



THE GOLD STANDARD IN REGULATORY LEGAL AND COMPLIANCE

Gold Leaf Consulting Limited ("Gold Leaf") Privacy Policy

References to "Gold Leaf", "we", "us" and "our" within this Privacy Policy means **Gold Leaf Consulting Limited**.

Gold Leaf is a financial, regulatory, and compliance consultancy firm offering its services on an international basis and operates through other entities and service entities in both the British Virgin Islands ("BVI") and Saint Lucia ("SLU").

Gold Leaf commits to being the gold standard in compliance and prides itself on protecting the Personal data (defined below) of all its Clients (defined below), its Intermediaries (defined below), and other third parties. The following information outlines Gold Leaf's Privacy Policy and shall be read separately and in conjunction with any other documents or Terms & Conditions of Engagement of Gold Leaf. All data protection legislation is hereby applicable and includes but is not limited to the Data Protection Act of 2021 in the BVI.

For the purpose of this Privacy Policy, we collect Personal data from the following categories of persons:

- a. those who have engaged, or are contemplating engaging Gold Leaf for the provision of services (Individual Client); those who are connected to Individual Clients (such as family members); and those who are connected to a client who is not an Individual Client (such as owners, investors, controllers, employees, directors and officers of a corporate client or other legal or non-legal body) (together Clients);
- b. third parties with whom we interact as part of providing our services to our Clients (Intermediaries);
- c. those who are, work for or are agents of, suppliers or service providers who provide goods and services to us;
- d. those who apply for or express an interest in being employed or a similar position with Gold Leaf, whether existing at the time or not;
- e. those who request newsletters, marketing material or other publications from us; and
- f. visitors to our website www.goldleafbvi.com.

1. What is Personal data?

The below definitions are used in relation to Personal data, pursuant to the BVI Data Protection Act, 2021 (the "DPA").

Personal data shall mean any information in respect of commercial transactions, which:



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- a. is being processed wholly or partly by means of equipment operating automatically in response to instructions given for that purpose;
- b. is recorded with the intention that it should wholly or partly be processed by means of such equipment; or
- c. is recorded as part of a relevant filing system or with the intention that it should form part of a relevant filing system, that relates directly or indirectly to a data subject, who is identified or identifiable from that information, or from that and other information in the possession of a data user, including any sensitive personal data and expression of opinion about the data subject.

Sensitive Personal data shall mean any personal data about Data subject's physical or mental health, sexual orientation, political opinions, religious beliefs or other beliefs of a similar nature, criminal convictions, the commission or alleged commission or any other personal data that the DPA or its related executive orders may define as sensitive personal data in the future.

Data subject shall mean a natural person, whether living or deceased.

Data controller shall mean a person who either alone or jointly or in common with other persons processes any personal data, or has control over, or authorizes the processing of any personal data, but does not include a data processor.

Data processor shall mean a person who either alone or jointly or in common with other persons processes any personal data, or has control over, or authorizes the processing of any personal data, but does not include a data processor.

2. What Personal data do we collect?

Gold Leaf collects the following Personal data from you:

- a. contact information including but not limited to your name, telephone number, postal addresses and e-mail addresses;
- b. in the case of Sensitive Personal data under the DPA, we will be required to collect information relating, but not limited to your mental state, political opinions, criminal convictions, genetic information and race;
- c. know your client (KYC) information for compliance purposes such as your date of birth, country of residence, nationality, any ownership interest in any entity or asset you hold, source of funds and other like information concerning your identity and background;
- d. payment details such as credit/debit card number, billing address, and security codes; and
- e. other information about you which we may obtain or may need to obtain as part of our business operations or in fulfilling our obligations to you as set out in our engagement agreement.



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3. How do we handle your Personal data?

- a. Any and all Personal data received by Gold Leaf is treated as highly confidential and handled with the utmost care. Personal data will not be revealed, sent, shown or otherwise made available to any third parties, which are not directly involved in servicing you.
- b. To transfer Personal data to a third party when such transfer will be made to ensure the provision of a service to you, or upon your instructions, Gold Leaf will ensure that the transfer is secure and the recipient is informed of the confidentiality of the Personal data, and has undertaken to ensure secure processing of the Personal data.
- c. In the unlikely event that there is a security breach, Gold Leaf will take all necessary steps to identify the cause and mitigate the effects. Where necessary, we will also notify you of such a breach in accordance with our obligations under the DPA.

4. Gold Leaf shall ensure at all times that:

- a. Personal data has been obtained with your consent;
- b. Sensitive Personal data is processed only with your explicit consent when such processing is required only for the purpose for which the consent was given;
- c. Personal data is not transferred outside the BVI, unless Gold Leaf has obtained proof of adequate data protection safeguards or your explicit consent;
- d. Personal data is processed for a lawful purpose directly related to the services provided by Gold Leaf; and
- e. It takes appropriate technical and organisational measures to keep your Personal data confidential and secure, in accordance with its internal policies and procedures regarding storage of, access to and disclosure of Personal data.

4.1 However, confidentiality and security cannot be assured when information is transmitted through e-mail or other wireless communication. Gold Leaf will not be responsible for any loss or damage suffered as a result of a breach of security and/or confidentiality when information is transmitted by e-mail or wireless communication. Gold Leaf will take your use of a particular mode of communication as permission for us to communicate with you using that same mode of communication unless otherwise instructed by you.

5. Gold Leaf may process Personal data when it is required for:

- a. The performance of the services outlined in its engagement agreement to which you are a party;
- b. the taking of steps at your request with a view of engaging the services of Gold Leaf; and

- c. compliance with any legal obligation to which Gold Leaf (as the Data controller) is subject, other than an obligation imposed by the engagement agreement.
6. **Gold Leaf shall inform you upon your request of:**
- a. The purposes for which your Personal data is being or is to be collected and further processed;
 - b. Any information available to Gold Leaf as to the source of that Personal data;
 - c. Your right to request access to and request correction of the Personal data and how to contact Gold Leaf with any inquiries or complaints in respect of the Personal data;
 - d. The class of third parties to whom Gold Leaf discloses or may disclose the Personal data;
 - e. Whether it is obligatory or voluntary for you to supply the Personal data; and
 - f. Where it is obligatory for you to supply the Personal data and the consequences for you failing to supply the Personal data.
7. Gold Leaf shall not disclose any Personal data, without your consent, for any purpose other than the purpose for which the Personal data was to be disclosed at the time of collection of the Personal data; or a purpose directly related to such purpose.
8. Gold Leaf has taken practical steps to protect the Personal data from any loss, misuse, modification, unauthorized or accidental access or disclosure, alteration or destruction.
9. **Timeframe for storing Personal data**
- 9.1 Personal data shall not be stored longer than it is necessary for the fulfillment of the purpose for which it was collected. It is Gold Leaf's policy to retain data for 5 years depending on amongst others, the nature of the Personal data and applicable laws pertaining to the retention of such Personal data from the completion or termination of the engagement.
- 9.2 Gold Leaf shall destroy or permanently delete all Personal data, if it is no longer required for the purpose for which it was first processed. Where we consider it necessary to protect ourselves from a legal claim or potential dispute in connection with any services we have provided, we will keep the Personal data for the relevant limitation period; or where the Personal data cannot be deleted for legal or regulatory reasons.
10. Gold Leaf shall take reasonable steps to ensure that the personal data is accurate, complete, not misleading and kept up-to-date by having regard to the purpose, including any directly related purpose, for which the Personal data was collected and further processed.

11. Rights of Data subjects

- a. Subject to certain exemptions and conditions under the DPA, you may have the following rights: the right of access; right to have your data corrected, updated, rectified or erased; right to object to the processing of or restrict the processing of your data; right to withdraw your consent previously given for the processing of your Personal data, and to request the transfer of your data to another party;
- b. Please note that Gold Leaf is not obligated to comply with a request to access, correct, delete or restrict the use of your Personal data if there is a specific legal ground or exemption;
- c. If you choose not to provide any Personal data or you choose to exercise one or more of the rights above to restrict the processing of your Personal data, this may restrict the services which Gold Leaf can provide or we may have to terminate the relationship between you and Gold Leaf;
- d. You may also withdraw consent to the processing of your Personal data. However, if there is another legitimate basis for processing your data in accordance with the DPA, the same information may be processed without your consent;
- e. Should you wish to exercise any of your rights you should send your request to info@goldleafbvi.com. We will respond to your request in accordance with the DPA;
- f. We reserve the right to ask for proof of your identity by requesting you to provide us with a valid ID or requesting such additional information reasonably required to identify the specific information being requested or referred to, or any additional information reasonably required to confirm your identity; and
- g. We further reserve the right to charge you a reasonable fee for you to access your Personal data, and for any additional copies of the materials provided, or to refuse to comply with your request in accordance with the provisions of the DPA.

12. Sensitive Personal data

12.1 Gold Leaf shall not process any of your Sensitive Personal data unless:

- a. You have given your explicit consent to the processing of the Personal data;
- b. The processing is necessary for the purposes of exercising or performing any right or obligation which is conferred or imposed by law on Gold Leaf in connection with employment; or
- c. In order to protect your vital interests or another person, in a case where consent cannot be given by or on your behalf; Gold Leaf cannot reasonably be expected to obtain your consent; or consent by or on your behalf has been unreasonably withheld.



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If you have any questions in respect of this Privacy Policy, or the processing of your Personal data, or you wish to exercise any of your rights referred to above please contact us by email at info@goldleafbvi.com.

Changes to this Privacy Statement

This privacy statement may be updated from time to time and any updates will be published on our website at www.goldleafbvi.com.