

# C. Le Masurier Website Privacy Notice

## INTRODUCTION

Welcome to C. Le Masurier's ("CLM") website privacy notice.

Any data that relates to you, or from which you can be identified, is known as "personal data". CLM respects your privacy and is committed to protecting your personal data. This privacy notice, which we will refer to as the "Notice", will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

Please also use the [Glossary](#) to understand the meaning of some of the terms used in this Notice.

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## 1. IMPORTANT INFORMATION AND WHO WE ARE

### CONTROLLER

CLM is a parent company of a number of subsidiary undertakings. CLM will be the controller of your data (the "data controller"). References in this Notice to "we", "us" or "our" refer to CLM.

CLM's directors are responsible for overseeing questions in relation to this Notice. If you have any questions about this Notice, including any requests to exercise your legal rights, please contact the directors using the details set out below.

### PURPOSE OF THIS PRIVACY NOTICE

This Notice aims to give you information on how CLM collects and processes your personal data through your use of our website, including any data you may provide through our website when you complete an online form.

Our website is not intended for children and we do not knowingly collect personal data or any other type of data relating to children.

It is important that you read this Notice and any other privacy notice or fair processing notice we

may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This Notice supplements the other notices and is not intended to override them.

## CONTACT DETAILS

Email address: admin@clem.co.je

Postal address: C Le Masurier Limited  
23 Commercial Street  
St Helier  
Jersey  
JE2 3RU

Telephone number: +44 1534 516516

You have the right to make a complaint in relation to data protection issues at any time. Contact details for the Office of the Information Commissioner in Jersey can be found at <https://oicjersey.org>. We would, however, appreciate the chance to deal with your concerns before you approach one of these supervisory authorities so please [contact us](#) in the first instance.

## CHANGES TO THIS NOTICE

This Notice is effective from 25 May 2018. We will post any material changes that we may make to it in the future on our website.

## THIRD-PARTY LINKS

Our website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. We cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this Notice or any subsequent privacy notice issued by the CLM Group. When you leave our website, we encourage you to read the privacy notice of every website you visit.

## 2. YOUR PERSONAL DATA

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- **Identifying information** (i.e. information used to identify a specific individual, such as name, job title, username or similar identifier).
- **Contact information** (e.g. postal address, telephone number, email address).
- **Demographic information** (e.g. postcode, preferences and interests).
- **Technical Data** includes your internet protocol (IP) address, your login data, browser type and

version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our website.

- **Usage Data** includes information about how you use our website.

We may also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated 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. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this Notice.

We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

### 3. HOW YOUR PERSONAL IS DATA COLLECTED

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

- **Direct interactions.** From time to time we will create online forms which will ask you to voluntarily provide us with your Identifying and Contact Information such as your name, address, telephone number and e-mail address.
- **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, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our cookie policy [here](#) for further details.
- **Third parties.** We may receive personal data about you from third parties (including, for example, providers of external services like web analysis services) who may also use cookies, over which we have no control. These cookies are likely to be analytical/performance cookies or targeting cookies. The information generated by the cookie about your use of our website (including your IP address) will be transmitted to and stored by Google on servers in the United States. Google will use this information for the purpose of evaluating your use of the Website, compiling reports on website activity for website operators and providing other services relating to website activity and internet usage. Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf. Google will not associate your IP address with any other data held by Google. For further information regarding cookies, please review the [privacy policy](#) contained on our website.

### 4. HOW YOUR PERSONAL DATA IS USED

We will only use your personal data when the law allows us to.

We will use Identity, Contact and Usage data in connection with the management of our relationship with you (to include notifying you about changes to our terms or privacy notices and sending you information about CLM, its events and services). We do so for the compliance with legal obligation, because it is necessary for our legitimate business interests, or with your consent.

We will use Identity, Contact and Technical data in connection with the administration and protection of our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data). We do so for the compliance with legal obligation or because it is necessary for our legitimate business interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise).

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please [contact us](#) if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

## **MARKETING**

We may use your Identity, Contact, Technical, Demographic and Usage Data to form a view on what services we think you may want or need, or that may be of interest to you. This is how we decide which services may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or used our services or if you provided us with your details when you submitted an online form and, in each case, you have not opted out of receiving that marketing.

If you have previously consented to us using your personal data for direct marketing purposes, you may withdraw this consent at any time by writing to us or emailing us at [admin@clem.co.je](mailto:admin@clem.co.je).

## **THIRD-PARTY MARKETING**

We do not share your personal data with any company or other legal entity outside of the CLM Group for marketing purposes.

## **OPTING OUT**

You can ask us to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by [contacting us](#) at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us for other purposes.

## **COOKIES**

A cookie is a small file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.

We use traffic log cookies to identify which pages are being used. This helps us analyse data about web page traffic and improve our website in order to tailor it to customer needs. We only use this information for statistical analysis purposes and then the data is removed from the system.

Overall, cookies help us provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. This may prevent you from taking full advantage of the website.

Our website may also use sharing tools from time to time. Sharing tools allow you to share content through social networks such as Facebook or Twitter. When you use one of these buttons, the social networking site may place a cookie on your computer. This would be a third-party cookie set by the social networking site. If you have any questions about the use of these third-party cookies, you should check the relevant social networking site's cookie policy.

You block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. However, if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of our website.

## **CHANGE OF PURPOSE**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please [contact us](#).

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **5. DISCLOSURES OF YOUR PERSONAL DATA**

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- [Internal Third Parties](#).
- [External Third Parties](#).
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this Notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers 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.

We will not sell, lease or distribute your personal data to third parties unless we have your consent or are required by law to do so.

## 6. INTERNATIONAL TRANSFERS

We do not envisage transferring your personal data to [External Third Parties](#) based outside Jersey and the European Economic Area (EEA). If we do, we shall ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe.

If none of these safeguards are available in respect of a proposed transfer of your personal data out of Jersey or the EEA, we will explain the possible risks to you of the proposed transfer, following which, if you provide your explicit consent, we may proceed with the transfer.

Please [contact us](#) if you want further information on the specific mechanism used by us when transferring your personal data out of Jersey or the EEA.

## 7. DATA SECURITY

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

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.

## 8. DATA RETENTION

### HOW LONG WILL YOU USE MY PERSONAL DATA FOR?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

We retain your IP address and login data for up to two years. [Otherwise, we will retain the information collected via our website for no less than 10 years after our overall relationship with you has ended.] For more information about our document retention policies, please [contact us](#).

In some circumstances you can ask us to delete your data: see [Request erasure](#) below for further information.

## 9. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please click on the links below to find out more about these rights:

- [Request access to your personal data.](#)
- [Request correction of your personal data.](#)
- [Request erasure of your personal data.](#)
- [Object to processing of your personal data.](#)
- [Request restriction of processing your personal data.](#)
- [Request transfer of your personal data.](#)
- [Right to withdraw consent.](#)

If you wish to exercise any of the rights set out above, please [contact us.](#)

#### **NO FEE USUALLY REQUIRED**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

#### **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 four weeks. Occasionally it may take us longer than four weeks 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.

### **10. GLOSSARY**

#### **EXTERNAL THIRD PARTIES**

Service providers who provide us with information technology services.

#### **INTERNAL THIRD PARTIES**

Other members of the CLM Group, all of whom are based in Jersey.

#### **LAWFUL BASIS**

**Legitimate Interest** means the interest of our business in conducting and managing our business. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further

information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by [contacting us](#).

**Consent** means a freely given, specific, informed and unambiguous indication of your wishes by which you, by a statement or by a clear affirmative action, signify agreement to the processing of your personal data.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

## YOUR LEGAL RIGHTS

You have the right to:

- **Request access** to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that 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, at the time of your request.
- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data’s accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Withdraw consent at any time** where we are relying on consent to process your personal data.

However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain services to you. We will advise you if this is the case at the time you withdraw your consent.