

## LMA.AUTOMATE PRIVACY POLICY

This online privacy policy (the **Privacy Policy**) describes our privacy practices in relation to the LMA.Automate platform.

We value your privacy and care about the way in which your personal information is treated.

In this Privacy Policy, "we", "us" or "our" means LMA.Automate Limited, a company incorporated in England & Wales, (registered no. 12977361), whose registered office is at 8th Floor 20 Farringdon Street, London, United Kingdom, EC4A 4AB.

In this Privacy Policy:

**Authorised Organisation** means any organisation that has subscribed for user subscriptions for use by its employees, its individual members (if it is a partnership) and its in-house consultants as Authorised Users.

**Authorised User** means any person who is authorised by an Authorised Organisation, and so by us, to use LMA.Automate.

**Service Provider** means Allen & Overy LLP, a limited liability partnership registered in England and Wales with registered number OC306763 whose registered office is at One Bishops Square, London E1 6AD, that provides the platform on which LMA.Automate functions to us under a sub-licence from Avvoka Limited, a company registered in England and Wales with registered number 09729807 whose registered office is at 2.05 12-18 Hoxton Street, London, N1 6NG;

The LMA.Automate platform is an internet-based contract automation, negotiation and analytics tool made available to Authorised Organisations who subscribe to the service. In addition to this Privacy Policy, your use of the LMA.Automate platform is subject to our Terms and Conditions of Use set out above.

This Privacy Policy describes:

1. what personal information we collect about you
2. how we obtain your personal information
3. how we use cookies and analytics
4. how and on what basis we use your personal information
5. how long we keep your personal information
6. who we share your personal information with
7. how we protect your personal information
8. which countries we transfer your personal information to

9. your rights regarding your personal information
10. who are the data controllers
11. changes to this Privacy Policy
12. who to contact with questions or concerns

See the section entitled ‘Who are the data controllers’ below for more information on the entity that controls and processes personal information.

## **1. WHAT PERSONAL INFORMATION DO WE COLLECT ABOUT YOU?**

In this Privacy Policy, where we use the term ‘personal information’, we use this term to describe information that is about you and which identifies you. We collect and process personal information during the course of your use of the LMA.Automate platform, as described in this Privacy Policy.

The personal information that we collect and process includes:

- Basic information about you, such as your name (including name prefix or title) and the company you work for;
- Contact information, such as your email address, phone number(s) and physical address;
- Technical information to the extent that it constitutes personal information, including the device you are using, precise geo-location information, operating system and browser type, your IP address and other online identifiers (such as log-in details and electronic signatures), and information about your access to and use of the LMA.Automate platform (such as your access dates/times, error logs, referring and exit pages and URLs, number of clicks, what areas of the website you have visited, and the documents you have generated, viewed, negotiated or printed); and
- Any other information relating to you (or other individuals) which you may provide to us (such as personal information uploaded to the LMA.Automate platform and information provided through the support functionality on the website), or which is otherwise provided to us or generated by us in the course of providing access to and use of the LMA.Automate platform.

Before providing us with personal information about another individual you must (unless otherwise agreed) have the appropriate and necessary permissions to share such personal information with us for the purposes described in this Privacy Policy and any other applicable privacy notices.

If we do not collect, or you do not provide, your personal information to us, we may not be able to provide our products and services to you.

## **2. HOW WE OBTAIN YOUR PERSONAL INFORMATION**

We collect personal information from you in various ways:

- As noted above, we collect information from you in the course of your use of the LMA.Automate platform
- We collect information from you when you register for an LMA.Automate account
- We collect information from you when you provide content and material for use on the LMA.Automate platform
- We collect information from you when you contact or communicate with us (including through the LMA.Automate website, any web chat available on the LMA.Automate website, by email or otherwise)
- We collect information from you while monitoring the LMA.Automate platform
- We collect information about you when you provide it to us, or interact with us directly, for instance engaging with our staff

We may collect or receive information about you from other sources, such as from an administrative user in your organisation in order to create an account for you.

## **3. HOW WE USE COOKIES AND ANALYTICS**

The LMA.Automate platform uses Google Analytics, a web-based analytics tool that tracks and reports on the manner in which the platform is used to help us to improve it. Google Analytics does this by placing small text files called 'cookies' on your device. Cookies enable a website to recognise and remember your device when you visit the site. The information that the Google Analytics cookies collect, such as the number of visitors to the site, the pages visited and the length of time spent on the site, is aggregated and anonymous.

We also use cookies on the LMA.Automate website to remember your preferences (such as creating a favorites' folder or remembering your recently visited pages) and to keep you logged in to the website.

Our web chat service provider also uses cookies. The information they collect includes the number of visitors to the site (on an aggregate and anonymous basis) and browser session identifiers (to keep you logged in to the website).

You may refuse the use of cookies or withdraw your consent at any time by selecting the appropriate settings on your browser but please note that this may affect your use and experience of the LMA.Automate platform. By continuing to use the LMA.Automate platform without changing your privacy settings, you are agreeing to our use of cookies. To find out more about cookies, including how to manage and delete them, visit [www.allaboutcookies.org](http://www.allaboutcookies.org).

#### 4. HOW WE USE YOUR PERSONAL INFORMATION AND ON WHAT BASIS WE USE YOUR PERSONAL INFORMATION

We collect and processes personal information about you in a number of ways, including through your use of the LMA.Automate platform and in the provision of services by us. We have set out below the principal purposes for which we use your personal information and the legal basis (as set out in applicable data protection laws) that we rely on to justify this use of your information.

| Purpose                                                                                                                    | Legal Basis                                                                                                                                                                                                                                                                                                                                                                   |
|----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| To provide the LMA.Automate platform to you, our clients and other third parties                                           | For our legitimate business purposes (i.e. the provision of the LMA.Automate platform) and, depending on the circumstances, to perform a contract between you and us or between an Authorised Organisation and us                                                                                                                                                             |
| To create and administer your authorised user account                                                                      | For our legitimate business purposes (i.e. the provision of the LMA.Automate platform) and, depending on the circumstances, to perform a contract between you and us or between an Authorised Organisation and us                                                                                                                                                             |
| To audit and monitor the use of the LMA.Automate platform                                                                  | For our legitimate business purposes (i.e. the provision of the LMA.Automate platform, as well as to improve and ensure the security of the LMA.Automate platform)<br><br>We may request your consent in circumstances where a legal justification over and above legitimate business purposes is required by applicable law (e.g. in relation to our use of certain cookies) |
| To provide information requested by you and to respond to your communications                                              | For our legitimate business purposes (i.e. the provision and support of the LMA.Automate platform)                                                                                                                                                                                                                                                                            |
| To notify you of changes to the LMA.Automate platform, including to notify you of new updates and postings to the platform | For our legitimate business purposes (i.e. the provision of the LMA.Automate platform)                                                                                                                                                                                                                                                                                        |

| <b>Purpose</b>                                                                                                                                   | <b>Legal Basis</b>                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| To improve our services to you and to our clients                                                                                                | For our legitimate business purposes (i.e. the provision and improvement of the LMA.Automate platform) |
| To manage and administer our relationship with you and our clients                                                                               | For our legitimate business purposes (including the provision of the LMA.Automate platform)            |
| To provide information about our authorised users and related usage information to third parties providing support for the LMA.Automate platform | For our legitimate business purposes (i.e. the provision and support of the LMA.Automate platform)     |
| To fulfil our legal, regulatory and risk management obligations, including establishing, exercising or defending legal claims                    | For our legitimate business purposes and for compliance with legal obligations to which we are subject |

In the event that we process sensitive information (such as special categories of personal data or criminal records information) in the provision of the LMA.Automate platform, we may need to rely on legal justifications over and above those listed above. Those justifications could include where the processing of that information is necessary for the purpose of, or in connection with, any legal proceedings or for the purpose of obtaining legal advice.

## **5. HOW LONG WE KEEP YOUR PERSONAL INFORMATION**

Your personal information will be retained in accordance with our data retention policy, which categorises all of the information held by us and specifies the appropriate retention period for each category of data. Those periods are based on the requirements of applicable data protection laws and the purpose for which the information is collected and processed, taking into account legal and regulatory requirements to retain the information for a minimum period, limitation periods for taking legal action, good practice and our business purposes.

## **6. WHO WE SHARE YOUR PERSONAL INFORMATION WITH**

We are a wholly owned subsidiary of Loan Market Association, a company limited by guarantee in England and Wales with company number 03284544. Information that you provide to us may be shared with our parent company.

The LMA.Automate platform is hosted by our Service Provider which serves as a processor for LMA.Automate and will have access to personal information. We also share your personal information with certain trusted third parties in accordance with contractual arrangements in place with them, including:

- **Service Providers.** We share your information with other companies we use to support the LMA.Automate platform. These companies provide services like online web chat, search technology, advertising and authentication systems. Our service providers are bound by confidentiality undertakings with us to protect your data.
- **Other users.** When you allow others to access, use, or edit content in your account, we share that content with them. For example, if you send a document to others for review or signature, or you invite them to negotiate the document, we make the contents of the document available to them.
- **Your employer (being an Authorised Organisation).** When you create an account on the LMA.Automate platform with an email address assigned to you as an employee, contractor or agent of an organisation, that organisation can find your account and take certain actions that may affect your account.

Where necessary, or for the reasons set out in this Privacy Policy, personal information may also be shared with regulatory authorities, courts, tribunals, government agencies and law enforcement agencies. While it is unlikely, we may be required to disclose your personal information to comply with legal or regulatory requirements. We will use reasonable endeavours to notify you before we do this, unless we are legally restricted from doing so.

If in the future we re-organise or transfer all or part of our business, we may need to transfer your personal information to new LMA entities or to third parties through which our business will be carried out.

We do not sell, rent or otherwise make personal information commercially available to any third party, except with your prior permission.

## **7. HOW WE PROTECT YOUR PERSONAL INFORMATION**

We use a variety of technical and organisational measures to help protect your personal information from unauthorised access, use, disclosure, alteration or destruction consistent with applicable data protection laws. Our Service Provider holds the internationally recognised ISO/IEC 27001:2013 (Information Security Management Systems: Requirements) certificate. This is an independently verified certification that information security within an organisation is managed in line with international best practice.

When we engage a third party service provider to collect or otherwise process personal information on our behalf, the third party is selected carefully and will be required to have appropriate information security measures in place. Please note that despite these extensive security measures, the nature of the LMA.Automate platform being web-based means it is not impenetrable. For this reason, we are unable to guarantee that information we collect will always be protected from unauthorised access, or that it will only be processed as described in this Privacy Policy.

If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any personal information you might have provided to us has been compromised), please immediately notify us (see section below ‘Who to contact with questions or concerns’).

## **8. WHICH COUNTRIES WE TRANSFER YOUR PERSONAL INFORMATION TO**

In order to provide the LMA.Automate platform we may need to transfer your personal information to locations outside the jurisdiction in which you provide it to us or where you are viewing the LMA.Automate platform for the purposes set out in this Privacy Policy. This may entail a transfer of your personal information from a location within the UK or European Economic Area (the “EEA”) to outside the UK or EEA, or from outside the UK or EEA to a location within the UK or EEA. Please see ‘Who we share your personal information with’ for more detail on how the information may be shared.

The level of information protection in countries outside the UK or EEA may be less than that offered within the UK or EEA. Where this is the case, we will implement appropriate measures to ensure that your personal information remains protected and secure in accordance with applicable data protection laws. Where our third party service providers collect and process personal information outside the EEA in the course of providing services to us, our written agreement with them will include appropriate measures, usually standard contractual clauses. For more information about the measures in place, please contact us (see section below ‘Who to contact with questions or concerns’).

## **9. YOUR RIGHTS REGARDING YOUR PERSONAL INFORMATION**

The European Union’s General Data Protection Regulation and other applicable data protection laws provide certain rights for data subjects. You are entitled to request a copy of the personal information we hold about you and information about how we process it. You may also have a right in accordance with applicable data protection laws to have it rectified or deleted, to restrict or suspend our processing of that personal information, to object to our processing of your personal information and, in some circumstances, to request receipt or transmission to another organisation, in a machine-readable form, of personal information relating to you that you have provided to us. Where we rely on your consent to process your personal information, you have the right to withdraw your consent at any time. You also have the right to lodge a complaint in relation to our processing of your personal information with a local supervisory authority.

If you object to the processing of your personal information, or if you have provided your consent to processing and you later choose to withdraw it, we will respect that choice in accordance with our legal obligations.

Your objection (or withdrawal of any previously given consent) could mean that we are unable to perform the actions necessary to achieve the purposes set out above (see section entitled ‘How we use your personal information’) or that you may not be able to use the LMA.Automate platform. Please note that even after you have chosen to withdraw your consent we may be able to continue to process your personal information to the extent required or otherwise permitted by law, in particular in connection with exercising and defending our legal rights or meeting our legal and regulatory obligations.

We must ensure that your personal information is accurate and up to date. Therefore, please advise us of any changes to your information by emailing the internal administrator of your Authorised Organisation's LMA.Automate account or by updating your information via the LMA.Automate platform.

## **10. WHO ARE THE DATA CONTROLLERS**

Save as described in the next paragraph, we are the data controller in respect of the personal information you provide to us when you register to access and use the LMA.Automate platform.

When you access and use the LMA.Automate platform, we collect and process certain personal information on your behalf as a data processor. For example, when you generate a contract or other document for review or signature, we act primarily as a data processor and process personal information on your behalf and in accordance with those instructions. In those instances, you act as the data controller responsible for the processing of your personal information.

## **11. CHANGES TO OUR PRIVACY POLICY**

Any changes we make to this Privacy Policy in the future reflecting changes in applicable law, the LMA.Automate platform, our personal information collection and processing practices, or advances in technology will be posted on this webpage and, where appropriate, notified to you by email. The updated Privacy Policy will take effect as soon as it has been posted on this webpage or notified to you by email, whichever is the earlier.

## **12. WHO TO CONTACT WITH QUESTIONS OR CONCERNS**

Account Questions/Complaints: If you have questions about or need additional assistance setting up an account or using the LMA.Automate platform, please contact the internal administrator of your Authorised Organisation's LMA.Automate account or a member of our team:

[Liam.Callaghan@lma.eu.com](mailto:Liam.Callaghan@lma.eu.com)  
[Amelia.Slocombe@lma.eu.com](mailto:Amelia.Slocombe@lma.eu.com)  
[Keith.Taylor@lma.eu.com](mailto:Keith.Taylor@lma.eu.com)

Privacy Questions/Complaints: If you have questions, complaints or need further information about our Privacy Policy or practices, please contact [Amelia.Slocombe@lma.eu.com](mailto:Amelia.Slocombe@lma.eu.com).