

DUNNCOX DATA PRIVACY POLICY

1 Introduction

- 1.1 We at DunnCox, take privacy, and the security of your personal data, very seriously, and the partners are committed to ensuring that we safeguard your personal data at all times and in the best way possible.
- 1.2 This privacy policy contains important information for you. It explains:
 - 1.2.1 who we are;
 - 1.2.2 what personal information we collect about you;
 - 1.2.3 how, when and why we collect, store, use and share your personal data;
 - 1.2.4 how we keep your personal data secure;
 - 1.2.5 for how long we keep your personal data;
 - 1.2.6 your rights in relation to your personal data, and
 - 1.2.7 how to contact us, or the relevant supervisory authorities, should you have a complaint.
- 1.3 So that we can provide legal services to you we need to collect, use and process or deal with certain personal information about you (your **personal data**). When we do so we are subject to the provisions of the Data Protection Act. We are responsible as what is described as a 'controller' of that personal information for the purposes of those laws. In other words, we are primarily responsible for that personal data and are the 'natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data'.
- 1.4 If you have any questions about the use to which we put your data please email us at info@dunncox.com or write to The Compliance Officer, at DunnCox, 48 Duke Street, Kingston.
- 1.5 This policy applies in all circumstances, but in particular where you (or someone or an organisation on your behalf):
 - 1.5.1 instruct us to act on your behalf and/or to provide you with advice and/or information;
 - 1.5.2 enquire about instructing us;
 - 1.5.3 visit our website;
 - 1.5.4 submit an enquiry, make contact with us or sign-up to receive our newsletter;
 - 1.5.5 request information from us or provide information to us; and

- 1.5.6 attend events or seminars hosted by us.
- 1.6 This policy will also apply where we:
 - 1.6.1 conduct searches about you on public sources in connection with our marketing or business acceptance processes;
 - 1.6.2 agree to provide legal services to you or to the organisation for whom you work;
or
 - 1.6.3 add you to a mailing or marketing list.
- 1.7 In other words, this policy will apply where we are acting as a data controller in relation to your personal data, and where we have a supervisory role in relation to how personal data is collected, stored, used and shared.
- 1.8 Please note that in general the services that we provide are not principally aimed at children. This is because children are generally represented by their parent(s) or guardian(s). If you are a child and you require further advice or explanation about how we will use your data, or if you represent the interests of a child and you would like the child to receive further advice and explanation, please contact us using the details set out in paragraph 1.4 above.
- 1.9 Please note that we use cookies on our website. Therefore, this policy should be read in conjunction with our cookie policy and any other policies that relate to internet or email use.
- 1.10 We are committed to preserving the privacy of your data so that we can:
 - 1.10.1 deliver services of a high quality to all our clients;
 - 1.10.2 at all times comply with the law and the various regulations that we are subject to;
 - 1.10.3 preserve the confidentiality of your personal data in compliance with the provisions set out in the Data Protection Act and Regulations.
 - 1.10.4 meet the expectations of clients, employees and third parties.
- 1.11 In this policy, please note the use of the following terms:

personal data	has the meaning given to it by the Data Protection Act and means any information relating to an identified or identifiable individual (known as a 'data subject');
processing	means any operation or actions performed on personal data; for example collection, recording, organisation, structuring, storing,

altering, deleting or otherwise using personal data.

we, us and our

refers to DunnCox, its partners and its affiliated entities which include DCOA Corporate Services Limited, D.C. & O. Services and D.C. & O. Services Limited Superannuation Fund;

you and your

refers to the person whose data is processed;

2 Your personal data

2.1 Where relevant, we may collect, store, use and share personal data relating to you in the course of acting for or advising you. The data we need to collect from you in order for us to be able to act for, or advise, you may include the following:

2.1.1 Your name and contact details including address, telephone number, email address.

2.1.2 Information about your gender where it is relevant, and you choose to provide this information.

2.1.3 Where you are located.

2.1.4 Professional or trade-related information.

2.1.5 Information required by us in order to enable us to check and verify your identity (for example for anti-money laundering purposes or generally as a means of helping to prevent fraud); including but not limited to your TRN, details on your government issued ID, date of birth.

2.1.6 Information as to the matter in which we are acting or advising you.

2.1.7 Financial details relating to you, including details of your bank account if money is sent to you or is likely to need to be sent to you, billing information and credit card details.

2.1.8 The source of any funds being supplied by you in relation to any transaction that involves a purchase.

2.1.9 Your national insurance number and/or tax details where relevant.

2.1.10 Details of your spouse/partner and dependents or other family members. This applies where, for example, you have instructed us on a family matter or in connection with a will or other estate matter.

2.1.11 Details of your employment status and other related details including, but not limited to, salary and benefits, records relating to sickness and attendance, performance, disciplinary action taken in relation to you, conduct and grievances (including relevant special category personal data). This applies

where, for example, you instruct us on a matter related to your employment, or where your employment status, income or employment records are relevant.

- 2.1.12 Details of your nationality and immigration status, and information from related documents, such as your passport or other identification and immigration information. This applies where, for example, you instruct us on an immigration matter.
- 2.1.13 Details of your pension arrangements. This applies where, for example, you instruct us on a pension matter or in relation to financial arrangements following the breakdown of a relationship.
- 2.1.14 Marketing and communications data including, where relevant, your preferences in relation to receiving marketing and communications from us.
- 2.1.15 Transaction data, including details about any payments to and from you.
- 2.1.16 Technical data, including internet protocol (IP) address, login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technological data relating to your use of our website.
- 2.2 Note that failure to provide the personal data requested may prevent us from acting for you or may delay the provision of services.
- 2.3 In most cases we will collect data about you directly from you by letter, email, phone or at a meeting with you. However, we may also need to acquire information about you:
 - 2.3.1 from publicly-available sources such as the Office of Titles, Companies Office, professional records and other membership records;
 - 2.3.2 from third parties with whom you have a relationship, including banks, building societies, financial institutions, other professionals and advisers, employers, professional bodies, doctors and trade; and
 - 2.3.3 through information technology-related methods, including by the use of cookies on websites, CCTV, messaging systems, access control systems, email, and instant messaging services; and
- 2.4 Please note that it is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.
- 2.5 We may also obtain personal data about you in relation to your use of our website. This information may include your computer's IP address and the operating system and web browser that you use to access our website. It enables us to identify who has visited our website. This information is used to produce statistical data on the use of our website and to help us to enhance the user experience in the future.

3 The purposes for which your information is used

3.1 Data protection law requires that we only use your personal data for the purposes for which it was acquired, or where we have a proper reason for using it. Those reasons may include the following:

3.1.1 Where you have given consent to the use of your personal data for one or more specific purposes.

3.1.2 Where the use is necessary for the performance of a contract to which you are party, or in order to take steps at your request prior to entering into a contract.

3.1.3 Where the use is necessary for compliance with a legal obligation that we are subject to.

3.1.4 Where the use is necessary in order to protect your vital interests or those of another person.

3.1.5 Where the use is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us.

3.1.6 Where the use is necessary for the purposes of our legitimate interests or those of a third party, except where those interests are overridden by your interests or fundamental rights and freedoms which require protection of personal data, in particular where you or the relevant person is a child.

3.2 The reasons set out above represent the general position as to the purposes for which your personal data may be used. Without prejudice to the generality of the foregoing, we expect that the specific position in relation to your personal data, however, is that we may use it for the following purposes:

3.2.1 To provide you with legal services, advice or representation so that we can comply with our contract with you and/or take any steps that it is necessary for us to take before entering into a contract with you.

3.2.2 To prevent or detect fraud, either against you or against any other person involved in any matter in which you are involved. This will help to prevent any damage either to you, a third party or to us.

3.2.3 To carry out identity checks and undertake information gathering and audits as required by the General Legal Council or the Financial Services Commission or other regulatory bodies to comply with any legal and/or regulatory obligations to which you or we are subject.

3.2.4 To carry out anti-money laundering checks.

3.2.5 To undertake financial, embargo/sanction list and other security checks, and such other processing activities as are required for legal and regulatory compliance generally or specifically by your or our regulator(s).

- 3.2.6 To gather and provide any information required by or relating to audits, enquiries or investigations by your, or our, regulator(s).
 - 3.2.7 To preserve the confidentiality of commercially sensitive information, and for our legitimate interests or those of a third party in relation to the protection of our, or another's, intellectual property, and other commercially valuable information.
 - 3.2.8 To comply with our legal and regulatory obligations.
 - 3.2.9 To comply with our internal business policies, and for operational reasons such as security, confidentiality, competency and efficiency control, training and client care. This will help us to deliver the best service to you.
 - 3.2.10 For audits and external quality reviews in relation to standards adopted by us.
 - 3.2.11 For statistical analysis to enable us better to manage our business, for example in relation to our financial performance, client base and range of services.
 - 3.2.12 For maintaining and updating records to ensure accuracy of processing and preventing unauthorised access and modifications to systems, and to prevent and detect criminal activity that could be damaging for us and for you.
 - 3.2.13 To comply with legal and regulatory obligations, and to make information returns to regulators and legally constituted bodies.
 - 3.2.14 To ensure safe working practices, and for staff administration and assessment purposes.
 - 3.2.15 For marketing our services to existing and former clients and third parties.
 - 3.2.16 For credit control and credit reference checks in relation to the services that we perform where necessary.
- 3.3 The purposes set out above will not apply to what is termed 'sensitive personal data'. This includes the processing of biometric data capable of identifying you, and data concerning health. We will only ever process information of that nature with your explicit consent or there is some other lawful basis for doing so.

4 Contacting you

- 4.1 In addition to the general matters dealt with in paragraph 3.2 above, we may also need to send you updates concerning legal and other relevant developments in relation to you, the matter in connection with which we are instructed, your personal business or family interests, or other related matters which might concern you, or be of interest to you. This may be by post, courier service, telephone, email or text, and may include information about the legal and other services that we offer, and information relating to changes in those services.

- 4.2 We regard ourselves as having a legitimate interest in processing your personal data for these purposes, and we take the view that we do not require your consent in order to do so. From time to time we undertake what are known as 'legitimate interest assessments' in order to balance our interests in contacting you with your interests in relation to your data. Where we believe that consent is required, we will contact you specifically for this and will do so in a clear and transparent manner.
- 4.3 Be assured that we treat your personal data with the utmost respect and will never share it with others for marketing or promotional purposes. You have, at all times, the right to request that we do not contact you for any purpose other than carrying out the matter which we are instructed to undertake. We may, however, require that you confirm your marketing preferences from time to time so that we can be sure that your views remain the same, especially in relation to issues such as legal and regulatory updates.

5 Sharing your data with others

- 5.1 Notwithstanding the fact that we will not share your personal data for marketing purposes, it may be necessary for us to share your personal data with others. This may be in order to:
- 5.1.1 carry out our legal services for you;
 - 5.1.2 provide advice, assistance and representation to you;
 - 5.1.3 comply with our contractual obligations to you; or
 - 5.1.4 comply with any legal or regulatory obligations to which you or we are subject.
- 5.2 Those with whom we may share your personal data include:
- 5.2.1 professional advisers used in connection with the matter in which we are instructed by you, for example solicitors, barristers or other lawyers, accountants, advisers, experts, and medical professionals;
 - 5.2.2 third parties involved in the matter in which we are instructed by you, for example financial services providers, banks, building societies, insurers and registrars;
 - 5.2.3 government and similar organisations such as the Office of Titles, Companies Office and the Tax Administration of Jamaica;
 - 5.2.4 others within our business;
 - 5.2.5 your/our regulator(s);
 - 5.2.6 credit reference agencies in connection with our contract with you;
 - 5.2.7 our bank, insurers and insurance brokers;

5.2.8 external auditors in relation to the audits and external quality reviews referred to above; and

5.2.9 suppliers of services required in relation to your matter.

5.3 When sharing your personal data, we will ensure at all times that those with whom it is shared process it in an appropriate manner and take all necessary measures in order to protect it. In doing so we impose contractual obligations on all providers of services to ensure that your personal data is kept secure. We will only ever allow others to handle your personal data if we are satisfied that the measures which they take to protect your personal data are satisfactory.

5.4 Please be aware that, from time to time, we may be required to disclose personal data and exchange information about you, or relating to you, with government, law enforcement and regulatory bodies and agencies in order to comply with our own legal and regulatory obligations.

5.5 We may also need to share some personal information with other parties, such as potential buyers of some or all of our business or during a restructuring. Usually, information will be anonymised, but this may not always be possible. The recipient of the information will be bound by confidentiality obligations.

5.6 From time to time it may be necessary for us to share data for statistical purposes, for example with our regulatory body. We will always take steps to try to ensure that information shared is anonymised; and where this is not possible we will require that the recipient of the information keeps it confidential at all times. Steps will be taken at such time to ensure that the sharing of this information does not lead to a conflict between your interests and those of another client, third party or ourselves.

6 How your personal data is kept

6.1 Your personal data will be kept secure at all times.

6.2 Your personal data may be held at our offices, at third party agencies and service providers, and by our representatives and those agents used by us.

6.3 Some of your data may be held on a cloud server operated by an internationally recognized provider. Where this takes place outside Jamaica then the provisions set out in Paragraph 7 below will apply.

6.4 We operate various security measures in order to prevent loss of, or unauthorised access to, your personal data. In order to ensure this, we restrict access to your personal data to those with a genuine business need to access it, and we have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

6.5 In addition, we take the following steps to protect your personal data: pseudonymization and encryption of personal data, security measures including data

access reviews and data leakage prevention, staff training and enforcement of compliance with our Data Protection Policy.

6.6 Personal data that is processed by us will not be retained for any longer than is necessary for that processing, or for purposes relating to or arising from that processing.

6.7 Where your personal data is retained after we have finished providing our services to you, or where the contract with you has ended in any other way, this will generally be for one of the following reasons:

6.7.1 so that we can respond to any questions, complaints or claims made by you or on your behalf;

6.7.2 so that we are able to demonstrate that your matter was dealt with adequately and that you were treated fairly; or

6.7.3 in order to comply with legal and regulatory requirements.

6.8 In general, we will retain your data for only so long as is necessary for the various objectives and purposes contained in this policy. Please note, however, that different periods for keeping your personal data will apply depending upon the type of data being retained and the purpose of its retention.

6.9 We will retain your personal data as follows:

6.9.1 contact details—so that we can inform you of updates concerning our services and about relevant developments in relation to you, the matter about which you instructed us, or other related matters which might concern you, or be of interest to you; and

6.9.2 accounts data, money laundering checks data documents for such period as they continue to be required in order adequately to conclude all of your matters

for such time as is necessary for compliance with a legal obligation that we are subject to, or in order to protect your vital interests or the vital interests of another natural person.

6.10 We will delete and/or anonymise any personal data which it is no longer necessary for us to retain.

7 Transferring your data out of Jamaica

7.1 In order for us to provide you with the services in connection with which we have been instructed, it may be necessary for us to share your personal data with those who are outside Jamaica; where, for example, those persons have offices outside Jamaica, are based outside Jamaica, where electronic services and resources are based outside Jamaica or where there is an international element to the instructions we have received from you. Additionally, your personal data may be held on a cloud server outside of Jamaica operated by an internationally recognized provider. Where this is the case,

special rules apply to the protection of your data under the Data Protection Act with which we will comply.

7.2 For further information please contact us.

8 Your rights in relation to your data

8.1 Data protection legislation gives you, the data subject, various rights in relation to your personal data that we hold and process. These rights are exercisable without charge, and we are subject to specific time limits in terms of how quickly we must respond to you. Those rights are, in the main, set out in Sections 5–13 of the Data Protection Act. They are as follows:

8.1.1 **Right of access**—the right to obtain, from us, confirmation as to whether or not personal data concerning you is being processed, and, where that is the case, access to that personal data and various other information, including the purpose for the processing, with whom the data is shared, how long the data will be retained and the existence of various other rights (see below).

8.1.2 **Right to rectification**—the right to obtain from us, without undue delay, the putting right of inaccurate personal data concerning you.

8.1.3 **Right to erasure**—sometimes referred to as the ‘right to be forgotten’, this is the right for you to request that, in certain circumstances, we delete data relating to you.

8.1.4 **Right to restrict processing**—the right to request that, in certain circumstances, we restrict the processing of your data.

8.1.5 **Right to data portability**—the right, in certain circumstances, to receive the personal data which you have provided to us, in a structured, commonly used and machine-readable format, and the right to have that personal data transmitted to another controller.

8.1.6 **Right to object**—the right, in certain circumstances, to object to personal data being processed by us where it is in relation to direct marketing, or in relation to processing supported by the argument of legitimate interest.

8.1.7 **Right not to be subject to automated decision making**—the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you.

8.2 Full details of these rights can be found in the Data Protection Act or by reference to guidance produced by the Information Commissioner’s Office.

8.3 In the event that you wish to exercise any of these rights you may do so:

8.3.1 by contacting us using any medium you wish, including in writing, by telephone, by text, electronically, or using such social media as we employ for communication purposes;

8.3.2 by completing a form which we can supply to you for this purpose; or

8.3.3 through a third-party whom you have authorised for this purpose.

8.4 Please bear in mind that there are some restrictions on your rights to exercise the rights set out above and that, in some cases, if you choose to exercise those rights we will be unable to perform the instructions you have given us. If that is the case, we may need to cease to act for you.

9 Keeping your data secure

9.1 In order to ensure that data is kept secure, and to prevent there being any breach of confidentiality, we have put in place security measures which are intended to prevent your personal data from being accidentally lost or used or accessed unlawfully. Access to your personal data is restricted to those with a need to access it, and regard will be had to the need for confidentiality when that personal data is processed.

9.2 In the event that there is a suspected data security breach you will be notified. Where there is a suspected data security breach we will inform the appropriate regulator (including the Information Commissioner's Office) where we are legally required, or have a regulatory obligation, to do so.

9.3 Please note that the transmission of information via the internet is not completely secure. Although we will do our best to protect personal data, we cannot guarantee the security of any data transmitted to us via our website, or to or from us via email. Any transmission using these methods is at your risk. Once we have received your information, we will be able to set up procedures and security features, such as encrypted emails, to try to prevent unauthorised access.

9.4 We also take appropriate steps to keep your personal data safe from unauthorised access, improper use or disclosure, unauthorised modification, or unlawful destruction or accidental loss consistent with applicable law. This applies both to electronic and physical data, and to that end our premises are access controlled and electronic data requires users to use login and password authentication.

9.5 All of our partners, staff and third-party service providers who have access to your personal data are subject to confidentiality obligations.

10 Making a complaint

10.1 If you have any queries as to the acquisition, use, storage or disposal of any personal data relating to you please contact info@dunncox.com or write to The Compliance Officer, at DunnCox, 48 Duke Street, Kingston.

11 This policy

11.1 This privacy policy was published on June 11, 2024 and last updated on June 11, 2024.

11.2 The terms and provisions of this privacy policy may be changed, updated and amended from time to time.

12 Consent to process your personal data and sensitive personal data

12.1 The terms on which we will seek to elicit your consent to process your personal data and sensitive personal data are set out below.

12.2 By engaging DunnCox to provide legal services, you acknowledge that you have received, read and understood the information provided in this privacy policy and the Client Consent to Process Personal Data Notice (below) and Client Consent to Process Sensitive Personal Data Notice (below) and hereby consent to the collecting and processing of the personal data and / or sensitive personal referred to therein and provided for the purposes indicated therein, and to its disclosure to the class of persons specified therein, and the specific persons identified therein, and to its transfer outside of Jamaica as specified therein.

Client Consent to Process Personal Data

1. The Data Protection Act, 2020, Jamaica (**DPA**) requires that we, DunnCox, treat all of your personal data with care. Under the DPA, "personal data" means information (however stored) relating to (a) a living individual, or (b) an individual who has been deceased for less than thirty years, who can be identified from that information alone or from that information and other information in our possession or likely to come into our possession. Full details of our privacy policy are set out above.
2. Our address and contact details are as follows: DunnCox, Attorneys-at-Law, 48 Duke Street, Kingston, Jamaica. W.I., 876-922-1500, info@dunncox.com, www.dunncox.com.
3. The name and contact details of our data protection officer are as follows: Susan Uylett, Data Protection Officer, DunnCox, 48 Duke Street, Kingston, Jamaica, 876-922-1500, susan.uylett@dunncox.com.
4. The purposes for which your personal data will be processed by us are as follows:
 - a. Providing Legal Services: Processing client data to offer legal advice, representation, and other legal services.
 - b. Client Communication: Maintaining contact with clients, responding to inquiries, and updating them on case progress.
 - c. Case Management: Organizing and managing documents, evidence, and other information related to legal matters.
 - d. Billing and Invoicing: Processing data for billing clients and managing financial transactions.
 - e. Compliance and Legal Obligations: Meeting legal and regulatory requirements, including anti-money laundering checks and client due diligence.
 - f. Conflict of Interest Checks: Conducting checks to identify potential conflicts of interest between clients and cases.
 - g. IT and Data Security: Ensuring the security of personal data and IT systems within the law firm.

- b. The Proceeds of Crime Act requires us to collect and verify personal data from clients in certain transactions to comply with anti-money-laundering and counter-terrorism financing regulations.
 - c. The Companies Act requires us as attorneys when providing legal services related to company formation to collect personal data from clients for incorporation and regulatory purposes.
10. You are required under the Proceeds of Crime Act and related regulations affecting the Legal Profession to provide us with Know Your Customer and Anti-Money Laundering personal data. The consequence of your not providing us with this information will be that we are unable to act on your behalf.
11. Your personal data will be stored in accordance with our records retention policy. In accordance with our records retention policy, we will retain the following types of your personal data for the following specified periods of time:
- a. Client Files / Records:
 - i. Contact Information: Maintain for as long as the individual remains a customer/client and for 5 years after the relationship ends.
 - ii. Transaction Data: Retain for 7 years from the completion of the transaction or service.
 - iii. Active Client Files: Maintain for a minimum of 7 years after the completion of the matter or last activity.
 - iv. Inactive Client Files: Retain for a minimum of 5 years after the matter's closure or last activity before archiving or securely disposing of them.
 - v. The maximum retention periods for archived Client Files are as follows:

1. Probate files	12 years
2. Conveyancing files	8 years
3. Litigious files	7 years
4. Other files	7 years
 - b. Financial Records:
 - i. Tax Records: Preserve for a minimum of 7 years, following the date of filing or the statutory deadline, whichever is later.
 - ii. Expense Reports: Maintain for 3 years from the submission date.
 - iii. Invoices and Billing Records: Retain for a minimum of 7 years after the payment date.
 - c. Legal Research and Precedents:
 - i. Legal Research and Analysis: Maintain for a minimum of 5 years from the last date of use or update.
 - d. Legal and Regulatory Records:
 - i. Compliance Documents: Retain for the period required by applicable laws and regulations.
 - e. Administrative and General Records:
 - i. Corporate Governance Documents: Preserve for the life of the entity or as required by applicable laws.
 - ii. Licenses and Permits: Maintain for as long as they remain valid and relevant.
 - iii. General Correspondence: Keep for a minimum of 2 years.
12. As an indication that you are happy for us to process your personal data in the manner set out above, you will be required to sign and return to us a copy our standard engagement letter indicating your consent. This will signify that you have understood the nature of the personal

information that we need to process, the purpose of the processing and that you have consented to us doing so. You will have the right to withdraw your consent at any time and can do so by indicating so in writing addressed to us at: DunnCox, Attorneys-at-Law, 48 Duke Street, Kingston, Jamaica, W.I., email: info@dunncox.com.

13. We confirm that we will obtain, retain and process only the absolute minimum of data that is possible, we will keep that data secure at all times and only those who need to have access to it in order to process it will be given access.

If you have any questions, please contact The Managing Partner, DunnCox, Attorneys-at-Law, 48 Duke Street, Kingston, Jamaica, W.I., email: info@dunncox.com and they will assist you.

Client Consent to Process Sensitive Personal Data

1. The Data Protection Act, 2020, Jamaica (**DPA**) requires that we, DunnCox, treat all of your personal data with care. Under the DPA, “personal data” means information (however stored) relating to (a) a living individual, or (b) an individual who has been deceased for less than thirty years, who can be identified from that information alone or from that information and other information in our possession or likely to come into our possession. Full details of our privacy policy are set out above.
2. Our address and contact details are as follows: DunnCox, Attorneys-at-Law, 48 Duke Street, Kingston, Jamaica. W.I., 876-922-1500, info@dunncox.com, www.dunncox.com.
3. The name and contact details of our data protection officer are as follows: Susan Uylett, Data Protection Officer, DunnCox, 48 Duke Street, Kingston, Jamaica, 876-922-1500, susan.uylett@dunncox.com.
4. Certain types of data are referred to as ‘sensitive personal data’ and we are required to treat this data even more carefully. Indeed, we are prohibited from dealing with (referred to as ‘processing’) that type of data unless one of the seven lawful bases for processing personal data (specified in section 23 of the DPA) exists and one of the eleven conditions for processing sensitive personal data specified in section 24 of the DPA is also met. One of those conditions is that you (the data subject) have consented in writing to the processing of that sensitive personal data.
5. Section 2 of the DPA defines sensitive personal data as personal data consisting of any of the following information in respect of the data subject: (a) genetic data or biometric data; (b) filiation, or racial or ethnic origin; (c) political opinions, philosophical beliefs, religious beliefs or other beliefs of a similar nature; (d) membership in any trade union; (e) physical or mental health or condition; (f) sex life; (g) the alleged commission of any offence by the data subject or any proceedings for any offence alleged to have been committed by the data subject.
6. We need to process sensitive personal data about you for the following purposes (as may be necessary):
 - a. Providing Legal Services: Processing client data to offer legal advice, representation, and other legal services.
 - b. Client Communication: Maintaining contact with clients, responding to inquiries, and updating them on case progress.
 - c. Compliance and Legal Obligations: Meeting legal and regulatory requirements, including anti-money laundering checks and client due diligence.
 - d. Legal Research: Conducting legal research and analysis for case preparation and client representation.
7. The sensitive personal data that we need to process relates to (as may be necessary):
 - a. Biometric data, such as physical characteristics as may be contained in passport and other identification documents, and behavioural characteristics such as signature.

- b. Physical or mental health or condition.
 - c. The alleged commission of any offence by the data subject or any proceedings for any offence alleged to have been committed by the data subject.
8. We will process your sensitive personal data as follows (as may be necessary):
- a. Client Intake: Collecting sensitive personal data during initial consultations or when clients engage the law firm for legal services.
 - b. Case Management: Storing and managing sensitive personal data related to clients' legal matters, including case files, evidence, and communications.
 - c. Compliance and Due Diligence: Performing due diligence and compliance checks, including anti-money laundering (AML) and know-your-customer (KYC) procedures.
 - d. Third-Party Engagement: Sharing sensitive personal data with third-party service providers, experts, or co-counsel involved in providing legal services.
 - e. Regulatory Reporting: Complying with legal and regulatory requirements, which may involve reporting certain sensitive personal data to authorities when necessary.
9. We will share your sensitive personal data with the following class of persons and for the following reasons:
- a. Third Party Data Processors such as our cloud service providers hosting our email services and data and document services.
 - b. Other attorneys pursuant to disclosure requirements in litigation, or as necessary in transactions in which we act on your behalf.
 - c. Government agencies and regulators as required by law.
 - d. Banks and other financial institutions in furtherance of transactions in which we act on your behalf.
10. As at the date of the publication of this form (*[insert date]*), the identities of the third parties with whom we are likely to share your sensitive personal data are as follows:
- a. Microsoft Corporation, One Microsoft Way, Redmond, WA 98052, United States. Phone Number: +1 425-882-8080 / (800) 426-9400 (Cloud Services Provider).
 - b. The General Legal Council, 78 Harbour Street, Kingston. Phone Number: (876) 922-2319 (Regulator).

This list will be updated from time to time, and a current list can be found at our website at www.dunncox.com.

11. We will transfer your sensitive personal data to a State or territory outside of Jamaica to the following persons and for the following reasons:
- a. Microsoft Corporation, USA, Cloud Services Provider.
12. We are authorized under the following legislation to seek to obtain the following sensitive personal data from you:
- a. The Proceeds of Crime Act requires us to collect and verify personal data from clients in certain transactions to comply with anti-money-laundering and counter-terrorism financing regulations.
 - b. The Companies Act requires us as attorneys when providing legal services related to company formation to collect personal data from clients for incorporation and regulatory purposes.

13. You are required under the Proceeds of Crime Act and related regulations affecting the Legal Profession to provide us with Know Your Customer and Anti-Money Laundering sensitive personal data. The consequence of your not providing us with this information will be that we are unable to act on your behalf.
14. Your sensitive personal data will be stored in accordance with our records retention policy. In accordance with our records retention policy, we will retain the following types of your sensitive personal data for the following specified periods of time:
 - a. Client Files / Records:
 - i. Active Client Files: Maintain for a minimum of 7 years after the completion of the matter or last activity.
 - ii. Inactive Client Files: Retain for a minimum of 5 years after the matter's closure or last activity before archiving or securely disposing of them.
 - iii. The maximum retention periods for archived Client Files are as follows:

1. Probate files	12 years
2. Conveyancing files	8 years
3. Litigious files	7 years
4. Other files	7 years
 - b. Legal Research and Precedents:
 - i. Legal Research and Analysis: Maintain for a minimum of 5 years from the last date of use or update.
 - c. Legal and Regulatory Records:
 - i. Compliance Documents: Retain for the period required by applicable laws and regulations.
 - d. Biometric data, such as physical characteristics as may be contained in passport and other identification documents, and behavioural characteristics such as signature – 7 years from initial date of archiving.
 - e. Physical or mental health or condition – 7 years from initial date of archiving.
 - f. The alleged commission of any offence by the data subject or any proceedings for any offence alleged to have been committed by the data subject – 7 years from initial date of archiving.
15. As an indication that you are happy for us to process your sensitive personal data in the manner set out above, you will be required to sign and return to us a copy our standard engagement letter indicating your consent. This will signify that you have understood the nature of the personal information that we need to process, the purpose of the processing and that you have consented to us doing so. You will have the right to withdraw your consent at any time and can do so by indicating so in writing addressed to us at: DunnCox, Attorneys-at-Law, 48 Duke Street, Kingston, Jamaica, W.I., email: info@dunncox.com.
16. We confirm that we will obtain, retain and process only the absolute minimum of data that is possible, we will keep that data secure at all times and only those who need to have access to it in order to process it will be given access.

If you have any questions, please contact The Managing Partner, DunnCox, Attorneys-at-Law, 48 Duke Street, Kingston, Jamaica, W.I., email: info@dunncox.com and they will assist you.

