PEP”) classification, Tax Residency, nationality, and earnings
Documentary data	Details about you stored on documents in different formats, or copies of them. This may include documents such as passport, drivers licence, birth certificate or bank statements
Social relationships	Marital status and nominated beneficiaries
Financial data	Bank accounts, payment card details
National identifier	A number or code given to you by a government to identify who you are, such as a national insurance number, passport number or Tax Identification Number
Behavioural	Risk profile, other pension arrangements (which may be intended to be transferred to our Scheme), intended retirement age, nominated beneficiaries linked to death benefits

You may also provide further information (either on request or voluntarily) by email, post, in face-to-face meetings or by phone. Finally, your appointed financial adviser may also pass on information to us which you have provided to them and which relates to the administration of our services.

3. HOW MOMENTUM COLLECT YOUR PERSONAL DATA

We collect information from our applicants and members predominantly through our application form but also through any subsequent interactions with you.

We use different methods to collect data from and about you, including through:

- **Direct interactions.** You may give us your identity, contact and financial data by filling in forms or by corresponding with us by post, phone, email, online and face to face meetings or otherwise. This includes personal data you provide when you:
 - apply for our products or services;
 - subscribe to our services;
 - request marketing to be sent to you; or
 - give us some feedback.
- **Automated technologies or interactions.** As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies and other similar technologies. Please see our cookie policy on our website <https://www.momentumpensions.com/privacy-cookie-policy/> for further details.
- **Third party sources.** We may receive personal data about you from various third parties as set out below:
 - Contact and financial data from providers of technical, payment and delivery services; and
 - Identity and contact data from your financial adviser.

The above lists under each method are not exhaustive.

4. WHY AND HOW MOMENTUM USES YOUR PERSONAL DATA

Momentum uses your personal data for the following purposes:

- In connection with the provision of services to you in order to administer and run your pension Scheme. This may involve seeking, receiving and processing instructions from you and/or your financial adviser, fulfilling our obligations to you, responding to any request made by you and/or your financial adviser and/or communicating changes to the Scheme/services in question.
- In order to adequately audit and risk assess the services provided.
- In order to contact you either directly or through your financial adviser, including updating you in relation to our services.
- In order to carry out full customer due diligence.
- In order to comply with relevant regulations and obligations including but not limited to obligations relating to prevention of money laundering and funding of terrorism, fraud and crime prevention. This includes performing screening checks at application stage and on a periodic basis thereafter.

Momentum does not use systems to make automated decisions based on personal data collected.

5. HOW LONG MOMENTUM RETAINS YOUR PERSONAL DATA

Momentum will keep your personal data during your Scheme membership, and potentially up to 10 years once your membership has ceased, for the following reasons:

- To respond to any questions or complaints
- To demonstrate that you are, or have been, treated fairly
- To satisfy our record keeping obligations in accordance with the applicable legislation and regulations

Momentum may be required to keep your personal data for longer than 10 years if it cannot be deleted for legal, regulatory or technical reasons. Momentum may also keep your personal data for research or statistical purposes. In these circumstances, appropriate measures will be established to ensure your privacy is protected, and the personal data is only used for the purposes intended.

6. SHARING YOUR PERSONAL DATA

Momentum might share your personal data with third parties, in limited circumstances. Predominantly that sharing is carried out in order to ensure that our services are provided and administered successfully and in compliance with our regulatory and professional obligations. Your personal data may be shared by Momentum as follows:

- We will share your personal data with your financial adviser, ceding/receiving Schemes, investment companies and investment managers where necessary in connection with our services and services intrinsically linked to the same. Where necessary, Momentum sends a copy of the application form to the investment provider and if the ceding/receiving Schemes asks for details, Momentum will provide them with such information as detailed in the application form, identification documents and/or transfer forms.
- We will share your personal data amongst Momentum's group companies (including companies which partially own, or are owned by, Momentum and/or which share the Momentum brand, including; Momentum Pensions Limited (UK Registration Number 3686070), Momentum Pensions Limited (Isle of Man Registration Number RA102), Momentum Pensions Malta Limited (Malta Registration Number C52627) and Momentum Pensions (Gibraltar) Limited (Gibraltar Permission Number 19015) (the "Momentum Group"), as they will be involved in connection with the purposes identified above.
- We will share your personal data with the Momentum Group's regulators including, for example, HM Revenue & Customs (and/or other relevant tax authorities) and the Gibraltar Financial Services Commission (and/or other relevant regulators), our auditors and legal advisers in order to comply with relevant obligations, regulations and other legal requirements.
- We may need to disclose your personal data if required by law, if we believe that disclosure is necessary to comply with a current judicial proceeding, or a court order or legal process served on us, in order to enforce our terms and other agreements or to protect the property, rights or safety of Momentum, our Members or others.
- Momentum Pensions (Gibraltar) Limited works with Steadfast Trustees Limited in Gibraltar which provide physical storage space for records and other documents. Certain personal data about you may be included within those records and documents. Storage of electronic information will be on Momentum Group servers which are located within the territories which Momentum operates.

- Momentum Pensions Limited and Momentum Pensions Malta Limited work with third parties in Malta and in the United Kingdom which provide physical storage space for records and other documents. Certain personal data about you may be included within those records and documents. Storage of electronic information will be on Momentum Group servers which are located within the territories which Momentum operates.
- Certain analytics and search engine providers may collect your personal data that assist us in the improvement and optimisation of our website.
- We will not seek to share your personal data other than in the way set out above without taking steps to gain your consent to the same. However, if we are unable to obtain instructions, we may share information where, in our view, it is in your legitimate interest for us to do so.

7. SHARING YOUR PERSONAL DATA INTERNATIONALLY (OUTSIDE OF THE EUROPEAN UNION "EU" AND EUROPEAN ECONOMIC AREA "EEA")

As set out above, we will share your information amongst the Momentum Group and with third parties (including investment providers/companies and your financial adviser). As such, this will involve transferring your personal data internationally, including transfers outside the EU or EEA.

Momentum will take steps to ensure that the transfers outside EEA are legitimate and, in these circumstances, agreements which include the EU standard model clauses will be put in place between Momentum entities which are transferring the data and those entities operating outside the EEA who are receiving the data. The receiving entities will be mainly your investment providers and financial advisers.

Momentum will only share your personal data outside of the EU or EEA where the European Commission has decided that the third country where your data will be shared provides an adequate level of protection. However, in instances where the third country is not considered to have adequate levels of protection, Momentum will transfer your personal data only after taking the appropriate safeguards and ensuring that you are able to resort to legal remedies if necessary.

8. SECURITY OF YOUR PERSONAL DATA

Momentum have in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

There are inherent risks involved when transmitting personal data by post, email and phone or through our website, however Momentum does everything possible to limit these risks by adopting the appropriate technical and organisational measures in order to protect and secure your personal data against unauthorised or unlawful processing and against accidental losses, destruction and/or damage.

Employees of Momentum will be sufficiently trained to ensure that your personal data is always processed with due care in accordance with this regulation. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

As described above, where we disclose your personal data to third parties, we will require that the third party has appropriate technical and organisational measures in place. However, in some instances where we are compelled by law to disclose your personal data, we may have limited control over how it is being protected by that party.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

9. COOKIES OR OTHER TRACKING TECHNOLOGIES

Momentum online systems and any third party services Momentum may use such as Google Analytics or others may store cookies on your machines. The cookies may collect information such as but not limited to your machine's IP address, location from where you access our online systems, number of times you access our systems, and browser you use.

We use cookies in order to improve the online user experience, to provide you with more relevant content and to analyse how you use Momentum's website.

For further information, please refer to the Cookie Policy available on Momentum's website, <https://www.momentumpensions.com/privacy-cookie-policy>

10. YOUR LEGAL RIGHTS

Lawful processing

In addition to our Data Protection and Privacy Notification Statement, your privacy is protected by law.

Momentum are legally only allowed to collect and process personal data where there exists a proper reason to do so. The law says Momentum must have one or more of these reasons:

- You have provided your consent for Momentum to do so;
- It is necessary for the performance and servicing of your Scheme;
- There is a legal obligation;
- In order to protect your vital interests or of another individual;
- It is necessary for the performance of a task carried out in public interest or in the exercise of official authority vested in Momentum; and
- It is in Momentum's legitimate interest.

Below is a list of ways in which we may use your personal data, which of the reasons we rely on to do so, and what our legitimate interests are (this is not an exhaustive list):

WHY WE USE YOUR INFORMATION	OUR REASONS	OUR LEGITIMATE INTEREST
<ul style="list-style-type: none"> • To manage our relationship with you. • To develop new ways to meet our members' needs and grow our business. • To provide guidance about our products and services. 	<ul style="list-style-type: none"> • Your explicit consent • Fulfilling contractual obligations • Our legitimate interests • Our legal duty 	<ul style="list-style-type: none"> • Keeping our records about you up to date. • Seeking your consent when we need it to contact you. • Being efficient about how we fulfil our legal and contractual duties.
<ul style="list-style-type: none"> • To deliver our products and services. • To make and manage customer payments. • To collect and recover money owed to us. 	<ul style="list-style-type: none"> • Fulfilling contractual obligations • Our legitimate interest • Our legal duty 	<ul style="list-style-type: none"> • To develop products and services and what we charge for them. • Being efficient about how we fulfil our legal and contractual duties.
<ul style="list-style-type: none"> • To detect, investigate, report and seek to prevent financial crime. • To manage risk for us and our customers. • To comply with laws and regulations applicable to us. • To respond to complaints and seek to resolve them. 	<ul style="list-style-type: none"> • Fulfilling contractual obligations • Our legitimate interest • Our legal duty 	<ul style="list-style-type: none"> • To develop and improve how we deal with financial crime, as well as carrying out our legal duties. • Comply with regulations applicable to us. • Being efficient about how we fulfil our legal and contractual duties.
<ul style="list-style-type: none"> • To run our business in an efficient manner by managing our business capability, planning, governances, communications and audit. 	<ul style="list-style-type: none"> • Our legitimate interest • Our legal duty 	<ul style="list-style-type: none"> • Comply with regulations applicable to us. • Being efficient about how we fulfil our legal and contractual duties.

Momentum does not intentionally collect personal data that could reveal your racial or ethnic origin, physical or mental health, religious beliefs or alleged commission or conviction of criminal offences. Such information is considered "sensitive personal data". Momentum will only collect this information where one of the above reasons are satisfied. We cannot prevent you or your financial adviser from disclosing the same to Momentum as part of your correspondence with us but you should ensure that such information is only provided where it is absolutely necessary and in circumstances where you would be content for us to use it in the manner described above.

Right to access your personal data

You also have the right to request access to the personal data that we hold about you. Should you wish to request a copy of your personal data, or have any questions in relation to your personal data, please contact Momentum.

Requests for access to your personal data will be processed free of charge. However, if we deem that requests for access are being made in a frequent, excessive and repetitive manner or on unfounded basis, Momentum reserves the right to charge a reasonable fee to meet our administrative costs.

Right to stop Momentum from using your personal data

You have the right to object to Momentum using your personal data, or ask Momentum to delete, remove or stop using your personal data.

You also have the right to restrict Momentum from using your data. This means that your personal data can only be used for certain things such as legal claims or in order to exercise legal rights. During such instances, Momentum will not use or share your personal data in other ways.

You may ask Momentum to restrict processing your personal data if it is not accurate; if it has been unlawfully used but you don't want Momentum to delete it; if it is not relevant anymore but you want Momentum to keep it for use in legal claims; or you have already asked Momentum to stop using your data but you're waiting for confirmation as to whether Momentum are allowed to use it.

Momentum may need to keep or continue to use your data to comply with any regulatory reporting requirements or similar requirements.

Right to withdraw your consent

You have the right to withdraw your consent. Please contact Momentum if you wish to do so.

Where consent is the only lawful basis upon which your personal data can be processed, withdrawing your consent may mean Momentum cannot provide you with a full service. If this is the case, Momentum will clarify this to you.

Right to rectify inaccurate personal data

You have the right to question any personal data we have about you that you think is wrong or incomplete. Should you do so, Momentum will take reasonable steps to check the accuracy of all information held, and correct it where necessary.

Right to complain

Please let us know if you are unhappy with how we have used your personal data. Contact details for all complaints can be found on our Complaints policy, available from our website:

<https://www.momentumpensions.com/media/1255/gibraltar-complaints-leaflet.pdf>

You also have the right to complain to the Gibraltar Regulatory Authority. Please refer to their website for details of how to report a concern: <https://www.gra.gi/>

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within [1] one month. Occasionally it may take us longer than this if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

11. UPDATES TO THIS POLICY

We will occasionally update this Policy to reflect changes in the applicable Regulation, and/or relevant legislation as well as both company and customer feedback. We will contact you to inform you of the same whilst the revised Policy can be found on our website. (<https://www.momentumpensions.com/>)

12. DATA PROTECTION OFFICER

Momentum have appointed a Data Protection Officer, who is your main contact for any concerns you have regarding both the processing of your personal data and your rights and freedoms. Momentum's Data Protection Officer is:

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