

Presbyterian Mutual Society Ltd – In Scheme of Arrangement (“the Society”)

GDPR Data Privacy Statement

The Society entered into Administration on 17 November 2008, the directors having appointed Arthur Boyd as Administrator.

Arthur Boyd and John Hansen were subsequently appointed as Joint Supervisors of a Court Approved Scheme of Arrangement (“the Scheme”), sanctioned by the Court on 4 July 2011, and formally constituted following registration with the Registrar of Industrial and Provident Societies (now Co-Operative and Community Benefit Societies) on 8 July 2011. Paula Watson replaced Arthur Boyd as Joint Supervisor on 29 January 2016. The Joint Supervisors are both licensed Insolvency Practitioners and manage the affairs, business and property of the Society without personal liability.

The Society is committed to protecting the privacy of both members and borrowers of the Society.

No new members or borrowers have been created since the Society entered Administration on 17 November 2008.

Personal information held

The Society holds personal details for both members of the Scheme in existence prior to November 2008 and for those individuals who owed money to the Society from that time.

Categories of Personal Data

Personal data

The following is a list of personal data which is collected to conduct the business of the Society:

- contact details (e.g. name, telephone numbers, personal email, postal address);
- family and dependent details (e.g. names and dates of birth); and
- financial information (taxes, bank details, claim details, accounts)

Sensitive personal data

The Society does not typically collect sensitive or special categories of personal data about individuals apart from confirmation from each of the members and borrowers that they are part of the Presbyterian Church and details of the church attended. When they do need to process sensitive personal data, they have a legal obligation to do so and this would be obtained directly from the Society’s records or the individual. Examples of sensitive personal data may include:

- personal identification documents that may reveal race or ethnic origin;
- adverse information that may reveal criminal convictions or offences; and
- information provided by individuals that is defined as sensitive e.g. racial/ethnic origin, political opinion, religious beliefs.

How we use your personal information

The personal information is held by the Society to achieve the purpose of the Scheme. The purpose of the Scheme is to facilitate distributions to creditors and members and provide an alternative to administration in order to trade and realise assets over a 10 year period.

The Society may process, transfer and / or share personal information in the following ways:

For legal reasons and legitimate interests

- to recover any loans owed to the Society;
- to confirm your identity;

- to record information about you on a members' register;
- to carry out external auditing; or
- for the prevention of financial crime.

For performance of the Society's administration and duties:

- to deal with your account(s) or requests;
- to send you statements, new terms & conditions (including changes to this privacy statement) and information about changes to the way your account(s) operate; or
- to process updated information provided by you or which is legitimately provided by a third party or your advisors.

Sharing your personal information

The Society may occasionally share personal data with trusted third parties to assist with the purpose of the Scheme. These recipients are contractually bound to safeguard data the Society entrust to them. The Society may engage with the following:

- to solicitors, to assist with recovery of outstanding loans as considered necessary, or to obtain advice pertaining to change of membership as required;
- to any authorities if compelled to do so by law or regulation (e.g. to HM Revenue & Customs to fulfil tax compliance obligations);
- to fraud prevention agencies to help prevent crime or where we suspect fraud;
- to our providers in order for them to provide services to the Society and / or to you on our behalf (e.g. IT system support, archiving support);
- to third parties specifically authorised by you to act on your behalf such as solicitors, accountants, independent financial advisors, etc; and
- to the Department for the Economy pursuant to the provisions of its funding documentation.

Where we send your information

While countries in the European Economic Area all ensure rigorous data protection laws, there are parts of the world that may not be quite so rigorous and do not provide the same quality of legal protection and rights when it comes to your personal information.

The Society does not directly send information to any country outside of the European Economic Area, however, any party receiving personal data may also process, transfer and share it for the purposes set out above and in limited circumstances this may involve sending your information to countries where data protection laws do not provide the same level of data protection as the UK.

For example, when complying with international tax regulations we may be required to report personal information to HM Revenue and Customs who may then transfer that information to tax authorities in countries where you or a connected person may be tax resident.

Retaining your information

What data should we hold?

The general principle is that we hold the minimum amount of data necessary in order to correctly identify members and borrowers.

The data we hold must be adequate, relevant and limited to what is necessary in relation to the purpose for which the data is processed. This applies to both automated personal data and manual filing systems where data is accessible.

How long do we retain personal data?

In general, data should not be retained any longer than necessary for the task performed, or than is necessary to comply with the relevant laws and regulations.

The Joint Supervisor's records will be retained for the duration of the Scheme and for 6 years after the Scheme terminates and appointment ceases.

The original books and records of the Society will be destroyed one year after dissolution of the Society.

Your Rights

You may have a right in accordance with applicable data protection law to:

- request details of the information the Society holds about you and how it is processed;
- have personal information rectified or deleted and to restrict our processing of that information, in certain circumstances;
- stop unauthorised transfers of your personal information to a third party;
- have personal information relating to you transferred to another organisation; and
- lodge a complaint to the Society's processing of your personal information with the Information Commissioner's Office.

If you object to the processing of your personal information, or if you have provided your consent to processing and you later choose to withdraw it, the Society will respect that choice in accordance with our legal obligations.

Your objection (or withdrawal of any previously given consent) could mean that we are unable to perform our services. Please note that even after you have chosen to withdraw your consent the Society may be able to continue to process your personal information to the extent required or otherwise permitted by law, in particular in connection with exercising and defending legal rights or meeting the Society's legal and regulatory obligations.

The Society may need to request specific confirmation from you to help them confirm your identity and ensure your right to access the information or to exercise any of your other rights. This helps them to ensure that personal data is not disclosed to any person who has no right to receive it. No fee is required to make a request unless your request is clearly unfounded or excessive.

The Society may be unable to delete your personal data if required by law for the implementation of the Scheme.

Right to be forgotten

You have the right to request removal of personal data related to you on any one of a number of grounds, including cases where the fundamental rights of the data subject take precedence over the data controller's interests and require protection.

Keeping your personal information secure

The Society has appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. The Society limits access to your

personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

Procedures are in place to deal with any suspected data security breach. The Society will notify you and the Information Commissioner of a suspected data security breach where we are legally required to do so.

Contact for privacy questions or concerns

If you have any questions or comments on this Privacy policy or how the Society handles personal data, please direct your correspondence to the Joint Supervisors. The Joint Supervisors aim to respond within 30 days from receipt of the query.

Contact details of the Society:

c/o Arthur Boyd & Company
5th Floor, Causeway Tower
9 James Street South
Belfast
BT2 8DN

Telephone: 028 9032 9255

info@arthurboyd.co.uk

You have the right to contact the Information Commissioner at the address below to report concerns you may have about the Society's data handling practices:

Contact details for ICO are:

Information Commissioner's Office
3rd Floor
14 Cromac Place
Belfast
BT7 2JB

Telephone: 028 9027 8757 or 0303 123 1114

Website <https://ico.org.uk/concerns>

Changes to this Privacy Policy

This Privacy Policy can be updated at any time and ideally you should check it regularly here for updates. We won't alert you for every small change, but if there are any important changes to the Policy or how we use your information we will let you know and where appropriate ask for your consent. This Privacy Policy was last updated on 26 October 2018.