

## **Privacy Policy**

Last Updated: 09/05/2024

This Privacy Policy (“Policy”) explains how personal information is collected, used, processed, stored, disclosed, and protected when accessing or using [www.gainsboroughs.com](http://www.gainsboroughs.com) (the “Website”).

The Website is owned and operated by Global MGT, a company registered in England and Wales under company number 17097506 whose registered office is at:

71-75 Shelton Street  
Covent Garden  
London  
WC2H 9JQ  
United Kingdom

For the purposes of applicable data protection legislation, including the UK General Data Protection Regulation (“UK GDPR”), the Data Protection Act 2018, and related legislation, Global MGT acts as the data controller (“Company”, “Gainsboroughs”, “we”, “us”, or “our”).

By accessing or using the Website, you acknowledge that you have read and understood this Privacy Policy.

### **1. Definitions**

For the purposes of this Policy:

“Personal Data” means any information relating to an identified or identifiable natural person.

“Processing” means any operation performed on Personal Data including collection, recording, storage, organisation, use, transmission, disclosure, erasure, or destruction.

“Data Subject” means the individual to whom Personal Data relates.

“Professional Intermediary” includes solicitors, accountants, trustees, wealth managers, family offices, fiduciaries, insurers, galleries, auction houses, advisors, lenders, and related professionals.

“Principal Lender” means any independent third-party lender, financial institution, or funding source to whom introductions may be made.

Words importing the singular include the plural and vice versa.

### **2. Scope of This Policy**

This Policy applies to:

visitors to the Website;  
individuals communicating with the Company;  
clients and prospective clients;  
Professional Intermediaries;  
lenders and counterparties;  
suppliers and service providers; and  
any other individuals whose Personal Data may be processed in connection with the

Website or associated services.

### **3. Information Collected**

The Company may collect, process, and store the following categories of Personal Data.

#### **3.1 Information Provided Voluntarily**

Information voluntarily submitted may include:

full name;  
title;  
postal address;  
email address;  
telephone number;  
company or organisation details;  
professional affiliation;  
artwork or collection information;  
transactional information;  
communications and correspondence;  
enquiry details;  
financial or commercial information voluntarily provided;  
documentation supplied during enquiries or introductions.

#### **3.2 Technical Information**

The Website may automatically collect technical information including:

IP address;  
  
browser type and version;  
  
operating system;  
  
referral source;  
  
pages visited;  
  
session duration;  
  
device identifiers;  
  
geographic location data;  
  
timestamps;  
  
cookies and tracking data;  
  
usage behaviour and analytics information.

#### **3.3 Special Categories of Data**

The Company does not intentionally seek to collect special category data unless voluntarily supplied and necessary for a legitimate and lawful purpose.

Users should avoid submitting unnecessary sensitive personal information through the Website.

#### **4. Lawful Basis for Processing**

Personal Data may be processed on one or more of the following lawful bases:

- consent;
- performance of a contract;
- compliance with legal obligations;
- legitimate business interests;
- establishment, exercise, or defence of legal claims.

Legitimate interests may include:

- responding to enquiries;
- maintaining business relationships;
- facilitating introductions;
- fraud prevention;
- network security;
- improving Website functionality;
- administrative management;
- protecting legal rights;
- maintaining operational continuity.

#### **5. Purposes of Processing**

Personal Data may be processed for purposes including:

- responding to enquiries and communications;
- facilitating introductions to Professional Intermediaries or Principal Lenders;
- assessing potential business relationships;

maintaining records;

conducting due diligence;

administering Website functionality;

improving Website performance;

analysing usage trends;

protecting systems and infrastructure;

complying with legal and regulatory obligations;

preventing fraud or unlawful activity;

exercising or defending legal rights.

The Website and associated communications are informational and introductory in nature only and do not constitute regulated financial advice, investment advice, or credit brokerage services.

## **6. Introductions to Third Parties**

Where requested or considered appropriate, the Company may introduce users to independent third parties including:

Principal Lenders;

solicitors;

accountants;

auction houses;

galleries;

insurers;

logistics providers;

conservators;

Professional Intermediaries.

Such third parties operate independently of the Company.

The Company does not control the privacy practices, policies, decisions, or conduct of third parties and accepts no responsibility for their handling of Personal Data once information has been shared in accordance with user instructions or lawful business purposes.

Users are encouraged to review the privacy policies of all third parties independently.

## **7. Cookies and Tracking Technologies**

The Website may use cookies, analytics tools, pixels, server logs, and related technologies to:

- improve user experience;
- analyse traffic and usage;
- maintain Website security;
- monitor functionality;
- support Website administration.

### **Cookies may include:**

- essential cookies;
- performance cookies;
- analytics cookies;
- functionality cookies.

Users may disable cookies through browser settings, although certain Website functionality may be affected.

## **8. Data Retention**

Personal Data shall only be retained for as long as reasonably necessary for the purposes for which it was collected, including:

- compliance with legal obligations;
- regulatory requirements;
- dispute resolution;
- fraud prevention;
- enforcement of agreements;
- legitimate business purposes.

Retention periods may vary depending on the nature of the information and applicable legal obligations.

Where data is no longer required, reasonable steps shall be taken to securely erase or anonymise it.

## **9. International Transfers**

Personal Data may be processed or stored outside the United Kingdom where necessary for operational, administrative, technological, or business purposes.

Where international transfers occur, reasonable measures shall be implemented to ensure appropriate safeguards are maintained in accordance with applicable data protection laws.

## **10. Data Security**

Reasonable technical and organisational measures are implemented to protect Personal Data against:

unauthorised access;

misuse;

alteration;

disclosure;

destruction;

accidental loss.

However, no internet transmission, electronic communication, storage platform, or digital infrastructure can be guaranteed to be completely secure.

Use of the Website and transmission of information occurs at the user's own risk.

The Company does not warrant that the Website shall be free from:

cyberattack;

malware;

interception;

viruses;

system compromise;

unauthorised access;

technological vulnerabilities.

## **11. User Responsibility**

Users are responsible for ensuring that information submitted through the Website is:

accurate;

lawful;

up to date;

authorised for disclosure.

Users should avoid transmitting confidential, highly sensitive, or commercially privileged information through unsecured electronic communications unless appropriate protections are in place.

## **12. Third-Party Websites**

The Website may contain links to external websites or platforms operated by third parties.

The Company has no control over such external websites and accepts no responsibility for:

their content;

security;

privacy practices;

availability;

policies;

services.

Access to third-party websites is entirely at the user's own risk.

## **13. Data Subject Rights**

Subject to applicable law, individuals may have rights including:

the right to access Personal Data;

the right to request rectification;

the right to request erasure;

the right to restrict processing;

the right to object to processing;

the right to data portability;

the right to withdraw consent;

the right to lodge complaints with the Information Commissioner's Office ("ICO").

Requests relating to Personal Data rights may be submitted using the contact details below.

The Company reserves the right to verify identity before responding to requests.

#### **14. Marketing Communications**

Where permitted by law, the Company may send communications relating to services, updates, market commentary, or business developments.

Recipients may opt out of non-essential communications at any time by contacting the Company or using unsubscribe mechanisms where available.

#### **15. Children**

The Website is not directed toward individuals under the age of eighteen (18).

The Company does not knowingly collect Personal Data from minors.

If information relating to a minor is identified, reasonable steps may be taken to delete such information.

#### **16. Automated Decision-Making**

The Company does not undertake automated decision-making producing legal or similarly significant effects within the meaning of applicable data protection legislation.

#### **17. No Financial Advice**

Nothing contained within the Website or associated communications constitutes:

financial advice;

investment advice;

tax advice;

legal advice;

regulated lending activity;

regulated credit brokerage activity.

Users must obtain independent professional advice before making financial, legal, tax, investment, or commercial decisions.

## **18. Limitation of Liability**

To the fullest extent permitted by law, the Company excludes all liability arising from:

unauthorised access to Personal Data;

cyber incidents;

service interruptions;

technological failures;

interception of communications;

third-party misconduct;

data corruption;

delays;

inaccuracies;

loss of data;

indirect loss;

consequential loss.

Nothing in this Policy excludes liability that cannot lawfully be excluded under English law.

## **19. Force Majeure**

The Company shall not be liable for any inability to perform obligations arising from events beyond reasonable control including:

acts of God;

war;

terrorism;

cyberattack;

telecommunications failure;

industrial action;

governmental restrictions;

natural disasters;

pandemics;

infrastructure failure.

## **20. Severability**

If any provision of this Policy is determined to be unlawful, invalid, or unenforceable, the remaining provisions shall remain in full force and effect.

## **21. Amendments**

The Company reserves the right to amend, revise, or update this Privacy Policy at any time without prior notice.

Updated versions shall become effective upon publication on the Website.

Continued use of the Website constitutes acceptance of any revised Policy.

## **22. Governing Law**

This Privacy Policy shall be governed by and construed in accordance with the laws of England and Wales.

The courts of England and Wales shall have exclusive jurisdiction in relation to any dispute arising from this Policy or the Website.

## **23. Contact Details**

All privacy-related enquiries, requests, or notices should be directed to:

Global MGT

71-75 Shelton Street

Covent Garden

London

WC2H 9JQ

United Kingdom