

PRIVACY POLICY

1. OVERVIEW

The American Steamship Owners Mutual Protection & Indemnity Association, Inc. and its Managers, Shipowners Claims Bureau, Inc., including their branches located in London, Athens, Limassol, Hong Kong, and Shanghai (“Association,” “we,” “us,” or “our”), believe that the privacy and security of your information and personal data is very important. The Association, acting as data joint-controllers (“the **Data Controllers**”) collect, store and otherwise process by electronic or other means the data supplied by:

- The Members;
- Any natural person related to the Members such as its contact person(s), employee(s), agent(s), representative(s), and/or beneficial owner(s) at the time of entry into the contract of Indemnity Insurance and during its execution;
- Any Claimant or natural person related to a Claimant.

collectively (the “**Data Subjects**”) for the purposes outlined below.

If you are located in the European Economic Area (“EEA”), Switzerland, or the United Kingdom, we are subject to the UK General Data Protection Regulation (“UK GDPR”) and the EU General Data Protection Regulation (“GDPR”) and are the Data Controller of your data.

The Data Subjects may, at their discretion, refuse to communicate the Personal Data to the Data Controllers. In this event however, the Data Controllers may reject the entry into the contract of insurance if the relevant Personal Data is necessary to such entry or to enable the Data Controllers to handle an insurance claim.

We value our users’ privacy. This Privacy Policy will help you understand how we collect and use personal data from those who make use of our services, and what we will and will not do with the information we collect. This Privacy Policy has been designed and created to ensure those affiliated with the Association understand our commitment and realization of our obligation to protect the personal data we collect and use about you. The Data Controllers are responsible for the processing of your personal data.

This Privacy Policy explains our practices with respect to any and all data collection and usage by the Association, including through our website located at <https://www.american-club.com/>, any products and services that we may offer from time to time via our website, our related social media sites, or otherwise through your interactions with us (the website, products, services, and social media pages, collectively, the “**Services**”). *By using any of our Services, whether by visiting our website or otherwise, and/or by voluntarily providing personal data to us, you acknowledge that you have read and understand the practices contained in this Privacy Policy.*

2. PERSONAL DATA WE COLLECT

We collect information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular Member, such as its contact person(s), employee(s), agent(s), representative(s) and/or beneficial owner(s) at the time of entry into the contract of indemnity insurance and during its execution. The data

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processed also includes the Data Subjects' name, contact details (including postal and/or e-mail address), date and place of birth, professional title, signature, passport, driver's license, or ID card number ("**Personal Data**"). In addition, we may collect data that is not identifiable to you or otherwise associated with you, such as aggregated data, and is not Personal Data. To the extent this data is stored or associated with Personal Data, it will be treated as Personal Data; otherwise, the data is not subject to this Policy.

a. How We Use Your Personal Data

Your Personal Data is held, used, and disclosed by us in the conduct of our business to provide the Services to you, including Circulars, Member Alerts, Association news and events. Members of the Association and prospective members, correspondents, brokers, surveyors, and other industry partners who have requested to do so will receive regular communications and appropriate third-party events.

Subject to applicable Data Protection Laws, we will use the Personal Data, for various purposes depending on their relationship with the Data Subjects. In particular, if false or inaccurate information is provided by the Data Subject or on his/her behalf or if we suspect or identify fraud, money laundering, or terrorism financing, we will record this and may pass this information to fraud prevention agencies, law enforcement agencies, and other organisations involved in crime and fraud prevention, who may access and use this information to prevent and detect fraud and money laundering.

We may use this information for those purposes when checking policy application details or during the policy term or at renewal. We may make searches during the policy term or at renewal. We may make anti-money laundering and counter terrorism financing checks during the policy term or at renewal.

In accordance with legal and regulatory requirements and our compliance and risk management procedures, we undertake due diligence and screening on the business that we underwrite, any financial transactions we make and all other non-underwriting activities in which we engage. This includes checking the Personal Data against sanctions lists, such as those published by the United Nations, the European Union, the UK Treasury and the US Department of the Treasury, Office of Foreign Assets Control (OFAC). If the checks reveal an actual or potential match with a sanctioned person or entity, we may provide details of the match, together with any information that we hold about a Data Subject or an entity or that is disclosed on the sanctions' lists, to regulators, governments and law enforcement bodies for further investigation, legal or risk management purposes.

We may also contact the Data Subject or the entity to obtain further details which may help us to clear or confirm the potential match. We may retain the information that has been collected or used to carry out the checks, and records of the checks, for the period required to comply with our internal compliance and data retention policies.

The purposes of our data processing activities can be summarized as follows:

- i. to enter into and execute the contract of insurance,
- ii. to send information requested, to handle insurance queries, applications and any policy and related claims,

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- iii. to manage and deal with claims against our insured customer or to deal with an appointed agent, or representatives,
- iv. for underwriting, claims handling, fraud prevention, anti-money laundering and counter terrorism financing purposes,
- v. for relationship development and management,
- vi. for compliance with our legal, regulatory and governance obligations,
- vii. detecting security incidents, protecting against malicious, deceptive, fraudulent, or illegal activity, and prosecuting those responsible for that activity,
- viii. debugging to identify and repair errors that impair existing intended functionality,
- ix. undertaking activities to verify or maintain the quality or safety of the services or devices owned, or controlled by us, and to improve, upgrade, or enhance the services or devices owned, or controlled by us,
- x. complying with applicable laws, regulations, rules and requests of relevant law enforcement and/or other governmental agencies, or for other purposes, as permitted or required by law, and
- xi. as necessary or appropriate to protect the rights, property, and safety of our users, us, and other third parties.

b. How We Obtain Your Personal Data

We collect your Personal Data from the following categories of sources:

- **Directly from you.** When you provide it to us directly whether online, by email, phone, or otherwise;
- **From our Service Providers.** For example, the Association uses cloud-computing services, an external website development company, an external PR and communications consultancy, as well as other service providers.
- **From Third Parties.** For example, the Association receives Personal Data relating to claims, including personal injuries.

c. Legal Bases for Processing

The Personal Data are processed for the legitimate interests of the Data Controllers, in order to enter into and perform the insurance contract and to comply with legal obligations imposed on the Data Controllers.

The “legitimate interests” of the Data Controllers referred to above are:

- (a) The processing purposes described in point (v) of the above paragraph of this clause;
- (b) The establishment, exercise or defense of legal claims, whether in court proceedings or in an administrative or out-of-court procedure;
- (c) Compliance with foreign laws and regulations and/or any order of a foreign court, government, supervisory, regulatory or tax authority;
- (d) Risk management; and
- (e) Exercising the activity of the Data Controllers in accordance with reasonable market standards.

We process Personal Data for, or based on, one or more of the following legal bases:

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- **Your Consent.** By providing your Personal Data to us, you consent to the use, processing, and transfer of your information on the terms set out in this Privacy Notice. If you do not agree to our processing of your data in the manner outlined below, please do not submit any Personal Data to us.
- **Performance of a Contract.** We may process Personal Data to enter into, or perform under, the agreement, including employment, between us.
- **Legitimate Interests.** We may process Personal Data for our legitimate interests, including those enumerated above as (i) – (xi).

d. Who We Share Your Personal Data With

The Personal Data may be processed by the Data Controllers' data recipients (the "**Recipients**") which, in the context of the above-mentioned purposes, refer to the subsidiaries of the Association and of its manager, SCB, as well as any other third party supporting the activities of the Data Controllers.

The Recipients may, under their own responsibility, disclose the Personal Data to their agents and/or delegates (the "**Sub-Recipients**"), which shall process the Personal Data for the sole purposes of assisting the Recipients in providing their services to the Data Controllers and/or assisting the Recipients in fulfilling their own legal obligations.

The Personal Data will be stored in the US and in those countries where the Data Controllers maintain offices. If you are using the Services from outside the United States, by your use of the Services you acknowledge that we will transfer your data to, and store your personal data in, the United States, which may have different data protection rules than in your country, and personal data may become accessible as permitted by law in the United States, including to law enforcement and/or national security authorities in the United States. For transfers of data into and out of the EEA and/or UK, pursuant to the GDPR and the UK GDPR respectively, we have put in place appropriate safeguards for international transfers.

Should we need to share your Personal Data with branches and offices outside the **European Economic Area** (the "**EEA**") and/or UK, our insurance partners, loss adjusters and other third parties who act for us for further processing, will take all reasonable measures to safeguard your Personal Data in a manner that complies with the applicable Data Protection Laws.

The Recipients and Sub-Recipients may, as the case may be, process the Personal Data as data processors (when processing the Personal Data on behalf and upon instructions of the Data Controllers and/or the Recipients), or as distinct data controllers (when processing the Personal Data for their own purposes, namely fulfilling their own legal obligations).

The Personal Data may also be transferred to third-parties such as governmental or regulatory agencies, including tax authorities, in accordance with applicable laws and regulations. In particular, Personal Data may be disclosed to the US tax authorities, which in turn may, acting as data controller, disclose the same to foreign tax authorities.

In sum, we share Personal Data with the following categories of third parties:

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- Our service providers.
- Our affiliated entities.
- Government agencies or regulations when permitted or required to do so by law; in response to a request from a law enforcement agency or authority or any regulatory authority; and/or to protect the integrity of the Services or our interests, rights, property, or safety, and/or that of our users and others.

3. YOUR RIGHTS REGARDING PERSONAL DATA

You have certain rights regarding the collection and processing of Personal Data. You may exercise these rights, to the extent they apply to you, by contacting us at the information provided at the end of this Privacy Notice, or by following instructions provided in this Privacy Notice or in communications sent to you.

Your rights vary depending on the laws that apply to you, but may include:

- The right to know whether, and for what purposes, we process your Personal Data;
- The right to be informed about the Personal Data we collect and/or process about you;
- The right to learn the source of Personal Data about you we process;
- The right to access, modify, and correct Personal Data about you (see the “**Accessing, Modifying, Rectifying, and Correcting Collected Personal Data**” section below for more information);
- The right to know with whom we have shared your Personal Data with, for what purposes, and what Personal Data has been shared (including whether Personal Data was disclosed to third parties for their own direct marketing purposes);
- The right to withdraw your consent, where processing of Personal Data is based on your consent; and
- The right to lodge a complaint with a supervisory authority located in the jurisdiction of your habitual residence, place of work, or where an alleged violation of law occurred.

a. Accessing, Modifying, Rectifying, and Correcting Collected Personal Data

We strive to maintain the accuracy of any Personal Data collected from you, and will try to respond promptly to update our records when you tell us the information in our records is not correct. However, we must rely upon you to ensure that the information you provide to us is complete, accurate, and up-to-date, and to inform us of any changes. Please review all of your information carefully before submitting it to us, and notify us as soon as possible of any updates or corrections by contacting us at scbcompliance@american-club.com.

Depending on the laws that apply to you, you may obtain from us certain Personal Data in our records. If you wish to access, review, or make any changes to Personal Data you have provided to us through the Services, please contact us at the information provided at the end of this Privacy Notice. We reserve the right to deny access as permitted or required by applicable law.

b. Your California Privacy Rights

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California’s “Shine the Light” law, permits our users who are California residents to request and obtain from us a list of what Personal Data (if any) we disclosed to third parties for their own direct marketing purposes in the previous calendar year and the names and addresses of those third parties. Requests may be made only once per year per person, must be sent to the email address below, and are free of charge. However, we do not disclose Personal Data protected under the “Shine the Light” law to third parties for their own direct marketing purposes.

c. Your European Union and UK Privacy Rights

In addition to the above-listed rights, European Union and UK privacy law provides individuals with enhanced rights in respect of their Personal Data. These rights may include, depending on the circumstances surrounding the processing of Personal Data:

- The right to object to decisions based on profiling or automated decision-making that produce legal or similarly significant effects on you;
- The right to request restriction of processing of Personal Data or object to processing of Personal Data carried out pursuant to (i) a legitimate interest (including, but not limited to, processing for direct marketing purposes) or (ii) performance of a task in the public interest;
- In certain circumstances, the right to data portability, which means that you can request that we provide certain Personal Data we hold about you in a machine-readable format; and
- In certain circumstances, the right to erasure and/or the right to be forgotten, which means that you can request deletion or removal of certain Personal Data we process about you.

Note that we may need to request additional information from you to validate your request. To exercise any of the rights above, please contact scbcompliance@american-club.com.

4. YOUR CHOICES

You have choices about certain information we collect about you, how we communicate with you, and how we process certain Personal Data. When you are asked to provide information, you may decline to do so; but if you choose not to provide information that is necessary to provide some of our Services, you may not be able to use those Services. In addition, it is possible to change your browser settings to block the automatic collection of certain information.

- a. ***Communications Opt-Out.*** You may opt out of receiving marketing or other communications from us at any time through a given communications channel by following the opt-out link or other unsubscribe instructions provided in any email message received, or by contacting us at scbcompliance@american-club.com. If you wish to opt out by sending us an email, please include “Opt-Out” in the email’s subject line and include your name and the email address you used to sign up for communications in the body of the email.

5. PROTECTING PERSONAL DATA

The American Steamship Owners Mutual Protection & Indemnity Association, Inc.

The Association is committed to protecting the privacy of your information, and we have put in place reasonable safeguards designed to promote the security of our systems and protect the confidentiality, integrity, availability, and resilience of Personal Data. These safeguards include: (i) the pseudonymization and encryption of Personal Data where we deem appropriate; (ii) taking steps to ensure Personal Data is backed up and remains available in the event of a security incident; and (iii) periodic testing, assessment, and evaluation of the effectiveness of our safeguards. While we take reasonable precautions to protect our users' Personal Data and information, the use of the internet is not entirely secure, and for this reason we cannot guarantee the security or integrity of any Personal Data which is transferred from you or to you via the internet.

6. RETENTION OF PERSONAL DATA

We retain Personal Data subject to our Document Destruction Policy, as well as to the extent we deem necessary to carry out the processing activities described above, including but not limited to compliance with applicable laws, regulations, rules and requests of relevant law enforcement and/or other governmental agencies, and to the extent we reasonably deem necessary to protect our and our partners' rights, property, or safety, and the rights, property, and safety of our users and other third parties.

7. OTHER IMPORTANT INFORMATION ABOUT PERSONAL DATA AND THE SERVICES.

- a. Third-Party Websites and Services.*** As a convenience, we may reference or provide links to third-party websites and services, including those of unaffiliated third parties, our affiliates, service providers, and third parties with which we do business. When you access these third-party services, you leave our Services, and we are not responsible for, and do not control, the content, security, or privacy practices employed by any third-party websites and services. You access these third-party services at your own risk. This Privacy Notice does not apply to any third-party services; please refer to the Privacy Notices or policies for such third-party services for information about how they collect, use, and process Personal Data.

8. MODIFICATIONS AND UPDATES TO THIS PRIVACY NOTICE

This Privacy Policy replaces all previous disclosures we may have provided to you about our information practices with respect to the Services. We reserve the right, at any time, to modify, alter, and/or update this Privacy Policy, and any such modifications, alterations, or updates will be effective upon our posting of the revised Privacy Policy. Your continued use of the Services following our posting of any revised Privacy Policy will constitute your acknowledgement of the amended Privacy Policy.

9. ADDITIONAL INFORMATION AND ASSISTANCE

If you have any questions or concerns about this Privacy Policy and/or how we process Personal Data, please contact our Compliance Department at scbcompliance@american-club.com.

We hope that we can resolve any query or concern you raise about our use of your Personal Data. If not, you may contact us at scbcompliance@american-club.com, or at The American Steamship

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Owners Mutual Protection & Indemnity Association, Inc., One Battery Park Plaza, 31st Floor, New York, NY 10004, Attention: Compliance.

You may also contact your local supervisory authority for further information about your rights and how to make a formal complaint.