

**Please note that this documents is not intended to be a legal advice, shall not prevent you from analysing of the personal data processing as data controller and is provided to you for information purpose only.**

## **DATA PRIVACY NOTICE**

Dear Shareholder,

The purpose of this letter is to inform you that in relation to your investment in [name of the Fund] you have provided personal information which may constitute “personal data” within the meaning of the General Data Protection Regulation of the 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, (the “**GDPR**”) and the EU e-Privacy Directive including any of their subsequent transposition ( the “**Data Protection Legislation**”).

### **Data being processed**

The following personal data may be used and processed by the Fund, which acts as data controller, or any of their affiliates, agents, employees, delegates, service providers, sub-contractors and contracting parties and their respective affiliates, agents, directors, employees, representatives and delegates (“**Authorised Recipients**”):

- a) Contact information such as first name, last name, business telephone, e-mail address;
- b) Nationality, date and place of birth and information on identification documents;
- c) Government issued identifiers such as passport, identification card, tax identification number, national insurance number;
- d) Financial information such as bank details;
- e) Tax domicile and other tax-related documents and information;
- f) Origin of funds and assets;
- g) Financial situation and knowledge and experience in investment matters;
- h) As well as any other information we ask you to provide in our subscription form or which you decide to share with us

(the “Personal Data”).

### **Purposes and legal basis for your personal data processing**

Your Personal Data may be used and processed by the Fund or the Authorised Recipients for the following purposes:

- to manage and administer on an on-going basis your holdings in the Fund and any related accounts in accordance with the terms of your subscription to the Fund (the “**Services**”) including without limitation the updating of the Fund’s register of Shareholders, the processing of subscription, redemption, conversion, transfer request and the payment of distributions;
- to comply with the legal and regulatory obligations applicable to the Fund and its shareholders including for the purpose of the Fund’s legitimate interests in relation to the prevention, detection, investigation and management of fraud, money laundering, terrorist financing, bribery, corruption, late trading and market timing, tax crime on an on-going basis;
- to report tax related information to tax authorities in order to comply with a legal obligation;
- to monitor and record calls and electronic communications (i) to pursue the Fund’s legitimate interests, including in relation to the prevention, detection, investigation and management of fraud, money laundering, terrorist financing, bribery, corruption, tax crime; late trading and market timing; and (ii) to improve the Services;
- to disclose information to third parties such as the service providers, the auditors and the technology providers of the Fund in order to comply with any legal obligation imposed on the Fund or in order to pursue the legitimate interests of the Fund;
- to update and maintain records and fee calculation;
- where you have given your specific consent.

### **Data sharing and transferring**

The Fund may disclose your Personal Data as follows:

- to the Authorised Recipients;
- to competent authorities (including tax authorities and regulators), courts and bodies as required by law.

The disclosure of Personal Data to third parties may involve the transfer of Personal Data to jurisdictions outside the European Union (EU).

Should your Personal Data be processed in countries outside the EU or in countries not providing an adequate level of data protection, they will be protected by appropriate safeguards such as standard contractual clauses approved by the European Commission and investors whose data may be covered by such transfer may obtain a copy of such safeguards by contacting the Fund.

### **Data Subject Rights**

You have the following rights, in certain circumstances, in relation to your Personal Data:

- Right to access your Personal Data;
- Right to amend and rectify any inaccuracies in your Personal Data;
- Right to restrict the use of your Personal Data;
- Right to request that your Personal Data is erased to the extent permitted by law;
- Right to object to processing of your Personal Data on grounds relating to your particular situation;
- Right to data portability where the processing is performed by automated means.

The Fund is the data controller within the meaning of the Data Protection Legislation.

Please note that, should you fail in providing your Personal Data as required for the purpose of compliance with AML or other legal requirements, the Fund may not be able to accept your investment or process your application for redemption, conversion or transfer.

### **Retention period**

The Fund may retain your Personal Data for the duration of your investment in the Fund and afterwards in accordance with the Fund's legal and regulatory obligations and as long as required for the Fund and the Authorised Recipients to perform the Services.

Please note that your rights are subject to certain conditions like legal obligations, retention period requirements especially where you ask us to restrict the use of your Personal Data or the erasure of such data.

### **Right to lodge a complaint**

In accordance with the GDPR, you have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you consider that the processing of your Personal Data infringes the GDPR.

### **How to contact us**

If you have any questions about our use of your Personal Data, please contact us at [thirdpartyfunds@lemanik.lu](mailto:thirdpartyfunds@lemanik.lu).

### **Amendment of this Privacy Notice**

This Data Privacy Notice may be amended from time to time to ensure (among other things) that full information about all processing activities is provided. Changes to this Data Privacy Notice will be notified by appropriate means.