

GDPR Privacy Notice

Clients

16 May 2018

1. Introduction & Scope

- 1.1. Amir Mohtashemi Limited is committed to protecting the privacy and security of your personal information (collectively referred to as “**the Company**”, “**we**”, “**us**” or “**our**”).
- 1.2. This Privacy Notice (“**Notice**”) describes how we collect and use personal information about you during and after your contractual relationship with us, in accordance with the General Data Protection Regulation (“**GDPR**”).
- 1.3. This Notice applies to all past, present and prospective clients of the Company (collectively referred to as “**Clients**”, “**you**” or “**your**”) as well as certain third parties such as your permitted agents or representatives. This Notice does not form part of any sales agreement or other contract to provide services you may have with the Company from time to time.
- 1.4. It is important that you read this Notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.
- 1.5. We reserve the right to amend this Notice at any time without notice to you so, if required, please check to ensure that you are referring to the latest copy of this Notice. We may also notify you in other ways from time to time about the processing of your personal data.

2. Data Controller

- 2.1. Amir Mohtashemi Limited of 69 Kensington Church Street, London W8 4BG is a "data controller" for the purposes of the GDPR. This means that we are responsible for deciding how we hold and use personal information about you.
- 2.2. We have appointed Trina Johnson of 69 Kensington Church Street, London W8 4BG (Tel: +44 (0)20 7939 4422) to oversee compliance with this Notice (“**the Data Privacy Manager**”). If you have any questions about this Notice or how we handle your personal information, please contact the Data Privacy Manager.
- 2.3. You have the right to make a complaint at any time to the ICO (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

3. Data protection principles

- 3.1. We will comply with data protection law. This says that the personal information we hold about you must be:
 - 3.1.1. Used lawfully, fairly and in a transparent way.
 - 3.1.2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
 - 3.1.3. Relevant to the purposes we have told you about and limited only to those purposes.
 - 3.1.4. Accurate and kept up to date.
 - 3.1.5. Kept only as long as necessary for the purposes we have told you about.
 - 3.1.6. Kept securely.

4. The kind of information we hold about you

- 4.1. Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

- 4.2. We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:
- 4.2.1. **Identity Data** includes first name, last name, marital status, title and gender;
 - 4.2.2. **Contact Data** includes billing address, home address, registered office address, email address and telephone numbers;
 - 4.2.3. **Sales Data** includes, but is not limited to, information concerning the purchase of items in our inventory (actual or proposed), information concerning the sale of your nominated items (actual or proposed), information concerning your preferences and/or collections you are interested in, and any other information connected with your enquiries/purchases such as title, source or valuation details; and/or
 - 4.2.4. **Technical Data** includes information about your use of our information and communications systems, CCTV footage and any other information obtained through electronic means.
- 4.3. We do not envisage that we will collect, store or use any "special categories" of more sensitive personal information, however we will notify you in writing if this changes.

5. How is your personal information collected?

- 5.1. We will collect personal information about you and any relevant third parties during the enquiry and sales process, either directly from you or sometimes from your permitted agents and representatives.
- 5.2. We may also collect additional information about you from third parties including consultants, auctioneers, private vendors/purchasers, family members, other connected individuals and/or publicly available sources.
- 5.3. Additional personal information may be collected during the course of your relationship with us and any subsequent instructions we may receive.

6. How we will use information about you

- 6.1. We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:
 - 6.1.1. Where we need to perform the contract we have entered into with you (or in order to enter into such a contract).
 - 6.1.2. Where we need to comply with a legal obligation.
 - 6.1.3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- 6.2. We may also use your personal information in the following situations, which are likely to be rare:
 - 6.2.1. Where we need to protect your interests (or someone else's interests).
 - 6.2.2. Where it is needed for official purposes.
- 6.3. Generally, we do not rely on consent as a legal basis for processing your personal data and we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

7. Situations in which we will use your personal information

- 7.1. We need all the categories of information in the list above primarily to allow us to perform our agreement with you and to enable us to comply with our legal obligations. In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests.

- 7.2. The situations in which we will most commonly process your personal information are listed below:
- 7.2.1. discharging the services agreed and fulfilling your requests (including, but not limited to, the purchase of items in our inventory or the sourcing/purchase of items as your agent);
 - 7.2.2. responding to, or following up on, your comments and questions, and otherwise providing customer service;
 - 7.2.3. contacting you from time to time with information concerning items in our inventory that are relevant to your interests or previously purchased collections;
 - 7.2.4. any other purpose connected with our contract with you and notified to you in advance or as otherwise agreed with you from time to time.
 - 7.2.5. archiving and historical research;
 - 7.2.6. updating and enhancing client records;
 - 7.2.7. analysis for management purposes and the improvement of our services;
 - 7.2.8. crime prevention; and/or
 - 7.2.9. legal and regulatory compliance.
- 7.3. Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

8. If you fail to provide personal information

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you. In this case, we may have to cancel a contract you have with us but we will notify you if this is the case at the time.

9. Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

10. Data sharing

- 10.1. We may have to share your data with third parties. We will only share your personal data with third parties where required by law, where it is necessary to administer the contract you have with us or where we have another legitimate interest in doing so.
- 10.2. "Third parties" includes third-party service providers such as contractors, designated agents, shippers (both national and international), auctioneers, private vendors, exhibitors, accountants, bookkeepers, insurance brokers and/or IT consultants. We may also need to share your personal information with a regulator or to otherwise comply with the law.
- 10.3. Such third parties in the United Kingdom and the EU are subject to the provisions of the GDPR or similar regulations in relation to your personal data.
- 10.4. Our third-party service providers are required to take appropriate security measures to protect your personal information and we do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.
- 10.5. We may also be required to transfer your personal data outside the EU. The GDPR restricts data transfers to countries outside the EEA in order to ensure that the level of data protection afforded to individuals by the GDPR is not undermined. We transfer personal

data originating in one country across borders when we transmit, send, view or access that data in or to a different country.

- 10.6. We may transfer personal data outside the EEA only if one of the following conditions applies:
- 10.6.1. the European Commission has issued a decision confirming that the country to which we transfer the personal data ensures an adequate level of protection for the data subjects' rights and freedoms;
 - 10.6.2. appropriate safeguards are in place such as binding corporate rules (BCR), standard contractual clauses approved by the European Commission, an approved code of conduct or a certification mechanism;
 - 10.6.3. you have provided explicit consent to the proposed transfer after being informed of any potential risks; or
 - 10.6.4. the transfer is necessary for one of the other reasons set out in the GDPR including the performance of your contract with us, reasons of public interest, to establish, exercise or defend legal claims or to protect your vital interests where you are physically or legally incapable of giving consent and, in some limited cases, for our legitimate interest.

11. Data security

- 11.1. The GDPR requires us to put in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction. We ensure that reasonable security measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data.
- 11.2. We have also 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.
- 11.3. If you have any questions about our current organisational and technical security procedures, please contact the Data Privacy Manager.

Data retention

12. How long will you use my information for?

- 12.1. We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.
- 12.2. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.
- 12.3. Details of the retention periods for your personal information are available in our retention policy which is available from the Data Privacy Manager.
- 12.4. In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

Rights of access, correction, erasure, and restriction

13. Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

14. Your rights in connection with personal information

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

14.1.1. **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

14.1.2. **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.

14.1.3. **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).

14.1.4. **Object to processing** of your personal information 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 ground. You also have the right to object where we are processing your personal information for direct marketing purposes.

14.1.5. **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

14.1.6. **Request the transfer** of your personal information to another party.

14.2. If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Data Privacy Manager in writing.

15. No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

16. What we may need from you

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.

17. Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Data Privacy Manager. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

If you have any questions about this Notice, please contact the Data Privacy Manager.