

## Website Privacy Notice (UK)

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### Definitions

**Affiliate** means any affiliated company as defined in the FCA Handbook of rules and guidance, which includes LLC "Concern "ROSSIUM" (in Russian - ООО «Концерн «РОССИУМ», with state principal registration number: 1065032052700),

**Client** for the purpose of this Privacy Notice, the term '**Client**' means existing, past and prospective clients

**Controller (aka Data Controller)** means 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 subject to section 6 of the Data Protection Act 2018 (meaning of "**controller**").

**Personal Data** (aka Personally Identifiable Information (PII)), means any information relating to an identified or identifiable living natural person (the '**data subject**'); an identifiable natural 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 the physical, physiological, genetic, mental, economic, cultural or social identity of that natural



person. This includes data and other information which is in the possession of (or likely to come into the possession of) the **Controller**.

**Processing** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated 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.

**Processor (aka Data Processor)** means a natural or legal person, public authority, agency or other body which processes **personal data** on behalf of the **Controller**

**Special Categories of Personal Data** means **personal data** revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

## Who We Are

Sova Capital Limited (Sova) is an FCA authorised and regulated broker based in London, offering institutional and corporate clients a full range of investment brokerage services, including independent research, securities trading, electronic and high-touch execution and public capital markets financing.

Sova is located at:

12th Floor,  
88 Wood Street,  
London EC2V 7RS  
United Kingdom

With UK company registration number 4621383.

## Introduction

Sova is committed to meeting its contractual, statutory and administrative obligations and ensuring that client personal data is handled in accordance with the UK General Data Protection Regulations (UK GDPR) and the Data Protection Act 2018 (DPA 2018) collectively known as "Privacy Law"

## Scope

This Privacy Notice applies to all clients. However, the personal data that Sova processes will vary depending on the client's specific status and personal circumstances. It applies to any products and services supplied by Sova either directly or via a website to its clients.

Sova is a "**Controller**" and is required under Privacy Law to notify all clients of the information contained in this Privacy Notice.

## Purpose

This Privacy Notice describes how Sova collects, uses, shares or otherwise processes client personal data as a Controller in the course of business operations and how a client may exercise their rights in relation to the processing of that personal data before, during and after a working relationship with Sova in accordance with Privacy Law.

## Data Protection Principles



Privacy Law states that any personal data that Sova holds about its clients must be:

1. Used lawfully, fairly and in a transparent way
2. Collected only for valid purposes that Sova has clearly defined and not used in any way that is incompatible with those purposes
3. Relevant to the defined purposes and limited only to those purposes
4. Accurate and kept up to date
5. Kept only as long as necessary for the defined purposes
6. Kept securely

## **Why Sova Needs to Collect, Use and Process Client Personal Data**

Sova collects a client's personal data when a client:

- Requests information from Sova about products and services provided
- Enters into a contract with Sova for the provision of products and services
- Signs up to attend a presentation, webinar or other event hosted by Sova

Sova processes that Personal Data to:

- Communicate with clients about Sova's products and services prior to becoming a client based on the client's consent to receive marketing material
- Manage business operations relating to the provision of products and services to clients
- Perform our contractual obligations
- Comply with our legal obligations or regulatory requirements, including those laid down in tax and company law (including compliance with the Foreign Account Tax Compliance Act and the OECD Common Reporting Standard for Automatic Exchange of Financial Account Information)
- Undertake and comply with anti-money laundering (AML), know your client (KYC), counter-terrorist financing (CTF) laws and regulations and screening against sanctions lists.

## **The Client Personal Data that Sova Collects**

Sova may collect the following types of personal data from clients, including personal data relating to a client's Directors, Officers, employees, beneficial owners and any person or organisation appointed to act on the client's behalf, as applicable.

- Bank account, e-wallet and credit card details
- Date of birth and gender
- Details of visits to Sova's websites and other client communication channels including, but not limited to, traffic data, location data, audit logs and other available communication data
- e-mail addresses
- Employment status
- Full name
- Information about income and wealth including details about assets and liabilities, account balances, trading statements, tax and financial statements
- IP address and other device information
- Knowledge and experience about trading, risk profile and risk tolerance
- Location data
- Nationality and citizenship
- National identity card (if applicable)

- Passport
- Permanent residential address
- Professional or occupational information
- Proof of address (typically utility bills)
- Social media identifiers
- Tax information such as tax identification numbers
- Telephone and other contact numbers
- User identifier and password if registering for an online service

It is important that client personal data that Sova holds is complete, accurate and current. It is a client's responsibility to advise Sova of any changes in personal data during the working relationship with Sova.

In addition to the personal data above, Sova will retain records of a client's trading records, including:

- Products traded
- Historical information relating to trading undertaken
- Communications with Sova in relation to products and services provided

If a client visits a Sova office, visit records will be collected. This may include CCTV images of the visit, disability or dietary needs to ensure that health and safety requirements are met – this requires explicit consent as it is a special category of personal data.

If a client attends a webinar or leaves messages on voicemail, audio recordings of client interactions will be recorded.

Where AML or KYC checks are carried out, Sova may require additional documented information to support claims made.

Sova may occasionally ask for personal data on a voluntary basis (e.g., market research, satisfaction surveys or special offers).

## **How Client Personal Data is Collected**

Sova may collect personal data about clients from the following sources:

- Automatically collected or generated (e.g., website visit information, device information or trading details)
- CCTV images from premises landlords or taken using Sova's own CCTV systems (if applicable)
- Directly from the client, typically phone, email, post, filled in paper or electronic forms or other electronic means
- From third parties including, but not limited to, other Member Firms in the Sova Group, or others who are entitled to share this information (e.g., credit agencies, search information providers, business partners, banking and related service providers, analytics providers, public sources or any other service providers), but in each case, as permitted by Privacy Law.

## **Consequences of Failing to Provide Some Types of Personal Data**

If a client fails to provide certain personal data or other information when requested, Sova may not be able to perform the contract proposed, or entered into, or be prevented from complying with legal obligations and regulatory requirements.

## **Lawful Basis for Processing a Client's Personal Data**



Sova will only process a client's personal data when and where there is a lawful basis for processing that personal data, this includes the following circumstances:

1. Where the client has given consent for their personal data being processed for one of more specified purposes (e.g., marketing, attending an event)
2. Where Sova needs to perform the contract with the client
3. Where Sova needs to comply with a legal obligation
4. Where it is needed in the public interest or for official purposes
5. Where it is necessary for Sova's legitimate interests (or those of a third party) and these interests are not overridden by the client's interests, rights and freedoms

## **How Sova Uses a Client's Personal Data**

Sova will only use a client's personal data in accordance with the Privacy Law and this Privacy Notice. This includes to:

- Advertise, provide, and assess the effectiveness of Sova's events, promotional campaigns, and publications
- Communicate by post, e-mail, telephone or any other electronic means about the products and services that Sova provides that may be of interest to clients, but only if a client has consented (this may include sending client details to third parties who may provide some products or services on Sova's behalf).
- Comply with any legal obligation or regulatory requirement
- Detect, prevent and investigate illegal or prohibited criminal activities and in the protection of Sova's legal rights (including liaison with Regulators and Law Enforcement agencies)
- Expand and maintain the Sova contact list
- Furthering Sova's business purposes, including internal administration and billing
- Manage a client's account(s) for online products and services and provide technical notices, updates, security alerts, and other administrative messages.
- Notify clients about changes to products and services that Sova provides
- Operate, troubleshoot, and improve the products and services that Sova provides, including online services
- Perform the services under the contract Sova has entered into with a client
- Process an application for the requested products or services
- Respond to enquiries or communications relating to Sova's products and services
- Understand how clients use Sova's products and services including generating and analysing statistics of usage

Sova will only use a client's personal data for the purposes for which it was collected unless Sova reasonably considers that it should be used for another reason that is compatible with the original purpose.

Should Sova wish to use a client's personal data for an unrelated purpose, Sova will notify all relevant clients explaining the legal basis for this.

Sova may use anonymous, pseudonymised or aggregated information that does not identify a client for any purpose, as permitted by Privacy Law.

Sova may process a client's personal data without their knowledge or consent where this is required or permitted by Privacy or other applicable Law.



## Disclosure of a Client's Personal Data

Once a client has entered into a contract with Sova and / or completed a client application form for the provision of goods and / or services (including marketing material), Sova may share client personal data with:

- **Affiliates** or branches and other member firms in the Sova Group for the purposes set out in this Privacy Notice
- Agents appointed by a client (e.g., Investment Managers, Lawyers, those with a Power of Attorney) for whom prior consent has been given to Sova for sharing the client's personal data
- Financial Service providers and agents (including their sub-contractors) or third parties (such as our clearing agents, custodians, counterparties, other brokers and securities depositories) who process client information on Sova's behalf solely to provide their services to clients, each complying with their own legal obligations or pursuing their legitimate interests as described in this Privacy Notice
- Other Service providers and specialist advisers who have been contracted to provide Sova with services such as IT, trading platforms, apps providers (where applicable), analytics and online marketing optimization, financial, audit, regulatory, compliance, insurance, AML, KYC checks, sanctions checking, research, event hosting services
- Payment service providers processing a client's transactions
- Third parties in order to meet Sova's legal and regulatory obligations, including statutory or regulatory bodies, law enforcement agencies, credit reference agencies and company auditors as permitted by Privacy or other law in the jurisdiction of Sova's operations. In these circumstances, Sova will make reasonable efforts to notify the client before disclosure of this information, unless prior notice is prohibited by applicable Law or it is not possible or reasonable in the circumstances

Where disclosure of a client's personal data is required to a third party, Sova will only disclose the minimum amount of personal data to meet contractual or legal requirements.

Third parties are only permitted to use this personal data to provide defined and documented services to Sova and are not permitted to use this personal data for any other purpose.

Sova website(s) and apps may have links to the third party or their website(s). This Privacy Notice does not cover these third party's use of client personal data and clients should check with each linked website to determine their privacy practices and procedures relating to the processing of the client's personal data.

Sova may share anonymous, pseudonymised or aggregated information that does not identify a client for any purpose, as permitted by Privacy Law.

**Note:** If a client posts to any other of Sova's online services or social media pages, these may be available to other service users or made publicly available.

## Use of Automated Decision Taking

Sova may use a client's personal data to undertake automated online identity and background checks for KYC purposes and for the purposes of relevant checks in the detection, prevention and investigation of illegal or prohibited criminal activities (e.g., AML and CTF).

## Data Retention



Sova will only retain a client's personal data for as long as necessary to fulfil the purposes for which it was collected, including for the purposes of satisfying any legal, accounting, or reporting requirements.

Sova regularly reviews client records to ensure that client personal data is only retained in accordance with these purposes, legislative or regulatory requirements or where it is necessary to retain it for establishment, exercise or defence of legal claims.

Where retention periods indicate disposal of clients personal data, Sova will securely destroy all client personal data in accordance with the Sova Data Retention Policy and Schedule that meets applicable laws and regulations.

## Representative

As Sova is resident in the UK (and no longer in the EU) it has appointed a Representative in the EU to represent Sova in matters relating to the processing of personal data by EU Supervisory Authorities or data subjects.

The Representative is:

Ametros Ltd  
Unit 3D  
North Point House  
North Point Business Park  
New Mallow Road  
Cork  
Republic of Ireland  
Email: [gdpr@ametrosgroup.com](mailto:gdpr@ametrosgroup.com)  
Website: [www.ametrosgroup.com](http://www.ametrosgroup.com)

## Client Rights in Relation to Processing Personal Data in Sova

Clients have a number of rights, under certain circumstances, in relation to the processing of their personal data, these are the right to

- be informed about the collection and the use of their personal data
- access personal data and supplementary information
- have inaccurate personal data rectified, or completed if it is incomplete
- erasure (to be forgotten) in certain circumstances
- restrict processing in certain circumstances
- data portability, which allows the client to obtain and reuse their personal data for their own purposes across different services
- object to processing in certain circumstances
- rights in relation to automated decision making and profiling where this is conducted without human intervention and where the client believes it is to their legal detriment
- the right to withdraw consent at any time (where relevant)

To exercise any of these rights, contact the Data Protection Officer (DPO), who oversees compliance with this Privacy Notice as below:

[dpo@sovacapital.com](mailto:dpo@sovacapital.com)

It is important that the personal data that Sova holds about clients is accurate and current.

**Note:** It is the client's responsibility to advise Sova of any changes in their personal data.



## The Right to Complain

### Sova

Whilst Sova works to the highest standards when processing client personal data. If any client has any queries or concerns relating to how Sova processes their personal data, they should contact the DPO:

[dpo@sovacapital.com](mailto:dpo@sovacapital.com)

### UK Information Commissioner's Office (ICO)

If still dissatisfied by the DPO's answer, a complaint can be made to the Information Commissioner's Office (ICO) who is the UK Supervisory Authority.

The Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire, SK9 5AF

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)  
Telephone: 0303 123 1113  
Textphone: 01625 545860  
Monday to Friday, 09:00 to 16:30

Alternatively, it is possible to have a 'Live Chat' via the ICO's website,

<https://ico.org.uk/make-a-complaint/>

### EU Lead Supervisory Authority (LSA)

EU data subjects may contact the ICO as above or the EU Lead Supervisory Authority (LSA).

The Lead Supervisory Authority (LSA) for the EU

Data Protection Commission  
21 Fitzwilliam Square South  
Dublin 2  
D02 RD28  
Republic of Ireland

**They prefer contact using post (as above) or the webform at:**

<https://www.dataprotection.ie/en/contact/how-contact-us>

### Transfers of Client Personal Data

The UK has been defined as 'Adequate' by the EC for transfers of personal data (June 2021).

Where transfers outside the UK and EU are undertaken, then they are subject to appropriate safeguards, including:

- Standard Contractual clauses (SCCs)
- Intragroup Agreement



By opening an account with Sova, clients acknowledge that their personal data will be handled by Sova's Russian branch in Moscow.

## **Electronic Communications Containing Client Personal Data**

Clients (or their agents) may send personal data to Sova electronically.

Sova is not responsible for the security of these communications and recommends that clients use secure means for them.

Sova will communicate electronically with clients (or their agents) using either encrypted files or secure messaging.

To access Sova's online services, clients must register as a user and be granted a user ID and a password after validation to verify the user.

## **Cookies**

Cookies are small text files, processed and stored by web browsers, that websites place on the user's device they are browsing the website. Cookies allow websites to recognise the user's device and preferences and provide information to the owners of sites which can be used to improve the online experience.

More information about cookies and similar technologies can be found at [www.aboutcookies.org](http://www.aboutcookies.org).

When visiting Sova's website and clients are logged in to our Customer Portal, cookies may be used for:

- Keeping users signed in
- Understanding how users use the website

**Note:** Cookies are only used when logged into the Sova Customer Portal.

Sova uses the following cookies:

**Strictly necessary cookies.** These are cookies that are required to allow Sova to deliver the requested services and for the operation of the website. Sova does not require user consent to use these cookies but it may be possible to block these cookies, however without these cookies, the website is unlikely to work as expected and certain services may not be provided.

**Analytical or performance cookies.** Sova may use certain cookies to give users the best experience possible as they navigate around the website and use its features. For example, these cookies allow Sova to recognise users when they return to the Sova website and enable personalisation of content tailored for the user and remember preferences set. These cookies also record site visits, the pages visited and the links followed. Sova use this information to make the website site and information displayed on it more relevant to user's interests.

All recent versions of popular browsers give users a level of control over cookies.

Users can set browsers to accept or reject all, or certain, cookies. For instructions on how to manage cookies, please read the 'Help' section of the browser or visit [www.aboutcookies.org](http://www.aboutcookies.org).

## **Personal Data Security**

Sova has put in place information / cyber security measures to protect client personal data against loss, unauthorised access, modification or disclosure whilst at rest, use or in transmission.



Technology controls include:

- Firewalls & Intrusion Detection / Prevention
- Endpoint Detection and Response
- DDoS Protection
- Malware protection
- Security Awareness Training
- Patch & Configuration Management Systems
- Secure Disposal Tools
- Mobile Device Management
- Remote Device Encryption
- Physical & Logical Access Controls subject to regular review for continued business need
- Vulnerability Scanning
- Passphrase Management and Multifactor Authentication Tools

Procedural controls include:

- Comprehensive Policy Management Program
- Cyber Risk Assessments
- Vulnerability Management & Penetration Testing Program
- Global Internet Facing IP and Contacts Scans
- Business Continuity and Disaster Recovery Management
- Security Device and Application Audit Log Reviews
- Ensuring that Processors have security controls in place at least equivalent to those in Sova

People controls include:

- Industry Certified & Recognized Security Staff
- Robust information / Cyber Security Awareness Training
- Online Compliance & Privacy Courses
- Pre-employment Background Screening
- Employee Confidentiality Agreements

## **Changes to this Privacy Notice**

Sova may change, modify or adjust this Privacy Notice from time to time, however, these will not reduce any rights defined in this Privacy Notice.

Any changes made to this Privacy Notice in the future will be found on the Sova website

<https://sovacapital.com/terms/scl-privacy-information-notice/>

Copies are also available by post, please contact the DPO if you require a copy.

## **Contacting Sova's DPO**

To contact Sova's DPO by post:

Data Protection Officer  
Sova Capital Ltd  
12th Floor,  
88 Wood Street,  
London EC2V 7RS

[dpo@sovacapital.com](mailto:dpo@sovacapital.com)

**soya capital**

Dated 25 July 2021