

Data Protection Policy

INTRODUCTION

1. This data protection policy (the “Policy”) governs the collection, use, disclosure, transfer and storage of Personal Data by Tang & Co (“Tang & Co”), as controllers of Personal Data.
2. This Policy includes the following policy that set out Tang & Co’s approach to the processing of Personal Data:
 - a. the Personal Data Breach Notification Policy in relation to the procedures to be followed in the event of a breach relating to Personal Data.
3. This Policy:
 - a. has been approved by the principal of Tang & Co;
 - b. may be amended by Tang & Co at any time, consistent with the requirements of applicable laws and regulations. Any revisions will take effect from the date on which the amended Policy is published, as indicated in the version number set out herein.
4. Any questions or concerns about the operation of this Policy, including whether this Policy has been followed should be referred to Tang & Co.

DEFINITIONS

5. “Data Subject” means any individual who is the subject of Personal Data that is processed by Tang & Co.
6. “Data Protection Laws” means all applicable laws, rules, regulation, directives and governmental requirements relating in any way to the privacy, confidentiality, security, integrity and protection of Personal Data, including without limitation the EU Data Protection Directive 95/46/EC, the EU General Data Protection Regulation 2016/679, the EU ePrivacy Directive 2002/58/EC as amended by Directive 2009/136/EC, each as amended or superseded from time to time, and any EU Member State national implementing legislation, and applicable data protection laws.
7. “Personal Data” means any data relating to an identified or identifiable person. An identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to that person’s physical, physiological, genetic, mental, economic, cultural, or social identity. Examples of information that may permit this kind of identification include without limitation addresses, email addresses, telephone numbers, dates of birth, identity card numbers, human resources files about employees, details of clients and suppliers; “process” or “processing” or “processed” means any operation or set of operations performed upon Personal Data, whether or not by automatic means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure, or destruction.

8. “Sensitive Personal Data” means any data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic or biometric data, data concerning health, data concerning sex life or sexual orientation, and data concerning the commission or alleged commission of any offence.

COLLECTION AND USE OF PERSONAL DATA

9. Tang & Co collects Personal Data relating to clients (“Client Personal Data”).
10. Tang & Co may hold and process the following types of Client Personal Data:
- a. personal details: client name, client business postal address, client business email address, client business telephone number, client personal mobile number; and
 - b. financial details: any financial information required for the performance of a contract with clients, in particular, bank account details for purposes of invoicing, payments and the performance of the client contract.
11. The processing of Client Personal Data enables Tang & Co to perform its role as service provider, including carrying out its obligations in connection with the performance of its client contracts. Without this information it would not be possible for Tang & Co to perform a client contract. Certain Client Personal Data is processed by Tang & Co for its legitimate business interests, including without limitation:
- a. keeping records relating to the business and activities carried out by the Tang & Co with its clients, including records of general processing relating to the performance of contracts with, and provision of services and/or products to, clients; and
 - b. financial records and audits related to client contracts and relationships.
12. Tang & Co may disclose and/or transfer Client Personal Data to third parties only for the business-related purposes set out above. The parties to whom Tang & Co may disclose or otherwise transfer Client Personal Data include:
- a. legal and other professional advisers, consultants and experts;
 - b. financial organisations and advisers; and
 - c. as otherwise necessary or required or permitted by law or due to a request from a competent court, regulator or other authority.
13. Tang & Co will only process such Sensitive Personal Data when permitted or required to comply with its legal obligations or where the client’s explicit consent has been obtained for the processing of such data, where such consent may be required by local law.

RIGHTS OF DATA SUBJECTS

14. Tang & Co will respond to requests made by Data Subjects to exercise their legal rights in relation to Personal Data that Tang & Co holds about them. Subject to applicable exemptions, Data Subjects have the following rights:

Right to be informed

- a. Right to be informed about any Personal Data held about them by Tang & Co.

Right of access

- b. Right to request access to their Personal Data and be provided information in relation to that data (including the purposes for which the data is processed, how long it will be stored for, the right to lodge a complaint with a supervisory authority).

Right to rectification

- c. Right to have their inaccurate Personal Data amended.

Right to erasure

- d. Right to have their inaccurate Personal Data erased.

Right to restrict processing

- e. Right to restrict processing of their Personal Data.

Right to data portability

- f. Right to receive a copy of their Personal Data in a machine-readable format or to have their Personal Data sent to another entity.

Right to object

- g. Right to object to the processing of their Personal Data.

Right in relation to automated decision making and profiling

- h. Right not to be subject to a decision which is based on automated processing or profiling that could result in a significant effect on the Data Subject, such as discriminatory effects.

SUBJECT ACCESS REQUESTS

15. If making a request to access your Personal Data please email Tang & Co details of your request and the necessary document/s to identify yourself.

16. Tang & Co shall handle subject access requests as follows:

- a. Tang & Co shall identify the data subject;
- b. Tang & Co shall provide the requested information within one month of receipt of request; this period may be extended by two further months where necessary, taking into account the complexity and number of the requests; Tang & Co shall inform the data subject of any such extension within one month of receipt of the request, together with the reasons for the delay;
- c. where the data subject makes the request by electronic form means, the information shall be provided by electronic means where possible, unless otherwise requested by the data subject;

- d. where the request concerns a large quantity of information, Tang & Co reserves the right to ask the data subject to specify the information the request relates to;
- e. if Tang & Co does not take action on the request of the data subject, Tang & Co shall inform the data subject within one month of receipt of the request of the reasons for not taking action and on the possibility of lodging a complaint with a supervisory authority and seeking a judicial remedy; and
- f. Tang & Co reserves the right to charge a reasonable fee for access or not to act on the request, where permitted by law.

APPOINTING DATA PROCESSORS

- 17. To the extent that Tang & Co appoints third parties to carry out processing of Personal Data on Tang & Co's behalf, Tang & Co shall impose contractual obligations dealing with the protection and security of that information such that these third parties are contractually required to, amongst other obligations, act in a manner consistent with Tang & Co's instructions when processing Personal Data and that they have in place appropriate technical and organisational security measures to safeguard such Personal Data.

RECORD KEEPING

- 18. Tang & Co maintains various records including the following:
 - a. processing activities carried out by Tang & Co;
 - b. consents provided by Data Subjects (where applicable); and
 - c. data protection related policies and procedures.

BREACH NOTIFICATION

- 19. Tang & Co has in place the Personal Data Breach Notification Policy to be followed in the event of a breach in relation to Personal Data.

INTERNATIONAL TRANSFERS OF PERSONAL DATA

- 20. To the extent that any of Tang & Co's operations involve the transfer of Personal Data collected in the EEA to countries outside the EEA which may not have laws offering the same level of protection for Personal Data as those inside the EEA, Tang & Co will take steps to prevent the transfer of Personal Data without adequate safeguards being put in place and will ensure that Personal Data collected in the EEA and transferred internationally is afforded the same level of protection as it would be inside the EEA.

DATA RETENTION

21. Tang & Co must comply with Data Protection Laws which require that Personal Data must not be kept longer than is necessary for the purpose for which it was collected. This requires that Personal Data must be physically destroyed and/or erased and purged from Tang & Co's systems when it is no longer required, unless there is a minimum retention period in relation to the relevant record or a proceeding is pending or reasonably anticipated.

DOCUMENT CONTROL

22. This Policy was approved as stated in this Section and is issued on a version-controlled basis.

Version	Date of Issue	Approved by	Position
1	21/05/18	Garry Tang	Principal