



Henlin Gibson Henlin  
Attorneys-at-Law, Trademark Agents & Notaries Public

## **PRIVACY NOTICE**

### **INTRODUCTION**

At Henlin Gibson Henlin, Attorneys-at-Law (“HGH”), we respect your concerns about privacy.

This Privacy Notice applies to the Personal Data that we collect and handle for the purposes of maintaining and providing our services. For the purposes of this Privacy Notice, “Personal Data” means any information relating to an identified or identifiable individual.

### **WHAT DATA DOES HGH COLLECT?**

We collect information from you depending on how you interact with us and our services. This information will be used for the sole purpose for which the information was provided to us and may include:

- a. Information needed for identification purposes, such as your name, aliases, date of birth, address, email address, phone number, place of birth and nationality;
- b. Government identifiers, such as your Taxpayer Registration Number, Passport Number and Driver’s Licence Number;
- c. Employment information, such as occupation and employer/place of employment, source of income;
- d. Information we are legally required to collect in order to comply with anti-money laundering laws and regulations and Know-Your-Client (“KYC” procedures); or
- e. Other information necessary and relevant to the legal services we provide.

### **WHO COLLECTS DATA?**

Personal Data is collected by our Attorneys and Paralegals within our Intellectual Property, Commercial, Conveyancing, and Litigation Departments.

Personal Data is also collected by our website (such as your name and email address) whenever you contact us through that forum.

### **HOW DO WE USE THE DATA?**

We use Personal Data to:

- a. verify identity;
- b. create client files and accounts;
- c. process and fulfil transactions;
- d. allow access to our services;
- e. improve HGH's services; and
- f. improve overall client experience and ensure compliance with our legal and regulatory obligations.

## **WHAT ARE OUR LEGAL BASES FOR PROCESSING YOUR PERSONAL DATA?**

The lawful bases we rely on for processing this information are where we have:

### **a. Your Consent**

Where you have provided us with your consent to process your Personal Data, you are free to remove your consent at any time. You can do so by contacting our Data Protection Officer whose details are listed herein.

### **b. A Contractual Obligation**

We may process your Personal Data where we provide you with any legal services under a retainer agreement, or where you have consulted us about a particular matter for which you are seeking legal advice or action taken on your behalf.

### **c. A Legal Obligation**

Where you engage us to provide legal services, we may process your Personal Data where we are required to comply with any law.

### **d. A Vital Interest**

We may process your Personal Data where it is necessary to protect your vital interests. For example, where we need to use or disclose your Personal Data in order for you to obtain emergency medical care.

### **e. A Legitimate Interest**

We may process your Personal Data where it is necessary for us to pursue our legitimate interests as a business for the following purposes:

- i. to enter into and perform a contract that we have with you;
- ii. to conduct conflict checks to ensure that we are able to provide our services to you;
- iii. to pursue a legal claim on behalf of our clients;

- iv. to prevent fraud and other criminal activities; or
- v. to establish, exercise or defend our legal rights.

**f. To Perform A Public Task**

We may process your Personal Data in order to perform any function conferred upon us by any enactment or any functions of a public nature exercised in the public interest.

**HOW DO WE SHARE AND DISCLOSE DATA TO THIRD PARTIES?**

We share your Personal Data with your consent or to complete any transaction or to provide any service you have requested or authorized. We share your Personal Data with third parties when it is necessary to provide services to clients and/or for other legitimate interests.

**Suppliers and Service Providers**

The services we rendered to you may require us to provide information to third parties, who will use your information in order to provide services to us or directly to you on our behalf. These third parties include external counsel, insurers, government agencies/law enforcement bodies, etc.

**Parties Involved in the Transaction/Case**

Our services may also require us to share information with other law firms, accountants/auditors, external counsel, expert witnesses, consultants, and other professionals not employed at HGH.

Third parties to whom we share information will be under an obligation to keep your information secure and not to use it in a manner other than for the purpose for which we have shared the information.

**DATA RETENTION**

Personal Data shall be kept in a form which permits identification of individuals only so long as necessary for the fulfilment of the purpose(s) for which it was collected or for compatible further processing in accordance with this Notice.

We may retain Personal Data where required by law or where we have an ongoing legitimate business need to do so. For example, we may retain such data to provide a service requested, to comply with applicable legal, tax or accounting requirements, or where necessary for fraud prevention, dispute resolution, enforcement of our contracts and terms, or for safety reasons.

## COMPULSORY INFORMATION

In order to conduct certain transactions on your behalf, we require you to provide us with your information that is necessary for us to comply with our legal obligations to verify your identity, as required by the Proceeds of Crime Act, Terrorism Prevention Act, and other anti-money laundering laws and regulations. If you fail to provide us with the necessary information, we will be unable to conduct our KYC procedures mandated by law; and consequently, we will be unable to offer you the legal services for which you wish to engage us.

## SECURITY

We use appropriate technical and organizational security measures to protect any information we hold in our records from loss, misuse and unauthorized access, disclosure, alteration, and destruction. This is done to protect the confidentiality and integrity of data.

## YOUR RIGHTS AND CHOICE

You have rights under the Data Protection Act, 2020 in relation to your Personal Data. These include:

- a. **Right to be informed** – you have the right to be informed of how your Personal Data are being processed by HGH.
- b. **Right of access** – you have the right to be provided with information concerning Personal Data that is being processed by HGH, as well as to be provided with a copy of such Personal Data.
- c. **Right to consent** – you have the right to consent to the processing of Personal Data. This also includes the right to withdrawn consent at any time.
- d. **Right to rectification** – you have the right to have any inaccuracies related to your Personal Data rectified.
- e. **Right to object** – you have the right to object to certain processing, upon which the processing shall cease. You may only object to processing where:
  - i. the processing of your Personal Data is likely to cause to you substantial and unwarranted damage or distress;
  - ii. your Personal Data is incomplete or irrelevant, having regard to the purposes for which the Personal Data is, or is to be, processed;
  - iii. the processing of your Personal Data is prohibited under any law; or

- iv. your Personal Data has been retained longer than the period of time for which it may be retained under any law.
- f. **Right to data portability** – you have the right to require your data be provided to them in an intelligible form; or to have your Personal Data transmitted to another data controller in a structured, commonly used, and machine-readable format.
- g. **Rights in relation to automated decision-making** – you have the right to not be subject to a decision based solely on automated processing, including profiling, which may significantly affect you.

If you wish to exercise any of the rights set out above, please use our [Data Subject Access Request Form](#), or contact our Data Protection Officer, **Privacy & Legal Management Consultants Limited**, by email at [dpo@privacymgmt.org](mailto:dpo@privacymgmt.org).

## **CHANGES TO THE PRIVACY NOTICE**

We are constantly trying to improve our services so we may need to change this Privacy Notice from time to time. We will alert you to material changes by, for example, sending you an email (if you have registered your email details with us) when we are required to do so by the Data Protection Act.

You can see when this Privacy Notice was last updated by checking the date at the top of this page. You are responsible for periodically reviewing this Privacy Notice.

## **CONTACT US**

If you have questions, requests or concerns regarding your privacy and rights, please contact our Data Protection Officer at Henlin Gibson Henlin, Suites # 3 & 4, 24 Cargill Avenue, by email at [dpo@privacymgmt.org](mailto:dpo@privacymgmt.org), or by telephone at (876) 561-3713.

Let us know how we can help!

*Last updated: March 2024*

**END OF NOTICE.**