

DATA PROTECTION NOTICE

1. Purpose of Notice

This notice sets out details on how personal information relating to you, as a borrower ("**Personal Data**") will be handled by Havbell Designated Activity Company ("**Havbell**", "**we**", "**our**", "**us**"), as controller of the Personal Data (as specified in Section 4 of this notice below), and / or on Havbell's behalf by its third party service providers as and from 25 May 2018, in accordance with the General Data Protection Regulation ("GDPR").

2. Contact Us

If you have any questions in relation to Havbell's use of your Personal Data or would like to submit a request with respect to your rights listed below, please contact Link ASI Limited, Block C, Maynooth Business Campus, Maynooth, Co. Kildare, W23 F854, Ireland or telephone +353 (01) 654 8800.

3. Changes to this Notice

We may update this Data Protection Notice from time to time. If we make any material changes, we will inform you in writing. An up to date version of this Data Protection Notice will be available at www.lgassetsservices.ie

4. Personal Data Processed by Havbell

Havbell processes your Personal Data as provided to us by the original lender or our relevant service providers, including information provided in the original application for your mortgage loan and information that we collect, generate or observe while administering your mortgage loan. This information will include:

- a. **Information you provided to Havbell;** this might include your name and address (including evidence of name and address), contact details, date of birth, gender, nationality, photograph, signature, occupational history, marital status, dependents, job title, income, assets, other financial information (such as details of expenditure), bank details (including bank account statements), personal public service number, tax residency and tax identification information.
- b. **Special Categories of Data provided to Havbell;** this might include health information processed in accordance with the Central Bank of Ireland's Code of Conduct on Mortgage Arrears and its Consumer Protection Code 2012, including details of any illness, disease, condition or disability that might affect your ability to work.
- c. **Information that Havbell collects, generates or observes;** this might include information relating to assets, management services, emails, call recordings and website usage data.

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d. **Information that Havbell obtains from third party sources;** this might include information procured in accordance with Havbell’s obligations under anti-money laundering regulation including potential political affiliations and or criminal background. For further details on our processing of criminal convictions data please see section 5 below. This might also include information obtained from public websites, social media and information received from intermediaries.

Such third parties include:

- Credit reference agencies
- Third parties that provide information regarding criminal background, economic sanctions and political associations
- Agencies that perform asset traces or occupancy checks

5. Why Havbell Processes your Personal Data

Havbell collects and processes your Personal Data on various legal basis for different purposes, including those set out below:

Legal Basis	Purpose(s)
<p>Performance of a Contract Havbell must process your Personal Data in order to perform its duties and exercise its rights under contract with you.</p>	<ul style="list-style-type: none"> • In order to manage and administer your loan in accordance with your loan by Havbell and its appointed servicer Link ASI Limited and Lapithus Management DAC (“Lapithus”) an affiliate company that provides portfolio advisory services to Havbell. This will include, without limitation, the performance of its duties and obligations, both contractual and regulatory, exercising Havbell’s rights in respect of the loan, processing payments & managing requests for forbearance, maintaining and providing information to service providers and advisers as necessary. • To exercise Havbell’s rights under the terms and conditions of loan contract. • To issue you with necessary documents and communicate with you about your loan.
<p>Legitimate Interests Havbell may process and disclose your Personal Data in order to exercise or preserve its legitimate business interest(s).</p>	<ul style="list-style-type: none"> • In order to transfer your loan, or in relation to a possible transfer your loan, to another party, pursuant to a contract in which we agree that the other party must comply with legislation and regulations on Personal Data protections. • To make relevant disclosures in the course of a merger, acquisition of Havbell, or a potential merger or acquisition. • To validate and verify information for security purposes, including for the prevention of fraud. • To manage our services, including monitoring and resolving complaints. • To send relevant administrative information or permit the processing of such information by our appointed servicer Link ASI Limited and their successors and our strategic advisers Lapithus Management DAC in connection with the loan.

	<ul style="list-style-type: none"> • To exercise or defend a legal claim, including in the context of litigation, arbitration and similar proceedings against the firm, its agents or directors or its employees.
<p>Compliance with Legal Obligation</p> <p>Havbell may process and disclose your Personal Data in order to comply with its relevant legal and regulatory obligations.</p>	<ul style="list-style-type: none"> • To ensure compliance with Havbell's business, tax and regulatory obligations, including its related reporting obligations, the management of its credit and mortgage loans, loan reporting obligations to the Central Bank of Ireland and credit history reporting to the Central Credit Register and other related obligations imposed upon Havbell and its regulated servicer(s). • To assist Havbell's auditors in the auditing of Havbell in accordance with its legal obligations. • We are required to carry out certain checks, including checks related to political affiliations, financial sanctions, and previous criminal allegations or convictions. This may require us to process information about criminal convictions and offences. This processing is necessary in order for us to manage the loan agreement with you in accordance with our legal obligations. • To investigate, detect, prevent or prosecute crimes in relation to the prevention of fraud, money laundering, market abuse and/or terrorist financing, including "know your customer" and other necessary onboarding and ongoing customer checks. • To share data with An Garda Síochána, law enforcement, tax authorities or other government and fraud prevention agencies where we have a legal obligation, including reporting suspicious activity and complying with production and court orders.

Special Categories of Data – data relating to your health	
Legal Basis	Purpose
Your explicit consent.	<ul style="list-style-type: none"> In order to manage and administer your loan effectively we may need to meet specific requests or proposals in support of which you provide health related data in accordance with the Consumer Protection Code and/or the Code of Conduct for Mortgage Arrears and any other relevant current or future regulations and guidance.

Please note that you have a right to object to the processing of your Personal Data where that processing is carried out for our legitimate interests or to withdraw your consent, where we rely upon your consent for processing the special categories of data specified above.

If you do not provide the Personal Data or withdraw consent for processing special categories of Personal Data, as specified above, we may not be able to manage and administer your loan and provide you with the services you require or meet your specific requests. This is particularly relevant in relation to requests for forbearance for which additional Personal Data may be requested. In all instances where we ask for your personal information, we will where applicable identify if there is a statutory reason for requesting such information and we will explain the consequences for you if you do not provide it.

6. Third Party Recipients of your Personal Data

Havbell may disclose your Personal Data to its relevant service providers and/or other third parties including:

- Link ASI Limited and their successors and other service providers who will manage the administration of your loans on our behalf;
- our affiliate Lapithus Management DAC
- our auditors and their successors;
- our legal advisors;
- appointed receivers;
- asset trace investigators;
- estate agents;
- shareholders and investors;
- our corporate administrators including the company secretary;
- the bank through which your payments are processed;
- the Irish Revenue and other national revenue authorities;
- national regulators, including the Central Bank of Ireland;
- An Garda Síochána.

Havbell or its service providers may also disclose your Personal Data to any other persons or entities as agreed between Havbell and the relevant service provider, or as may be required or expressly permitted by applicable laws.

7. International Transfer of your Personal Data

The disclosure of your Personal Data to the third party recipients set out above may involve the transfer of data to the USA, and other jurisdictions outside the European Economic Area ("EEA"), which are not the subject of an adequacy decision by the EU Commission. Such countries may not be subject to equivalent data protection laws as countries within the EEA. Any transfer of your Personal Data to jurisdictions outside the EEA may only occur in accordance with the requirements of the GDPR. For example, in connection with the transfer of your Personal Data to jurisdictions outside the EEA, Havbell has authorised Lapithus Management DAC as its delegate, to enter into standard contractual clauses, as prescribed under the General Data Protection Regulation, with relevant parties to whom your Personal Data will be transferred. Copies of these clauses may be sought from Link ASI Limited, Block C, Maynooth Business Campus, Maynooth, Co. Kildare, W23 F854, Ireland.

8. Retention of your Personal Data

Havbell will retain Personal Data for as long as necessary or permitted considering the purpose(s) for which it was obtained. The criteria used to determine the retention periods are:

- the length of your relationship with Havbell;
- whether there is a legal obligation to which Havbell are subject such as retaining information collated in accordance with the rules of the Central Bank of Ireland, Personal Data obtained for the performance of anti-money laundering, counter terrorist financing and related checks, which will be kept for **7 years** after termination of your relationship with us; and
- whether retention is advisable in light of Havbell's legal position (such as with respect to applicable statutes of limitations, litigation or regulatory investigations), in which case the Personal Data may be kept for up to **7 years** after termination of your relationship with us or for the duration of the proceedings or investigations.

9. Your Data Protection Rights

You have a number of rights in relation to your Personal Data, which are set out in the table below. Note that in certain circumstances these rights might not be absolute.

Right	Further Information
Right of Access	You have the right to request a copy of the Personal Data held by Havbell about you and to access the information which Havbell holds about you. Havbell may charge you for making such an access request where we believe your request is unjustified or excessive.
Right to Object	You have a right to object at any time to the processing of your Personal Data where Havbell processes your Personal Data on the legal basis of pursuing Havbell's legitimate interests.
Right to Rectification	You have the right to have any inaccurate Personal Data which Havbell holds about you updated or corrected.
Right to Erasure	In certain circumstances, you may also have your Personal Data deleted, for example if you exercise your right to object (see above) and Havbell does not have an overriding reason to process your Personal Data or if Havbell no longer requires your Personal Data for the purposes as set out in this notice.
Right to Restriction of Processing	You have the right to ask Havbell to restrict processing your Personal Data in certain cases, including if you believe that the Personal Data Havbell holds about you is inaccurate or Havbell's use of your information is unlawful. If you validly exercise this right, Havbell will store your Personal Data and will not carry out any other processing until the issue is resolved.
Right to Data Portability	You may request Havbell to provide you with your Personal Data which you have given Havbell in a structured, commonly used and machine-readable format and you may request Havbell to transmit your Personal Data directly to another data controller where this is technically feasible. This right only arises where: (1) Havbell processes your Personal Data with your consent or where it is necessary to perform Havbell's contract with you; and (2) the processing is carried out by automated means.

Should you consider that the processing of your Personal Data by Havbell or its service providers infringes the provisions of the General Data Protection Regulation, you may lodge a complaint with a supervisory authority in the EU Member State of your habitual residence, place of work, or in the place where an alleged infringement occurred.