

## Privacy Notice – Shareholders / Bondholders



*Last updated on the 01 November 2021.*

Midi plc, a company registered in Malta, bearing company registration number C 15836 and having its registered address at North Shore, Manoel Island, Malta, (“We”, “Us”, “Our” or the “Company”)

We are committed to respecting your privacy. If you wish to contact Us about Our privacy practices please feel free to do so by post at North Shore, Manoel Island, Gzira GZR 3016 or by email at [gdpr@midimalta.com](mailto:gdpr@midimalta.com) . You may also wish to contact us by telephone on 20655500.

Our Data Protection Officer is Dr. Mario Camilleri who may be contacted by email at [gdpr@midimalta.com](mailto:gdpr@midimalta.com) or by telephone on 20655500.

Please read this Privacy Notice carefully to understand our practices with respect to your Personal Data.

References to “Data Controller”, “Data Subject”, “Personal Data”, “Process”, “Processed”, “Processing”, “Data Protection Officer” and “Data Processor” in this policy have the meanings set out in, and will be interpreted in accordance with the applicable laws. “Applicable Laws” shall mean the relevant data protection and privacy laws, including but not limited to, the General Data Protection Regulation (EU) 2016/679, and the Data Protection Act, Chapter 440 of the Laws of Malta and subsidiary legislation thereto, as may be amended from time to time.

### **1. Updates**

We may update this Privacy Notice in Our sole discretion including as result of a change in Applicable Law or processing activities. Any such changes will be communicated to you prior to the commencement of the relevant processing activity.

### **2. What amounts to Personal Data?**

The term “Personal Data” refers to all personally identifiable information about you, such as your name, surname and address, and includes all personal information which may be processed and that can be identified with you personally.

### **3. How do we collect Personal Data?**

We are Data Controllers of your Personal Data and shall process your Personal Data for the following purposes, where applicable:

3.1 In relation to your **investment as a Shareholder or Bondholder**, which processing includes the following:

3.1.1 the Application Form which you fill in as an investor with your personal details, including bank account details, in order to subscribe for the bonds or shares allocated to you, and then to receive interest / dividends thereon;

3.1.2 to have your Personal Data recorded on the Central Securities Depository (CSD) that the Malta Stock Exchange (MSE) maintains, on Our behalf, that is, an electronic register of bondholders / shareholders. There electronic register will contain Your name, addresses, identity card number, registration number and MSE account numbers, as well as any particulars of the securities held by You respectively. You have, at all reasonable times during business hours, access to the electronic register held at the

CSD for the purpose of inspecting information held on their respective account. Please contact MSE for this purpose;

3.1.3 We may receive a copy of the register of bondholders / shareholders by the CSD on demand;

3.1.4 We may access the MSE website back end to access a list of all trades which would have taken place during a specific time frame. In the case of shares, we may transfer your information to the Registry of Companies to notify them about the updated share transfers.

3.2 **Direct Marketing and the Loyalty Scheme:** MIDI plc operates a Loyalty Scheme whereby you benefit from discounts at selected outlets at Tigné Point and other localities as Bondholder/Shareholder. For this purpose, we provide you with the Loyalty Scheme Card to use at various retail shops. To benefit from this scheme you need to consent to us collecting and processing your name, surname, address, identity card number, so that we may issue your Loyalty Card. Your consent is also required so that, from time to time, we may contact you about our new products, services, and offers;

Other processing may include:

- to manage Our relationship with you as a Shareholder / Bondholders;
- to provide you with statements and to provide you with products and services;
- for the detection and prevention of fraud and other criminal activity which we are legally bound to report;
- for the allocation of bonds/shares to you, and then to receive interest / dividends thereon;
- for the development and improvement of our systems, products and services;
- personal data that We may process as a result of legal obligations imposed on Us;
- your bank account details and other financial information;
- meetings that we may call/hold on an annual basis, and Our communications with you as a Shareholder / Bondholder and performance details;
- as part of our internal due diligence;
- Personal Data lawfully generated by Us in the course of executing your instructions; and
- Personal Data which you may voluntarily provide to Us;
- for purposes of a legitimate interest pursued by Us or by a third party, provided such interest is not overridden by your interests, fundamental rights and freedoms; and
- the purposes you would have requested when providing your Personal Data to Us.

Irrespective of the manner that We have collected your Personal Data, We will only process such data for the purposes indicated in this Notice or other purposes which are inherently related thereto, including the fulfilment of any legal or regulatory obligation imposed on Us.

#### **4. Legal Bases of Processing Personal Data**

The legal bases of processing your Personal Data are the following:

4.1 For the performance of our agreement with you as a Shareholder or Bondholders as indicated in this Policy, as a result of your investment in the Company;

- 4.2 Our legitimate interests – in particular legitimate interests which may arise directly or indirectly in relation to your instructions and in keeping you updated with information in relation to the Company. We also have a legitimate interest to process your Personal Data for safety and security. When we process your Personal Data on the basis of Our legitimate interests, we ensure that the legitimate interests pursued by Us are not overridden by your interests, rights and freedoms;
- 4.3 Your explicit consent – in which case, Our processing shall be limited to the purposes specifically indicated when your consent was requested; and,
- 4.4 Compliance with legal obligations imposed on Us – in particular as a result of money-laundering, tax, crime detection, and reporting, and other obligations imposed upon us in terms of any applicable law.

On the basis of Our legitimate interests or compliance with legal obligations, as applicable, We may also process your Personal Data for the purposes of establishing, exercising or defending legal proceedings.

## **5. Recipients of Your Personal Data**

We may share your Personal Data with third party recipients who are:

- selected individuals within Our Company, on a need-to-know basis;
- our affiliates;
- third parties to whom disclosure may be required as a result of your investment in the Company;
- any business partners to whom you may have requested that we transfer your Personal Data;
- MSE and the registry of companies;
- third parties to whom disclosure may be required as a result of legal obligations imposed on Us;
- your beneficiaries, intermediaries, correspondent and agent banks;
- as the case may be, appointed Authorised Financial Intermediaries, Administrators, Portfolio Managers, Depositaries, Compliance Officer, Money Laundering Reporting Officer, Prime Brokers and/or Investment Managers respectively (insofar as they may be appointed from time to time), for the collection, storage and processing of Personal Data relating to prospective investors and shareholders;

Unless specifically instructed and consented by you or unless we are obliged to do so by law, we do not share your Personal Data with any entity located outside of the EU or EEA.

## **6. Automated Decision-Making and Profiling**

Your Personal Data will not be used for any decision solely taken on the basis of automated decision-making processes, including profiling, without human intervention.

In the steps leading up to your investment and during our relationship with you, we may collect information from you in order to, amongst others, comply with our obligations and/or for any other purpose connected with our agreement and/or the performance of our obligations at law. As stated, no automated-decision will result from Our use of such systems.

## **7. Data Retention**

We will retain your Personal Data for the duration of your investment in the Company in accordance with Our internal retention policies. Thereafter, your Personal Data shall be immediately and irrevocably destroyed, unless we have a statutory obligation imposed on Us, a business need to retain the Personal Data, and/or require the Personal Data to exercise or defend legal claims.

Any Personal Data which We may hold on the basis of your consent shall be retained exclusively until you withdraw your consent.

## **8. Your Rights**

For as long as We retain your Personal Data, you have certain rights in relation to your Personal Data including:

- 8.1 *Right of access* – you have the right to ascertain the Personal Data We hold about you and to receive a copy of such Personal Data;
- 8.2 *Right to complain* – you have the right to lodge a complaint regarding the processing of your Personal Data with the supervisory authority for data protection matters. In Malta this is the Information and Data Protection Commissioner (contact details provided below);
- 8.3 *Right to Erasure* – in certain circumstances you may request that We delete the Personal Data that we hold about you;
- 8.4 *Right to Object* – you have a right to object and request that We cease the processing of your Personal Data where We rely on Our, or a third party's legitimate interest for processing your Personal Data;
- 8.5 *Right to Portability* – you may request that We provide you with certain Personal Data which you have provided to Us in a structured, commonly used and machine-readable format. Where technically feasible, you may also request that we transmit such Personal Data to a third party controller indicated by you;
- 8.6 *Right to Rectification* – you have the right to update or correct any inaccurate Personal Data which We hold about you;
- 8.7 *Right to Restriction* – you have the right to request that We stop using your Personal Data in certain circumstances, including if you believe that We are unlawfully processing your Personal Data or the Personal Data that We hold about you is inaccurate;
- 8.8 *Right to withdraw your consent* – where Our processing is based on your consent. Withdrawal of your consent shall not affect the lawfulness of the processing based on your consent prior to the withdrawal of your consent; and,
- 8.9 *Right to be informed of the source* – where the Personal Data We hold about you was not provided to Us directly by you, you may also have the right to be informed of the source from which your Personal Data originates.

Please note that your rights in relation to your Personal Data are not absolute and we may not be able to entertain such a request if we are prevented from doing so in term of an applicable law.

You may exercise the rights indicated in this section by contacting Us or Our Data Protection Officer at the details indicated above.

## **9. Keeping your data secure**

We shall implement and maintain appropriate and sufficient technical and organisational security measures, taking into account the nature, scope, context and purposes of the processing as well as the risk of varying likelihood and severity for the rights and freedoms of natural persons, to protect your personal data against any unauthorised accidental or unlawful destruction or loss, damage,

alteration, disclosure or access to personal data transmitted, stored or otherwise processed and shall be solely responsible to implement such measures.

We shall ensure that our staff who process your data are aware of such technical and organisational security measures and we shall ensure that such staff are bound by a duty to keep your personal data confidential.

The technical and organisational security measures in this clause shall mean the particular security measures intended to protect your personal data in accordance with any privacy and data protection laws.

## **10. Complaints**

If you have any complaints regarding Our processing of your Personal Data, please note that you may contact Us or Our Data Protection Officer on any of the details indicated above. You also have a right to lodge a complaint with the Office of the Information and data Protection Commissioner in Malta ([www.idpc.gov.mt](http://www.idpc.gov.mt)).

## **11. Where You Provide Us with Personal Data Related to Third Party Data Subjects**

If you are a trader, intermediary, a company, broker, an authority or other corporate entity, and you supply to Us Personal Data of third party Data Subjects such as your employees, affiliates, service providers, customers or any other individuals connected to your business, you shall be solely responsible to ensure that:

- 11.1 you immediately bring this Privacy Notice to the attention of such Data Subjects and direct them to it;
- 11.2 the collection, transfer, provision and any Processing of such Personal Data by You fully complies any applicable laws;
- 11.3 you remain fully liable towards such Data Subjects and shall adhere to the Applicable Law;
- 11.4 you collect any information notices, approval, consents or other requirements that may be required from such Data Subject before providing Us with their Personal Data;
- 11.5 you remain responsible for making sure the information you give us is accurate and up to date, and you must tell us if anything changes as soon as possible.

You hereby fully indemnify Us and shall render Us completely harmless against all costs, damages or liability of whatsoever nature resulting from any claims or litigation (instituted or threatened) against Us as a result of your provision of said Personal Data to Us.