

1.0 Privacy Policy for McKay & Associates Ltd

A company specialising in the valuation and sale of Machinery & Business Assets. We are duty bound to ensure your privacy is protected, and that our use of your personal information is regulated by this Privacy Policy. References to "McKay" "McKay's", "our" and "we" each mean McKay & Associates Limited, who may collect and use your information in the way confirmed in this Privacy Policy. Any mention of "you", "your" , "yourself" refers to any person whose personal information we may administer. Any singular references may also be considered where appropriate, to take account of the plural.

1.1 If you have any questions, comments or requests regarding any aspect of this Privacy Policy, please do not hesitate to contact us by sending an email (preferably with a delivery and read receipt) to info@mckay.ie or in writing to the Compliance Team at **McKay & Associates Limited, 4 Blackbourne Square, Rathfarnham Gate, Dublin14 D14YX52. Ireland.**

2.0 Introduction

2.1 McKay is a controller of the personal information that it collects and uses about you. We will treat your personal information as confidential and in accordance with current data protection regulations. Your personal information will only be shared with any others in accordance with this Privacy Policy.

2.2 Summary of Definitions & Explanations

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3.0 Updates to this Privacy Notice

3.1 Your privacy is of paramount importance to McKay's so please familiarise yourself with this Privacy Policy and if you have any queries, please contact us. We will update this Privacy Policy in the event of any changes to the way in which your personal information may be used.

3.2 From time to time, as the need may arise, we may update this Privacy Policy to take account of any legal, technical or business development changes. Please refer to our website www.mckay.ie for the latest version of our Privacy Policy.

4.0 Your Personal Information and Why We Collect It

4.1 Personal information definitions

4.1.1 Personal information is any information that tells us about you. This could for example include your name, address, contact details, date of birth, bank account(s) or any information about your circumstances to assist us with your identity.

4.1.2 Some personal information falls into special information categories under information protection legislation. This includes race, religion, ethnic origin, political and philosophical beliefs, sexual orientation and memberships of any trade unions. It may also include general and biometric data if used to uniquely identify an individual and delicate health data that we would need to have sufficient reason for collecting storing and using. There are also additional restrictions regarding our allowance to collect and use information relating to criminal conviction(s).

4.1.3 Any references to personal information in this Privacy Policy may include personal information, and also where relevant, special categories of personal information.

4.2 The type of Personal information and why we collect it

4.2.1 If you engage with McKay's, we will collect from you, your full name and contact details including but not limited to mobile and fixed line telephone phone numbers, email address and **current** residential postal address.

4.2.2 If we provide a service to you, or on your behalf, where we are required to do so by law, we will collect information relating to your identity, which as a minimum will be one form of formal photographic identification such as a passport, identification card, driving licence and / or other formal documentation with proof of your **current** place of residence such as an up- to date utility invoice.

4.2.3 We will also confirm whether you have any relatives or close connections working at McKay's to identify any potential conflict(s) of interests and how to process any issues identified (if any) in accordance with both statutory and regulatory obligations.

4.2.4 Depending on the service(s) that we provide to you, or on your behalf, we may also collect **additional personal information**.

4.3 Buying or Selling or Valuing Assets

If you are buying , selling or valuing assets through us:

4.3.1 We will collect contact telephone number(s) and an email address to get in touch with you about organising inspections, viewings, collections, payments and updating you on progress.

4.3.2 Where you are not the legal owner of any assets you wish to sell, we will request details from you regarding your ability to sell the assets, such as a Power of Attorney, Grant of Probate or formal disposal permission from the beneficial owner.

4.3.3 We will collect your bank account details to arrange net payments due to you, arising from any sales McKay's have transacted on your behalf.

4.3.4 If you subscribe to or receive, news or other marketing messages from us, then in addition to the above we may collect details about the sector(s) in which you work or practice and the type of asset categories that you may care to be advised of.

5.0 How We Use Your Personal Information

5.1 Details on how your personal information will be used for the services you request or engage from us are listed below:

5.2 Buying , selling or valuing assets

5.3 We use your personal information for the purposes of fulfilling our obligations to you if you are buying, selling or valuing assets through us, for the purposes of arranging our professional services.

5.4 If you are selling or purchasing assets where we are acting as agents, we may share your personal information with your appointed solicitors and also the solicitors acting for the far side of the transaction, if necessary to facilitate the sale or purchase. We may also share your details with logistical services providers.

5.5 Project Management

5.6 Where we are project managing the logistics of assets purchased or sold by you through McKay's we may need to pass your personal information to third party contractors whom are engaged to safely decommission and or transport the subject assets.

5.7 Insurance

5.8 During the course of project management, McKay's may share your personal details with our insurance brokers and we may also engage with your nominated insurance brokers, for the purposes of establishing all necessary insurance covers for the decommissioning and removal of assets sold on your behalf or purchased by you through McKay's.

5.9 Other uses of your personal information

5.10 If we sell any part of our business and or amalgamate it with another organisation, your details may be disclosed to our advisers and to prospective purchasers or joint venture partners and their advisers. If this occurs the new owners of the business will only be permitted to use your information in a similar way as set out in this privacy Policy.

5.11 We will share your personal information with our regulators, governmental or quasi-governmental organisations, law enforcement authorities, courts, tribunals and arbitrators or expert witnesses, if required in order to comply with our regulatory and legal obligations.

5.12 Where we use third party services providers to ourselves, who process personal information on our behalf, including IT systems providers / IT contractors as well as 3rd party referencing, or screening agencies involved in the prevention and detection of crime.

5.13 We may share your personal information with other persons working within McKay's on a need to know basis, in order to ensure that we are able to fulfil our obligations to you.

5.14 We will hold your personal information on our client management systems and may use this to provide you with marketing information about other sales and services offered by McKay's similar to those which you engaged us to provide that may be of future interest to you. You have the opportunity to **opt out** of receiving information from McKay's at any time you choose.

6.0 Our Legal Basis for Processing Personal Information

6.1 Under applicable data protection legislation, we are only permitted to use your personal information if we have a lawful basis for doing so. We rely on the following lawful grounds to use your information:

6.2 For employment-related purposes.

6.3 Where we need information to execute the contract we have entered into with you.

6.4 Where we need to comply with legal or regulatory obligations.

6.5 Where it is in McKay's legitimate interests or those of a third party to do so, provided that your interests and fundamental rights do not override those interests, including:

6.6 Processing that is necessary for us to promote our business, brands and services and analyse the effectiveness of our campaigns. This will include sending you marketing information from time to time after you have engaged us to provide services or received services from us, which may be similar and possibly of interest to you or where you have expressly indicated that you would like to receive such information. **You have the right to "opt out"** of receiving such communications at any time.

6.7 Processing that is necessary to improve our knowledge of the machinery and business assets sector. This will include undertaking market analysis and research so that we better understand trends in the this sector and provide better knowledge along with more tailored and relevant services for our customers in the future.

6.8 Processing necessary for us to operate the administrative and technical aspects of our business. This will include confirming the accuracy of information that we retain about you in order to create a better understanding of you as a customer, processing for administrative efficiency purposes such as where we outsource certain administrative functions to third parties who are specialise in such services and / or processing for network and information security purposes, so that we can to take steps to protect your information against loss, damage, theft or unauthorised access or to comply with a request from you in connection with any of your rights outlined below.

6.9 In more limited circumstances we may also rely on the following lawful basis for processing personal information

6.10 Where we need to protect your interests or someone else's and/or

6.11 Where it is needed in the public interest or for official purposes.

6.12 We may process special categories of personal information and criminal conviction information with your explicit consent, in which case we will explain the purpose for which the information will be used at the point where we ask for your consent.

6.13 We also need some information so that we can comply with our legal obligations. For example, we may need identity documents from you to meet our obligations in relation to money laundering and potentially fraudulent transactions.

6.14 What happens if you do NOT provide the information we request?

6.15 If you do not provide the information required for these purposes, we will not be able to perform our contract with you and may not be able to continue to provide services to you. We will explain when this is the case at the point where we seek to collect information from you.

7.0 How long we keep your personal information

7.1 The period for which we will keep your personal information will depend on the type of service from us. The retention period may be longer than the period for which we are providing services to you, where we have statutory or regulatory obligations to retain personal information for a longer period, or where we may need to retain the information for litigation purposes.

8.0 The Choices We Offer & How You Can Exercise Them

8.1 You have a number of rights in relation to your personal information, these include:

8.2 the right to be informed of how we use your personal information.

8.3 the right of to access the personal information that we hold on you.

8.4 your right to rectification of your personal information, if you believe it is incorrect, incomplete or inaccurate.

8.5 request the right to erase, also known as “the right to be forgotten” ie; that we erase your personal information in the following circumstances:

8.6 if McKay’s is continuing to process personal information beyond the period when it is necessary to do so for the purpose for which it was originally collected.

8.7 if McKay’s is relying on consent as the lawful basis for processing and you withdraw consent.

8.8 if McKay’s is relying on legitimate interests as the lawful basis for processing and you object to this processing where there is no overriding compelling ground which enables us to continue with the processing.

8.9 if the personal information has been processed unlawfully i.e; in breach of the requirements of the information protection legislation.

8.10 if it is necessary to delete the personal information to comply with a legal obligation.

9.0 the right to ask us to restrict our information processing activities where you consider that:

9.1 your personal information is inaccurate.

9.2 our processing of your personal information is unlawful.

9.3 where we no longer need the personal information, but you require us to keep it to enable you to process a legal claim.

9.4 where you have raised an objection to our use of your personal information.

9.5 the right to data portability, being a request of a copy of certain personal information, that you have provided to us in a commonly used electronic format. This right relates to personal information that you have provided to us that we need in order to perform our agreement with you and personal information where we are relying on consent to process your personal information.

9.6 the right to object to our processing of your personal information where we are relying on legitimate interests or exercise of a public interest task to make the processing lawful. If you raise an objection we will carry out an assessment to determine whether we have any overriding legitimate grounds which entitle us to continue to process your personal information.

9.7 The right not be subject to wholly automated decisions which could have a significant legal effect on you.

10.0 Complaints Handling Procedure (CHP)

10.1 If you have any complaints about the way we use your personal information please contact the Company Compliance Team at info@mckay.ie who will try to resolve the issue. If we cannot resolve any issue within the legal timeframe, you have the right to complain to the information protection authority in your country being the Data Protection Commissioner if you are located in Ireland.

11.0 Security of Personal Information

11.1 The security of your personal information is very important to us and we have measures in place which are designed to prevent unauthorised access to your personal information including but not limited to:

11.2 Our client files are stored on our secure systems and secure approved off-site data centre(s). Access is restricted on our client systems to those within the McKay's who are required to have access to your information for legitimate business purposes.

11.3 Hard copy documentation is stored in secure locked and alarmed locations.

11.4 All information hosted in data centres whom have systems and protections in place to protect against both unauthorised access, and other external factors that could cause damage to your personal information. There are strict access requirements in place in data centres, with access restricted only to authorised persons.

11.5 We ensure access to personal information is restricted to McKay's employees and workers or other persons working for McKay's on a need to know basis. Training is provided to any of McKay's employees and workers who need access to personal information.

12.0 Overseas transfers of your personal information

12.1 We may transfer, store, or process your personal information in locations outside of the Republic of Ireland and the European Economic Area (EEA). Where the countries to which your personal information is transferred do not offer an equivalent level of protection for personal information to the laws of the Ireland, we will ensure that appropriate safeguards are put in place and may utilise the appropriate following safeguards:

12.2 Transfer it to a non-EEA country with privacy laws that give the same protection as the EEA.

12.3 Put in place under contract with the recipient that means they must protect it to the same standards as the EEA

12.4 Transfer it to organisations that are part of Privacy Shield. This is a framework that sets privacy standards for information sent between the US and EU countries. It makes sure the standards are similar to those within the EEA.

Safeguarding information can be found on the European Commission Justice website.

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