

Privacy Policy

At Bellerive, we want you to understand how we use the personal information of our prospective clients and individuals connected to our clients (“you”). We want you to be confident that this information is safe and secure.

This privacy policy explains why we collect your information, how we use it and the steps we take to keep it secure and confidential. It also outlines your rights and choices about how we use your personal information.

We keep our privacy policy under review, and we recommend that you check it regularly. This privacy policy was last updated on 2 August 2021.

This privacy policy covers:

How we use your information to provide services

Why we share your information within our Group

Why we share your information with other organisations

How we transfer your information to other countries

How we use your information to contact you

What happens to your information when we no longer need it

How we keep your information secure

Your rights in relation to your information

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The cookies that we use and how you can control them

How you can ask for more information or make a complaint

How to contact us

Where we refer to “Bellerive”, we mean Bellerive Trust Limited, in its own capacity and as trustee of its trusts. We also mean wholly owned subsidiary companies of Bellerive Trust Limited and the protected cells of its subsidiary protected cell companies.

Using your information to provide services

Bellerive offers a wide range of trust and fiduciary services. To do this, we collect and hold personal information that identifies clients, trust beneficiaries, directors of client companies, intermediaries, suppliers and third parties linked to our clients. We also collect information from people who use our website or contact us to enquire about our services. The types and amount of information we collect differs depending on your relationship with us. We only collect the data we need:

to respond to you or provide the services you have asked for, or to fulfil our contract with you.

to fulfil our legal or regulatory obligations relating to our services.

in our legitimate interest as a fiduciary service provider, such as to keep our records complete and organised, to contact beneficiaries and other people with an interest in the trusts and entities we administer, and to maintain backups of our computer files.

If we need to collect information for other reasons from you for other reasons, we will explain at the time of the request.

You are not obliged to provide any of the information we ask you for, but if you choose not to provide it, we may be unable to provide you with services or respond to your enquiries. However, you may refuse to provide us with information for our marketing purposes without any effect on our services to you.

The examples in this section are only an overview of the types of processing we carry out. If you would like to discuss how we would process your personal data specifically, please contact us.

When you enquire about our services or you use our services, your personal information may be used for:

Responding to enquiries, offering services, and agreeing terms of business

Communicating with you about the services you have asked us to provide or with which you are connected and informing you of changes that affect those services

Providing fiduciary services where we act on your behalf or in your best interests or the best interests of the beneficial owners of the assets that we manage

Keeping track of fiduciary assets and debts

Contacting other service providers to fulfil our contract or answer your questions

There are occasions where we are under a legal obligation to collect or use your personal information, including:

Requirements under our licenses or government authorisations to do business

Recording and/or reporting information as required by law, including laws to prevent financial crime, evasion of tax, and the funding of terrorism

There are occasions where it is in our legitimate interest to collect and process your information, for example:

We carry out stringent background checks to ensure that potential and existing clients and people connected with them will not cause us reputational damage. This will be done through publicly available information, such as internet searches, as well as private databases used in our industry about high-risk individuals.

When you ask us to provide services, we need to assess the risks associated with providing that service. This will involve us using information we hold and information from background checks and credit reference checks to evaluate the risks to you, to Bellerive, and to any organisations whose products or services we are providing for you. These may be gathered from publicly-available sources such as internet sources, as well as private agencies.

To make you aware of additional or new services that we feel could be of benefit to you and will complement the services we already provide.

Our website may collect information about your computer so that it will display properly.

Analysing details of the number of visits to our website and the pages visitors view allows us to update and improve it. This allows us to refine the site and make visits to our website more interesting and informative.

Some of your information that we collect, such as your health data or criminal data, is “special category” data that we can only use with your explicit consent or in a very limited number of other circumstances.

Personal data is mainly kept in our computer files and databases, including email systems. Some records are in paper files that we keep in our offices or secure offsite storage facilities. Our computer files are backed up and stored but these files are only accessed to repair our IT systems and not used to access any particular personal data.

Website

The Bellerive website contains links to other websites which are not controlled by Bellerive. We are not responsible for the privacy of those sites, and we encourage you to review the privacy policies of each one when you visit external sites so that you understand how those other organisations are using your personal information.

A cookie is a file which is sent to your computer or other access device when you visit a website. The Bellerive website uses cookies to analyse user activities which helps us to develop it and make improvements to it. We do not use the cookies to identify which individuals visit our website.

Sharing your information within our group

We share your information with companies in our ownership group where it is necessary to provide you with services or to allow our company boards to have full oversight of our operations.

To enable Bellerive to operate on an international scale, some of our business functions are shared at group level. These specialist functions include Accounting, Risk Management, Compliance, Data Protection and Finance. In addition, some specialist services that support our business are also centralised, such as IT and Internal Audit. There are times when we cannot provide the relevant services without using some personal information. In these cases, access is granted only to employees who need it in order to provide those services, and the amount of information shared is limited to the minimum that will allow them to fulfil their functions.

Sharing your information with other organisations

In the usual course of our business, we use third party organisations to support the essential delivery of our services. Under these circumstances Bellerive remains responsible for the security and privacy of your information and we review all third parties' security measures to ensure they meet the same standards you expect from Bellerive. All third party organisations operate under contracts that restrict their use of your personal information to providing the services we have employed them for.

The services they provide include:

providing and supporting the IT systems in which your information is stored

transportation and storage of information and confidential destruction

preparation of company accounts and financial statements

We may also have an obligation to share some of your personal information with public authorities, such as:

Tax authorities

Regulatory authorities

Law enforcement agencies

In some cases, your personal information will be shared with organisations outside Bellerive in order to obtain specialist or professional services that are necessary for the services we provide. These include:

Your or our professional advisers, such as accountants, lawyers and agents

Banks or other financial institutions

Credit reference and background search agencies who assist us in meeting our customer due diligence obligations

These external organisations have a legal obligation to comply with privacy and data protection legislation and may also operate under a professional duty of confidentiality due to the type of service they provide.

Transferring your information to other countries

When we share your information with organisations that are located in different countries or territories, including other companies in our group, we ensure they apply equivalent levels of protection of your personal information to ours.

Guernsey law allows personal information to be transferred between the Bailiwicks of Guernsey and Jersey, the United Kingdom, the Isle of Man and the European Economic Area, as these are recognised by Guernsey law as having adequate data protection. The European Commission has also recognised certain other countries and territories as providing adequate data protection, including Israel, Japan, Switzerland, Andorra, Argentina and New Zealand.

If we transfer personal data outside these countries and territories, we take steps required by law to ensure that the recipient protects personal data appropriately, typically by having the recipient agree in our contracts to standard data protection clauses approved by the European Commission. If you would like more information about this, please contact us.

Using your contact details

From time to time, we will send you important notices about the products or services you have asked us to provide, changes to our policies or terms and conditions, or changes to laws or regulations that could affect the service we provide.

If you agree to receive them, we may also send you emails or other messages containing newsletters and articles, information about additional products or services provided by us, or invitations to events we are organising, attending or sponsoring. You can opt-out of receiving these messages by emailing us or by clicking on the unsubscribe link in those emails.

Storing and deleting your information

The amount of time we keep your personal information will vary depending on your relationship with Bellerive. In some circumstances, there is a legal or regulatory requirement to keep information for a specific amount of time (typically seven years), although this will be extended if there is ongoing legal or regulatory that overrides the normal retention period. Where there is no regulatory or legal requirement, we assess how long we reasonably need to keep your information in order to deal with ongoing queries.

When our relationship with you ends, there will be information that we cannot delete immediately. Such information will be stored in our physical and/or electronic archives until we no longer have an obligation to keep them. At that point, the information will be permanently deleted or, where permanent deletion is impossible or unreasonable, anonymised to the extent possible.

Keeping your information secure

We take the security of personal information and confidential documents extremely seriously. Bellerive complies with data protection legislation where we operate as well as the confidentiality requirements of Guernsey fiduciary law. We have put in place appropriate safeguards to prevent unauthorised access or unlawful use of confidential information.

We restrict access to personal information to Bellerive employees, contractors and agents who need to know that information in order to process it for us. They are subject to strict contractual confidentiality obligations and they may be disciplined or their contract terminated if they fail to meet these obligations.

Your rights

Subject to some exceptions, you have the right to:

know whether Bellerive is processing your personal information

request a copy of the personal information Bellerive holds about you

have inaccuracies in your personal information corrected or and have incomplete personal data completed

have your personal data erased if it is no longer needed

ask Bellerive to restrict the processing of your data

object to Bellerive processing your data

have your machine-readable data transferred to a new service provider

object to processing that is carried out in Bellerive's legitimate interests

not be subject to a decision based solely on automated processing if it produces legal effects or similarly affects you

if you have previously given consent for Bellerive to use your personal information, to withdraw that consent for future use

make a complaint to a data protection authority

appeal decisions by the data protection authority (within strict time limits)

Guernsey trust law may in some cases restrict the information that a trustee may provide about the identity of trust beneficiaries. This may limit the information about your personal data that we are permitted to release to you upon your request.

You may contact us by post, using our contact details below, to exercise your rights or find out more about them.

Queries and complaints

This privacy policy aims to give you an overview of the ways in which we process your personal information. If you would like more detail or have any queries, please contact us so that we can assist you. We take any complaints we receive about the way we process your information very seriously and we would like to hear from you if you have any concerns. Please see our contact details at the bottom of this policy.

You also have the right to make a complaint to the data protection authority where the Bellerive company who collected your information is located.

In the Bailiwick of Guernsey, the Office of the Data Protection Authority may be contacted at +44 (0)1481 742074, by email at enquiries@odpa.gg or through its website: <https://odpa.gg>

In the United Kingdom, the Information Commissioner's office may be contacted at +44 (0)303 123 1113 or at its website: <https://ico.org.uk>

If you are in the European Economic Area, you may contact the data protection authority in your country. Their contact details can be found at https://edpb.europa.eu/about-edpb/board/members_en

Contact us

If you have any questions about this privacy policy or any other data protection issues please contact:

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