

PRIVACY POLICY

This Privacy Policy (“Policy”) is designed to help you understand how we use your Personal Data, in accordance with the ADGM Data Protection Regulations 2021, and the Regulations and further guidance thereunder.

We encourage you to read the whole Policy. Alternatively, if you wish to read about specific privacy practices that interest you, please click on the relevant links below.

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PART A – PURPOSE & APPLICABILITY

1. Identity

We Kotak Mahindra Financial Services Limited (“we”, “us”, “our” or “KMFSL”), is a Private Company Limited by shares incorporated and registered in the Abu Dhabi Global Markets (ADGM), Abu Dhabi, United Arab Emirates (UAE).

Registered Office: 3409, 34, Al Maqam Tower, Adgm Square, Al Maryah Island, Abu Dhabi, United Arab Emirates

2. Our use of Personal Data

Kotak Mahindra Financial Services Limited (the “Company” or “you” or “your”) is a category 4 licensed firm and provides services regulated by the Financial Services Regulatory Authority (FSRA) in and from ADGM. Business activities include Arranging Deals in Investments, Advising on Investments or Credit, Arranging Credit, Arranging Custody and Insurance Intermediation.

In connection with providing our services and in compliance with the applicable regulation and regulations in the ADGM and the UAE (“Applicable regulations”), we collect and Process information, including Personal Data.

3. This Privacy Policy

This is our general Privacy Policy that applies across our business operations and website(s).

4. Updating this Privacy Policy

This Policy may be updated from time to time. This version is dated 30 Sep 2022.

5. What is Personal Data?

Personal Data is any information referring to an identified or Identifiable Natural Person. In the context of Processing of Personal Data, the identified or Identifiable Natural Person to whom the relevant Personal Data relates is known as the Data Subject .

Additional protection is afforded under the regulation to Special Categories of Personal Data, i.e. Personal Data revealing or concerning (directly or indirectly) racial or ethnic origin, communal origin, political affiliations or opinions, religious or philosophical beliefs, criminal record, trade-union membership and health or sex life and including genetic data and biometric data where it is used for the purpose of uniquely identifying a natural person.

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communal origin, political affiliations or opinions, religious or philosophical beliefs, criminal record, trade-union membership and health or sex life and including genetic data and biometric data where it is used for the purpose of uniquely identifying a natural person .

6. Our responsibility to you

We Process your Personal Data in our capacity as a Controller. This means that we are responsible for ensuring that we comply with the ADGM Data Protection Regulations 2021 when Processing your Personal Data.

7. Contact Person for Data Protection

Any queries relating to the firm's Processing activities or other matters under this Policy or the regulation should be referred to Data Protection Officer and or Compliance officer by email Saurin.Damania@Kotak.com/ Srividhya.erugula@kotak.com

PART B – YOUR PERSONAL DATA

8. Why are we collecting Personal Data about you (Data Subjects?)

We only collect Personal Data about you in connection with providing our services and conducting our normal business operations. We may hold information about you if:

- you are a client, a representative of a client, the beneficial owner of a client, major shareholder or major supplier/customer of the client.
- we are required to Process your Personal Data in accordance with Applicable Law, for e.g. anti-money laundering laws
- your information is provided to us by a client or others, or we otherwise obtain your information, in connection with the service(s) we are providing a client
- you provide services to us (or you represent a company which provides services to us)
- you represent a regulator, certification body or government body which has dealings with us
- you attend our seminars, webinars, or events, receive our newsletter updates, or visit our offices or websites
- you are an applicant for a job with us
- you are or were an employee of the Company
- Relatives and associates of Data Subjects
- Complaints information and their details
- Advisor, consultants and professional experts

9. What Personal Data do we collect about you?

The types of information we Process about you may include:

Types of Personal Data	Details
Individual details	Name, address (including proof of address), other contact details (e.g. email and telephone numbers), gender, marital status (in case of employment), date and place of birth, nationality, employer, job title and employment history, and family details, including their relationship

Identification details	Identification numbers issued by government bodies or agencies, such as your passport number, Emirates ID or other national identity number, tax identification number and driving licence number, including copies of such government-issued identification document
Financial information	Bank account details, income, source of wealth, source of funds, credit or borrowing history or other financial information
Anti-money laundering and sanctions data	Screening information received from various anti-money laundering, counter-terrorism financing and sanctions databases
Special Categories of Personal Data	Information about political affiliations or opinions or criminal record, to the extent required for compliance with Applicable Law/regulation.
Identifiers	Information which can be traced back to Data Subject, such as an IP address, a website tracking code or any other information that may be automatically collected through our Website(s) or any other digital communication or network security applications used by us.

As a policy, we do not normally collect any Special Categories of Personal Data, unless such collection is warranted under specific circumstances.

10. Where do we collect your Personal Data from?

We may collect your Personal Data from various sources, including:

- you
- your employer
- our clients and our service providers
- anti-money laundering and counter-terrorism financing databases, sanctions lists, court judgements and other databases
- government agencies and publicly accessible registers or sources of information
- by actively obtaining your Personal Data ourselves, for example using website tracking devices

- Information that we gather through cookies or similar tracking tools (e.g. pixels) when you use our websites, and other online channels (if any).

The sources that apply to you will depend on the purpose for which we are collecting your Personal Data. Where we obtain your information from a third party, in particular your employer or our client, we may ask them to provide you with a copy of this Privacy Policy to ensure that you know we are Processing your information and the purpose for such Processing.

PART C – OUR USE OF YOUR PERSONAL DATA

11. How do we use your Personal Data?

In this section we set out in more detail:

- the main purposes for which we Process your Personal Data
- the lawful bases upon which we are Processing your Personal Data

Purpose for Processing	Lawful basis for Processing
<p>Anti-Money Laundering and other legal obligations</p> <p>We obtain information about our clients and their representatives and beneficial owners and others to help us comply with legislation on money laundering, terrorist financing, and sanctions.</p> <p>We also collect and disclose Personal Data in accordance with Applicable regulations and under orders from courts and regulators. Our disclosures will be to those bodies and persons who are entitled under the Applicable regulations to receive the required information.</p> <p>In some cases, this information may include Special Categories of Personal Data, to the extent required by us to ensure compliance with Applicable regulation.</p>	<p>For Personal Data – Compliance with Applicable Law /regulation that we are subject to</p> <p>For Special Categories of Personal Data – To comply with Applicable Law/regulation that applies to us in relation to anti-money laundering or counter-terrorist financing obligations or the prevention, detection, or prosecution of any crime</p>
<p>Services</p>	<p>For Personal Data – Performance of an engagement</p>

<p>We may obtain and/or disclose information about individuals where this is necessary or appropriate to provide services to our clients.</p>	
<p>Service providers We collect information about Data Subjects in connection with their provision of services to us or their position as a representative of a provider of services to us.</p> <p>We do not collect Special Categories of Personal Data for this purpose, other than where we are required to do so to meet our legal obligations (see 'Anti-Money Laundering and other legal obligations' above).</p>	<p>For Personal Data – Performance of an engagement</p>
<p>Seminars, events, updates, and other marketing activities If a Data Subject wishes to attend our seminars or events or receive our updates, we ask that Data Subject to provide us with a limited amount of information (normally work contact details, employer's name, job title, and the subjects/events of interest). We use this information to communicate with Data Subjects about our seminars, events, and updates, to ensure that such Data Subjects are an appropriate audience for them, and to conduct analysis for marketing purposes.</p> <p>We do not collect Special Categories of Personal Data for this purpose.</p>	<p>For all communications with you – Consent from Data Subject</p>
<p>Visitors to our websites Where a Data Subject provides us with Personal Data on our Website(s) for the purpose of inquiring about our services, we will only use it for the purpose for communicating with such Data Subject in connection to their request.</p> <p>Most of our websites use a small number of non-intrusive cookies to help them work more efficiently and to provide us with information on how the website is being used.</p>	<p>For Personal Data – Legitimate interests for business development purposes</p>

<p>Data Subjects can control cookies through browser settings or preferences, as well as through dedicated browser extensions or add-ons.</p> <p>We do not collect Special Categories of Personal Data on our Website(s).</p>	
<p>Visitors to our office</p> <p>We have security measures in place at our offices, which include building access controls and may include CCTV. Images captured by CCTV are securely stored and only accessed on a need-to-know basis (e.g. to investigate an incident).</p> <p>Visitors to our offices may be required to sign in and sign out at building reception in accordance with the building’s security policies. In addition, we may also maintain visitor records ourselves, which are securely stored and only accessible on a need-to-know basis (e.g. to investigate an incident).</p> <p>We do not collect Special Categories of Personal Data for this purpose.</p>	<p>For Personal Data – Legitimate interests for information security and physical security purposes</p>
<p>Staff Recruitment</p> <p>We ask Data Subjects to provide Personal Data to us as part of job applications. We will also conduct checks in order to verify identity and the information in the application as well as to obtain further information about suitability for a role within the firm. This may include obtaining information from regulators, anti-money laundering databases, sanctions lists, etc.</p> <p>In some cases, this information will include Special Categories of Personal Data, where such information is required for the purpose of pre-employment verification checks or other employment-related Processing.</p>	<p>For Personal Data – (1) For compliance with Applicable Law/regulation that we are subject to; and (2) Legitimate interests to prevent fraud</p> <p>For Special Categories of Personal Data – For carrying out our obligations and exercising our rights in the context of the Data Subject’s employment</p>

<p>Former Staff We retain Personal Data of former staff members to the extent that we have a statutory obligation to do so.</p>	<p>For all Personal Data – For compliance with Applicable Law/regulations that we are subject to</p>
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12. Consent

We do not generally Process your Personal Data based on your consent (as we can usually rely on another lawful basis). Where we do Process your Personal Data based on your consent, you have the right to withdraw your consent at any time. To withdraw your consent, please write to Data Protection officer and/or Compliance officer, details mentioned in section 7.

13. Do we share your information with anyone else?

We do not sell your information nor make it generally available to others. However, we may share your information in the following circumstances:

- We may Process Personal Data of clients, or representatives or beneficial owners of clients, through screening databases or search engines for identity verification or background screening.
- While providing our services, we may require the assistance of various external professional service providers, Asset management companies, third party services providers, investments platforms, referral partners or agreements holder based in or out of the ADGM. The use of these external service providers may involve the service provider receiving your Personal Data from us, and some transfers of Personal Data may be made to countries or jurisdictions with data protection or privacy laws that are not adequate in comparison with the regulation. Where any such transfers of Personal Data to non-adequate jurisdictions (as defined by the ADGM Commissioner of Data Protection) take place, such transfers are subject to appropriate safeguards.
- We use the support services of various external companies to help us run our business efficiently, particularly in relation to our IT systems. Some of these services (such as email hosting and data backups) may involve the service provider Processing your Personal Data. Where any such transfers of Personal Data to non-adequate jurisdictions (as defined by the ADGM Commissioner of Data Protection) take place, such transfers are subject to appropriate safeguards.
- We may share your Personal Data with other third parties, such as relevant regulators or other authorities, where we are required to do so to comply with legal or regulatory requirements.

In each case where we share your Personal Data with other parties, whether or not in an adequate jurisdiction. We take appropriate data security measures and ensure that the

relevant party is contractually required to keep such Personal Data safe, secure and confidential in accordance with the minimum standards under the Regulations.

PART D – OTHER IMPORTANT INFORMATION

14. Keeping your Personal Data safe

We implement appropriate steps to help maintain the security of our information systems and processes and prevent the accidental destruction, loss, or unauthorised disclosure of the Personal Data we Process.

15. Profiling and automated decision making

We do not use profiling (where an electronic system uses Personal Data to try and predict something about you) or automated decision making (where an electronic system uses Personal Data to make a decision about you without human intervention).

16. How long do we keep your Personal Data?

We retain your Personal Data in accordance with our data retention policy which categorises all the information held by us and specifies the appropriate retention period for each category of information. Those periods are based on the requirements of the relevant regulations of the ADGM and the Financial Services Regulatory Authority (FSRA), and the purpose for which the information is collected and used, taking into account legal and regulatory requirements to retain the information for a minimum period, limitation periods for taking legal action, good practice and our business purposes.

17. Cross-border transfers of your Personal Data

Normally, we do not transfer Personal Data outside the ADGM, other than in the specific circumstances indicated in Section 13 above.

Where any such transfers of Personal Data to non-adequate jurisdictions (as defined by the ADGM Commissioner of Data Protection) take place, we take appropriate data security measures and put in place a contract with the relevant third party that includes the standard data transfer contractual terms approved by the ADGM Commissioner of Data Protection, in accordance with the regulations.

PART E – YOUR RIGHTS

18. Contacting us and your rights

If you have any questions in relation to our use of your Personal Data, please email us using the contact details provided in Section 7 above.

Subject to certain exceptions outlined in the regulation, you have the right to require us to:

- provide you with further details on the nature of your Personal Data held by us and the use we make of your Personal Data, including any sharing or transfer thereof;
- provide you with a copy of the Personal Data we hold about you;
- update any inaccuracies in the Personal Data we hold about you;
- delete any of your Personal Data that we no longer have a lawful basis to use or that you have withdrawn your consent for us to Process;
- where Processing is based only on consent, stop that particular Processing by withdrawing your consent;
- object to any Processing based on our legitimate interests unless our reasons for undertaking that Processing outweigh any prejudice to your data protection rights;
- restrict how we use your Personal Data during such time that the accuracy of the Personal Data, the lawful basis for Processing your Personal Data or our overriding legitimate interest in continuing to Process your Personal Data, is being contested by you; and
- transfer your Personal Data to you or a third party in a structured, commonly used and machine-readable format, to the extent that such Personal Data is automatically Processed and where the lawful basis for such Processing is your consent or for the performance of a contract.

In certain circumstances, we may need to restrict your rights in order to safeguard the public interest (e.g. the prevention or detection of crime) and our interests (e.g. responding to regulatory requests), or in accordance with other exceptions and limitations specified in the regulation.

19. Your right to complain

The data subject has the right to lodge compliant with the Commissioner of Data Protection if the Data Subject considers that the Processing of Personal Data relating to him or her contravenes these Regulations.