

Deloitte Restructuring Services Privacy Notice

Deloitte is committed to protecting your information by handling it responsibly and safeguarding it using appropriate technical, administrative and physical security measures.

Please read the following information carefully to understand our practices regarding your personal data and how we will treat it.

Who are we?

Our Restructuring Services staff work with businesses facing financial problems and with their financial stakeholders to identify the underlying issues and to deliver the best outcome, whether that be through an operational restructuring or a formal insolvency appointment, such as administration or liquidation.

Stuart Sybersma and David Soden were appointed as Joint Provisional Liquidators (“JPLs”) of Abraaj Investment Management Limited (“AIML”) by order of the Grand Court of the Cayman Islands dated 18 June 2018. Mr. Sybersma is a partner of Deloitte in the Cayman Islands and Mr. Soden is a partner of Deloitte LLP in the United Kingdom, and is also a licensed insolvency practitioner in Dubai.

Deloitte LLP is the UK affiliate of Deloitte NWE LLP, a member firm of Deloitte Touche Tohmatsu Limited, a UK private company limited by guarantee (“DTTL”), its network of member firms, and their related entities. DTTL and each of its member firms are legally separate and independent entities. Please see About Deloitte on our website to learn more about our global network of member firms. Deloitte LLP is a limited liability partnership registered in England and Wales with registered number OC303675.

Who’s in control?

Deloitte LLP (“we” or “us”) is the data controller of all personal data collected by Restructuring Services for the purposes as set out in this Privacy Notice. This means that we are responsible for deciding how and why personal data collected is to be used and also for making sure that the data is handled safely and responsibly.

We have a dedicated data protection team and have appointed a Data Protection Officer. If you have any questions or comments about privacy issues or wish to exercise any of the rights set out below you can contact the Head of Deloitte Business Security at Deloitte LLP 2 New Street Square, London, EC4A 3BZ or email ukqrsdataprivacy@deloitte.co.uk.

How do we collect data and where from?

We may obtain personal data about you, for example:

- Where you or your employer engages us to provide our services and also during the provision of those services; for example where your employer engages us to deliver a restructuring solution through a formal insolvency process, such as a CVA or an administration;
- From the Company books and records which we collect in order to comply with statutory and regulatory obligations; for example to enable us to adjudicate on claims, or to collect in book debts, or to carry out investigation into possible recoveries or offences.

- Where you have been identified by the Company in an insolvency process as a potential stakeholder in insolvency proceedings; for example, an employee, a supplier (and thus possible creditor), a customer, a potential purchaser, an investor or a shareholder;
- When you contact us by email, telephone or post for example when you have a query about (*our services or*) an insolvency engagement, or when you are contacting us to provide details of any claim or any information that you may have in relation to an insolvency engagement;
- from third parties and/or publicly available resources (for example, from HM Revenue and Customs, your employer or from Companies House).

We may also observe or infer personal data about you from the way you interact with us and the information that we collect.

What type of data might we collect?

The information we hold about you may include the following:

- your personal details (such as your name, your address and/or your contact details);
- government identifiers (such as national insurance number);
- payroll and salary information;
- bank and payment details;
- our correspondence and communications with you;
- information about any complaints and enquiries you make to us;
- *information from research, surveys, and marketing activities;*
- *your personnel files and records if you are or were an employee of the Company in insolvency; and*
- Information we receive from other sources, such as publicly available information, information provided by your employer OR our clients or information from our member network firms.

How we use information about you

We may process your personal data for purposes necessary for the performance of our legal/regulatory obligations under the Insolvency Act 1986 (as amended), the Companies Act 2006, the Law of Property Act 1925 any other national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK (“UK Insolvency and related Legislation”).

We may process your personal data for the purposes of our own legitimate interests provided that those interests do not override any of your own interests, rights and freedoms which require the protection of personal data. This includes processing for marketing (as part of a sales process), statistical and management purposes and for the purposes of protecting our business.

We may process your personal data for certain additional purposes with your consent, and in these limited circumstances where your consent is required for the processing of your personal data then you have the right to withdraw your consent to processing for such specific purposes.

Please note that we may process your personal data for more than one lawful basis depending on the specific purpose for which we are using your data.

Situations in which we will use your personal data

The following examples are given for illustrative purposes only (i.e. they are not intended to provide an exhaustive list) of the type of situation in which we may use your personal data:

- To contact you to ask you to provide information that might assist our enquiries and investigations;
- To contact you to ask you to submit details of your claim (i.e. to prove your debt) to enable you to take part in a dividend distribution or to vote in a decision procedure;
- Prepare statutory documents, such as proposals, in compliance with statutory obligations;
- When adjudicating claims for dividend purposes.

In some circumstances we may anonymise or pseudonymise the personal data so that it can no longer be associated with you, in which case we may use it without further notice to you. *(For example where cooperating with disclosure and document provision to a regulatory authority)*

If you refuse to provide us with certain information when requested, such as your contact details, or to confirm the amount of your claim, you may forfeit the right to participate in a dividend distribution.

We may also process your personal data without your knowledge or consent, in accordance with this notice, where we are legally required or permitted to do so.

Data Sharing

For one or more of the purposes outlined in the “How we use information about you” section above, we may disclose your personal information to:

- other members of the Deloitte Network
- those individuals or entities with whom you have requested us to share information, such as your spouse or civil partner
- competent authorities, including courts and authorities regulating us or another member of the Deloitte Network, in each case to comply with legal or regulatory obligations or requests
- service providers handling your information on our behalf; in each case, such service providers will be contractually bound by confidentiality and privacy obligations consistent with the obligations in this Privacy Statement
- third parties to whom we disclose information in the course of providing services to our client
- other third parties as may be necessary (for example in the context of possible sale and restructuring).

Transfers to third countries

Please note that some of the recipients of your personal information referred to above may be based in countries or regions without data protection rules similar to those in effect in your area of residence. In such cases, adequate safeguards will be in place to protect your personal information. Such adequate

safeguards might include a data transfer agreement with the recipient based on standard contractual clauses approved by the European Commission for transfers of personal information to those countries.

For further details about the transfers described above and the adequate safeguards used by Deloitte with respect to such transfers, please contact us using the details below.

Data Retention Period

We will only retain your personal data for as long as is necessary to fulfil the purposes for which it is collected and in compliance with our statutory and regulatory obligations.

When assessing what retention period is appropriate for your personal data, we take into consideration:

- any statutory or legal obligations;
- the purposes for which we originally collected the personal data;
- the lawful grounds on which we based our processing;
- the types of personal data we have collected;
- the source* of the data
- the amount and categories of your personal data;
- the period in which litigation or investigations might arise; and
- whether the purpose of the processing could reasonably be fulfilled by other means.

* The statutory retention periods differ according to the source of the data. The Company records can be destroyed one year after dissolution of the Company. Our records, that is data that we collect from you as contained within our record of our administration of the estate, will be destroyed no earlier than six years following closure of our administration.

Data Security

We have put in place commercially reasonable and appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Data Subject Rights

Your duty to inform us of changes

It is important that the personal data we hold about you is accurate and current. Should your personal information change, please notify us of any changes of which we need to be made aware by contacting us, using the contact details below.

Your rights in connection with personal data

Under certain circumstances, by law you have the right to:

- Obtain confirmation that we are processing your personal information and request a copy of the personal information we hold about you. This enables you to receive details of the personal data we hold about you and to check that we are processing it lawfully.
- Request correction of the personal data that we hold about you.
- Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing (see below).
- Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this basis. You also have the right to object where we are processing your personal information for direct marketing purposes.
- Request the restriction of processing of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal data to you or another data controller if the processing is based on consent, carried out by automated means and this is technically feasible. If you want to exercise any of the above rights, please email our data protection point of contact given below.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to Withdraw Consent

In the limited circumstances where our processing of your personal data is reliant on consent you have the right to withdraw such consent for that specific processing at any time.

Once we have received notification that you have withdrawn your consent, we will no longer process your personal information (personal data) for the purpose or purposes you originally agreed to. However, we may still retain a copy of the relevant information for as long as necessary to comply with applicable laws or professional standards, or as long as the period in which litigation or investigations might arise in respect of our services.

Changes to this Notice

Any changes we may make to our privacy notice in the future will be provided to you via update to the case website.

This privacy notice was last updated on 24 May 2018.

Contact us

If you have any questions regarding this notice or if you would like to speak to us about the manner in which we process your personal data, please email our Restructuring Services Data Protection Point at ukqrsdataprivacy@deloitte.co.uk.

You also have the right to make a complaint to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues, at any time. The ICO's contact details are as follows:

Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF

Telephone - 0303 123 1113 (local rate) or 01625 545 745

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