



Clarke & Carter Interyacht Limited

Privacy Information Notice (for Clients)

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Introduction

This Privacy Information Notice describes how Clarke & Carter Interyacht Ltd will collect, use and protect your personal information. It applies to any website, applications and products or services offered by Clarke & Carter Interyacht Ltd and referred to in this Privacy Information Notice.

1.0 Who we are:

Clarke & Carter Interyacht Limited's registered office is Suffolk Yacht Harbour, Levington, Ipswich, Suffolk, IP10 0LN

Company No.1781891 London.

VAT No. 406 9809 31

FCA Financial Services Register No.659587

Clarke & Carter Interyacht Limited is owned by Clarke & Carter Holdings Limited and trades under the following names Clarke & Carter, Clarke & Carter Kent, and Network Yacht Brokers Kent, any of whom may act as Data Processors.

The Data Protection Officer (DPO) for Clarke & Carter Interyacht Limited is Ian Scott who can be contacted at +44 (0)1621 785600, or ian@clarkeandcarter.co.uk.

Expressions: What it means in this document

- **Agent:** a person or organisation who you have appointed to act on your behalf in relation to a product or service offered by Clarke & Carter Interyacht Limited. E.g your surveyor, insurance company, marina or finance house;
- **Data Controller:** the person or business who determines the purposes and means of processing personal information;
- **Data Processor:** the person (or business) responsible for processing personal data on behalf of the Data Controller;
- **EEA:** European Economic Area which is made up of EU countries plus Norway, Iceland and Liechtenstein;
- **We/us/our:** Clarke & Carter Interyacht Limited.

2.0 Why we need to collect, use and process personal information:

We collect personal information from you in order to perform our contractual obligations when you apply for any of our products or services. When you complete an application for any of our products and services you understand that we will be processing your personal data for the purpose set out above.

When we need to collect, use and process sensitive personal information we will obtain your express consent at the specific time that we need it.

3.0 The information we may collect, hold and process about you:

- Title;
- Full name;
- Permanent residential address;
- Telephone contact number;
- Nationality;
- Country of residence;
- Occupation;
- Supporting information to verify your identity and address;
- Outcome of identity searches and anti-money laundering due-diligence checks;
- All communications to and from you by telephone, email, post or otherwise.

4.0 How we use your personal information:

- To enable you to obtain details of vessels we have for sale;
- To enable you to sell your vessel through us;
- To process your application for any requested products and services we offer;
- To administer the products or services provided including the payment of sales proceeds of your vessel;
- To comply with legal or regulatory requirements;
- For the detection, prevention and investigation of illegal or prohibited criminal activities and in the protection of our legal rights including liaison with regulators and law enforcement agencies;
- To provide you with access to applications in relation to the products and services you have requested;
- To notify you about changes to our products and services;
- To administer the website and secure portals and to carry out internal benchmark testing and systems monitoring e.g statistical and data analysis, troubleshooting faults or issues, service monitoring and for survey purposes, in order to improve the use, presentation, performance and security of services;
- For market research, statistical analysis, customer profiling and in the development of our products and services; and
- To send you details by post, email, telephone and any other electronic means, of applications, products and services we supply which we believe may be of interest to you, but only if you have given us prior consent (this may include sending your details to third parties who may provide some services on our behalf such as but not limited to boat yards, surveyors and insurance companies).

5.0 How we collect information:

You may give us information by filling in forms (in paper or on our website, our partner websites or by corresponding with us) by:

- Phone;
- Email;
- Post;
- By any other electronic means, i.e social media or partner websites.

This includes information you provide when you:

- Search our website;
- Search our partner websites that host authorised details of vessels we have for sale;
- Apply for products or services;
- Enter promotional events and/or participate in a survey, either paper or electronic or other interaction with our website or partner websites (including occasions when you report a problem with the websites).

We may receive personal information from third parties who we work closely with and who are entitled to share that information, (e.g. vessel advertising websites, credit agencies, search information providers, analytics providers, public sources, or any other service providers) but in each, as permitted by the applicable law.

Each time you visit the Clarke & Carter and Network Yachtbroker websites or our authorised partner websites we may automatically collect the following information:

- Technical Information, including the Internet Protocol (IP) address used to connect your computer to the internet, your browser type and version, the time zone settings, browser plug-ins types and versions, operating systems and platforms etc:

and
- Information about your visit including the full Uniform Resource Location (URL) of the internet sites you came through to our websites and which pages you visited (including date and time); page response times; download errors; length of visits to certain pages, page interaction information; methods used to browse away from the page.

6.0 Disclosure of your information:

We may share your personal data (including storage and transfer of data) with:

- Any member of Clarke & Carter for the purposes set out in this Privacy Information Notice;
- Agents selected by you and for whom you have given prior consent for us to share personal information;
- Any third party in order to meet our legal and regulatory obligations, including statutory or regulatory bodies, law enforcement agencies, credit reference agencies and company auditors;
- Our service providers and agents (including their sub-contractors) or third parties who process information on our behalf in relation to, for example banks for processing payments, printing services, bulk communications purposes and internet services;
- Any third party in the context of actual or threatened legal proceedings provided we can do so lawfully; and
- Third parties to whom we sell or negotiate to sell our business or assets.

7.0 Data Retention:

We may retain information about you:

- At the end of your contract;
- Where your application for a service or product is declined; or
- Where you decide not to proceed with a service or product.

This information will only be held as long as necessary to meet any legal, regulatory, or fraud prevention requirements and for our lawful business processing. We regularly review our records to ensure that we only retain your personal information for as long as is necessary for the purposes set out in this Privacy Information Notice.

Please note: where we no longer need your personal information, we will dispose of it in a secure manner (without further notice to you).

8.0 Automated Decisions:

We may use your personal data to undertake automated online identity checks and, in the detection, prevention and investigation of illegal or prohibited criminal activities.

9.0 Mobile Data:

We may obtain information through mobile applications that we may offer, and you or your agents use to access our websites, applications and services. Mobile applications for this purpose may be provided by us or third parties.

Where mobile applications are provided by a third party, you must read that third party's own privacy information notice in relation to that application. We are not responsible for third party mobile applications and their use of your personal information.

10.0 Marketing:

From time to time, where you have provided consent, we may use your personal information to contact you by telephone, post, email or by any other electronic means, with details about our brokerage offering, products and services, which we feel may be of interest to you.

11.0 Transfers outside of the European Economic Area:

The data that we collect from you may be transferred to and stored at a destination outside of the EEA. It may also be processed by our service providers (and their employees) operating outside the EEA.

We take steps to ensure that in the event that your information is transferred outside of the EEA by our service providers, appropriate measures and controls are in place to protect that information in accordance with applicable data protection laws and regulations in the UK.

12.0 Security and storage of information:

The security and storage of your personal information is very important to us.

The personal information we collect from you is stored by us on secure servers, protected through a combination of physical and electronic access controls, firewall technology and other security measures.

In addition, when we create payment instructions and pass them to our banking partners they will be encrypted using secure technology. We have put in place measures to guard against unauthorised or unlawful processing and against accidental loss, destruction or damage.

If you contact us we will ask some questions to establish your identity and will not disclose your personal information under any circumstances unless we are satisfied that you are who you claim to be.

Although we use market standard security software to protect your personal information we cannot guarantee the security of the data transmitted by you to our websites, secure portals, applications or services; any transmission is at your risk. Once we have received your information, we will use strict procedures and security features to try and prevent unauthorised access.

If we have given you a password to access certain areas of our website, applications or services please keep these passwords safe. We will not share this password with anyone. If you believe your password has been compromised, please contact the Data Protection Officer immediately in order for us to take additional steps to protect your personal information as appropriate.

13.0 Cookies (small text files):

The Clarke & Carter websites use cookies to distinguish you from other users of our website to help us improve our applications and services.

For detailed information on the cookies we use and the purposes for which we use them, please see our Privacy and Cookie Policy on our website.

14.0 Your information and your rights:

You have the following rights:

- To be informed about how we obtain and use your information;
- To ask for a copy of the information that we hold about you;
- To have your information rectified;
- To request us to restrict processing of your personal data;
- To request to have your information erased (Right to be forgotten);
- To object to the processing of your information (e.g. for direct marketing purposes);
- To have information you provided to us, returned to you or sent direct to another company, in a structured, commonly used and machine-readable format where technically feasible (Data Portability);
- Where the processing of your information is based on your consent, the right at any time to withdraw that consent;
- To object to any decisions based on automated processing of your personal data including profiling; and
- To lodge a complaint with the Information Commissioners Office (ICO) the supervisory authority responsible for data protection matters.

You cannot opt out of receiving regulatory or legal information or updates, e.g. information about a change to our product terms and conditions.

If you withdraw your consent to the processing of your personal information or you ask for your information to be erased, we may not be able to provide you with access to all or parts of our website, applications products or services.

If you would like to use any of your rights please contact dataprotection@clarkeandcarter.co.uk or the Data Protection Officer ian@clarkeandcarter.co.uk

15.0 Other sites and social media:

If you follow a link from our websites, applications or services to another site or service, this Privacy Information Notice will no longer apply. We are not responsible for the information handling practices of third party sites or services and we encourage you to read the privacy information notices appearing on those sites or services.

16.0 Electronic mail containing personal information:

You and your agents may from time to time send personal information to us electronically. We are not responsible for the way in which you or your agent handles personal information. Where possible, we insist that you or your agent communicates using either secure encrypted email, through a secure portal or using encrypted files. Please refer to Clause 12 of this Privacy Information Notice regarding security of information not sent via secure means.

Where we communicate personal information with you or your agent through electronic means we will ensure that it is done using the most secure method.

17.0 Changes to our Privacy Information Notice:

We may change, modify or adjust this Privacy Information Notice from time to time, however, we will not reduce your rights under this Privacy Information Notice.

Any changes we may make to our Privacy Information Notice in the future will be advised electronically. Copies of our Privacy Information Notice are available from us by post. Please contact us if you require a copy.

18.0 Contact us:

We take your privacy and protection of your personal information very seriously. If you have any questions, comments or queries about the way we are collecting or using your personal information please contact the Data Protection at Clarke & Carter Interyacht Limited, registered office is Suffolk Yacht Harbour, Levington, Ipswich, Suffolk, IP10 0LN or email us at dataprotection@clarkeandcarter.co.uk

If you have a concern about the way in which we are collecting or using your personal information you may contact the Information Commissioner's Office directly at <https://ico.org.uk/concern/>