

## PRIVACY NOTICE

### Privacy Notice No. 1

Effective Date: 1<sup>st</sup> January 2025

#### 1. Introduction

This Privacy Notice explains how the Barristers and Accountants AML/ATF Board ("the Board") uses your personal information. The Board is committed to using your personal information in a lawful and fair manner, in compliance with the Personal Information Protection Act 2016 ("PIPA"). This Privacy Notice is provided in accordance with Section 9 of PIPA.

Please read this Notice carefully and contact us if you have any questions.

#### 2. Who Are We?

The Board is a statutory board established jointly by the Chartered Professional Accountants of Bermuda (CPA Bermuda) and the Bermuda Bar Association. The Board has been designated by the Minister of Justice under the Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing Supervision and Enforcement) Act 2008 ("the SE Act") to be the supervisory authority for AML/ATF regulation of regulated professional firms (barristers and accountants) as defined in the SE Act.

Our contact details are:

The Barristers and Accountants AML/ATF Board  
Boyle Building  
31 Queen Street, Suite 210  
City of Hamilton HM 11, Bermuda  
Phone: 441-296-5577  
Email: [info@amlatfboard.bm](mailto:info@amlatfboard.bm)

#### 3. Privacy Officer

The Board's Privacy Officer can be contacted at:

Privacy Officer  
The Barristers and Accountants AML/ATF Board  
Boyle Building, 31 Queen Street, Suite 210

City of Hamilton HM 11, Bermuda  
Email: supervisor@amlatfboard.bm  
Phone: 441-296-5577

#### **4. What Personal Information Do We Use and Where Does It Come From?**

Personal information includes any information that can identify you directly (e.g., name, passport number, professional licence number) or indirectly (e.g., address, phone number, date of birth, email address, IP address).

We may collect personal information from the following sources:

- Directly from you - when you register with the Board, submit forms, correspond with us, or attend inspections;
- From regulated professional firms - in connection with AML/ATF registration, compliance reporting, and inspections;
- From third-party organizations - including the Bermuda Bar Association, CPA Bermuda, the Bermuda Monetary Authority, the Financial Intelligence Agency, law enforcement, courts, or other regulatory bodies;
- Publicly available sources - such as professional directories, court records, or public registers.

The types of personal information we may use include:

- Names, addresses, and contact details;
- Professional qualifications and licence information;
- Employment and business information;
- Identification documents (e.g., passport, national ID);
- Information relating to AML/ATF compliance, including suspicious activity reports;
- Correspondence and communication records;
- Information obtained during on-site and off-site inspections;
- Any other information necessary for the performance of our supervisory functions.

We make all reasonable efforts to ensure that only such personal information as is necessary for the relevant purpose is collected and used.

#### **5. Our PIPA Condition for Use**

We use personal information only where we have a lawful basis to do so under PIPA. Our conditions for use include:

- Legal obligation - where the use is required or authorized by Bermuda law, including the SE Act, the Proceeds of Crime Act 1997, the Anti-Terrorism (Financial and Other Measures) Act 2004, and related AML/ATF Regulations;
- Public interest / official duty - where the use is necessary to carry out a public interest task or an official duty of the Board as a designated supervisory authority;
- Consent - where we have obtained the individual's consent;
- Contractual necessity - where the use is necessary to fulfil a contract with you or steps taken at your request to enter into a contract.

## **6. Purposes for Which We Use Your Personal Information**

We use your personal information for the following purposes:

- Registering and supervising regulated professional firms for AML/ATF compliance;
- Conducting risk-based on-site and off-site inspections and ongoing monitoring;
- Investigating potential breaches of AML/ATF legislation and regulations;
- Enforcing compliance with AML/ATF obligations, including imposing sanctions or penalties;
- Communicating with regulated firms regarding regulatory matters, guidance, and updates;
- Reporting to and cooperating with other regulatory and law enforcement bodies (including the Bermuda Monetary Authority, the Financial Intelligence Agency, and the Bermuda Police Service);
- Maintaining registers and records as required by law;
- Responding to enquiries and correspondence;
- Administering the Board's operations, including governance and financial management;
- Any other purpose required or permitted by law.

## **7. Who Has Access to Your Personal Information?**

The following individuals and/or types of organizations may be given your personal information pursuant to Bermuda legal requirements:

- Board members, the Supervisor, Assistant Supervisor, and authorized Board staff;
- Professional advisors retained by the Board (e.g., legal counsel, auditors);
- IT and technical service providers who require access to perform their duties;
- Other regulatory and law enforcement bodies, where required or permitted by law, including:
  - The Bermuda Monetary Authority (BMA);
  - The Financial Intelligence Agency (FIA);
  - The Bermuda Police Service;
  - The National Anti-Money Laundering Committee (NAMLC);

- The Ministry of Legal Affairs;
- Courts and tribunals, where required by law or court order.

All persons that may receive the personal information are subject to appropriate confidentiality obligations and have access only to the personal information necessary for the discharge of their duties. These are carefully considered to limit access to those that must have it,

## **8. Transfers Within Bermuda and Overseas**

Within Bermuda:

- We transfer personal information to third parties in Bermuda only as required or permitted by law, or when necessary to fulfil our supervisory functions;
- We use reasonable efforts to ensure that only relevant and necessary personal information is transferred;
- All third parties receiving personal information from us must meet appropriate data protection requirements.

Overseas:

- We may transfer personal information to overseas third parties where required by law or where necessary in connection with our supervisory functions (e.g., cooperation with international regulatory bodies such as the Financial Action Task Force);
- Before any overseas transfer, we assess the level of data protection in the receiving jurisdiction in accordance with Section 15 of PIPA;
- Where the overseas jurisdiction does not provide comparable protection, we employ contractual mechanisms, corporate codes of conduct, or other safeguards to ensure adequate protection.

We will not sell or rent your personal information.

## **9. How Long Do We Keep Your Personal Information?**

We retain your personal information in accordance with our records retention policies, applicable legal and regulatory requirements, and for no longer than is necessary for the purposes for which the information was collected.

## **10. Security**

We implement appropriate technical and organizational security safeguards, proportional to the sensitivity of the personal information, to protect against loss, unauthorized access, destruction, use, modification, or disclosure, in accordance with Section 13 of PIPA.

We constantly monitor and review our security measures. However, information transmitted over the Internet cannot be guaranteed as 100% secure. Once we receive your personal information, we make all reasonable efforts to ensure its security on our systems.

## 11. Breach of Security

In the event of a breach of security leading to the loss, unlawful destruction, or unauthorised disclosure of or access to personal information that is likely to adversely affect an individual, we will notify the affected individual(s) and the Privacy Commissioner for Bermuda in accordance with Section 14 of PIPA.

## 12. Your Rights

Under PIPA, you have the following rights in relation to your personal information:

- Right of access - You may request access to your personal information held by the Board;
- Right of correction - You may request correction of inaccurate personal information;
- Right of blocking, erasure, and destruction - In limited and specific circumstances, you may request that your personal information be blocked, erased, or destroyed;
- Right to cease use - You may request that we cease or not begin using your personal information for advertising, marketing, or public relations purposes.

To exercise any of these rights, please contact our Privacy Officer using the details provided above.

Please note that certain exemptions may apply under PIPA (e.g., where disclosure would prejudice the detection or prevention of crime, or regulatory functions).

For further information about your rights, please visit the Privacy Commissioner's website at [www.privacy.bm](http://www.privacy.bm).

## 13. Changes to This Privacy Notice

This Privacy Notice may be updated from time to time. Any amended Privacy Notice becomes effective and replaces the previous version once published on our website at [www.amlatfboard.bm](http://www.amlatfboard.bm).

## 14. Contact and Complaints

If you have any questions about this Privacy Notice or wish to make a complaint about how we have handled your personal information, please contact our Privacy Officer at the details provided above.

You also have the right to lodge a complaint with the Privacy Commissioner for Bermuda at [www.privacy.bm](http://www.privacy.bm).