

EU General Data Protection Regulation (GDPR) and Data Protection Act (DPA)

Data protection information for natural persons

The aim of this data protection information is to give you an overview of the processing of personal data by VP Fund Solutions (Luxembourg) SA ("VPFLU") and the associated rights under the provisions of the new EU General Data Protection Regulation (GDPR). The specific data that are processed and the ways in which they are used are essentially dependent on the services and products agreed and/or to be provided in each individual case. Pursuant to domestic legal requirements and existing agreements VPFLU is obliged to protect your privacy and to maintain confidentiality. For this reason VPFLU has taken an array of technical and organisational data protection measures relating to any and all processing of your personal data.

In the context of our business relationship with you or with the funds managed by VPFLU we are processing such personal data as are required to open and conduct the business relationship, to fulfil the associated statutory or contractual obligations and to provide services or execute orders. Without such data we will generally be unable to enter into or maintain a business relationship, to carry out orders or to offer our products and services.

If you have questions regarding the processing of specific data or your rights in this regard, please contact:

Responsible organisation:

VP Fund Solutions (Luxembourg) SA
2, rue Edward Steichen, L-2540 Luxembourg,
T +352 404 770 297, fundsclients-lux@vpbank.com

Data protection officer contact details:

VP Bank (Luxembourg) SA, Data Protection Officer,
2, rue Edward Steichen, L-2540 Luxembourg,
T +352 770 999, datenschutz.lu@vpbank.com

1. Which data (categories) are processed and where do they originate from (data provenance)?

We gather and process personal data obtained in the context of our business relationships with our clients and business partners¹ as well as in the course of the performance of our duties as management company or alternative investment fund manager. Personal data may be processed at every stage of the business relationship and will vary according to the group of persons involved.

As a general rule we process personal data that are made available to us by means of contracts and forms submitted by you, in correspondence with us or in other documents, or announced in other forms, e.g. orally.

To the extent necessary in order to provide our services we also process personal data which you provide whenever you take up certain products or services or which we have lawfully obtained from third parties), public bodies (e.g. UNO and EU sanction lists), trade or other VP Bank Group companies.

Finally, the personal data we process may include data from sources in the public domain (e.g. debt directories, land registers, trade and industry associations, the press, the Internet).

In addition to client data we will wherever necessary process personal data relating to other parties involved in the business relationship, such as authorised agents, representatives, co-obligors, legal successors or the beneficial owners of a business relationship. Please be so kind as to share this data protection information with all such involved parties.

We understand "personal data" to refer to the following data categories:

- personal particulars (e.g. name, date of birth, nationality);
- address and contact details (e.g. address, telephone number, e-mail address);
- user identification data (e.g. passport or ID card data) and authentication data (e.g. sample signature);
- information on products and services used and order and risk management data (e.g. payment information, investment experience and investment profile, payment transaction turnover data, information on compliance with due diligence requirements and anti-money laundering rules);
- other client account data and information on the business relationship (e.g. registered account, contract numbers, contract duration, information on spouses/partners and other family details, information on authorised agents or legal representatives);
- information on your financial circumstances and your personal and professional background (e.g. data on your creditworthiness, tax situation and asset provenance as well as information on your profession and qualifications including relevant certificates if deemed necessary);
- technical data and information generated by contacts with you (e.g. minutes of advisory conversations) and by your electronic correspondence with VPFLU respectively the concerned fund (e.g. logs of system access, changes to settings, website visits);
- audio-visual data (e.g. video or telephone recordings);
- data in the public domain (e.g. debt directories, land registers, trade and industry associations, the Internet).

¹ The term "business partner" refers to intermediaries, external service providers and suppliers, etc.

2. For what purposes and on what legal basis are your data processed?

We process personal data in accordance with the provisions of the GDPR and the local Data Protection Act ("DPA") for the following purposes and on the following legal basis (Art. 6 para. 1 GDPR):

- **for the performance of a contract or in order to take steps prior to entering into a contract** in connection with the provision and intermediation of financial services in our capacity as management company respectively alternative investment fund manager and the processing of orders. The exact purposes of the data processing will largely depend on the specific product, service involved and may be processed among other things as part of transaction execution.
- **to fulfil legal obligations or defend the public interest**, in particular in ensuring proper compliance with statutory and regulatory norms (e.g. compliance with the GDPR, the DPA, rules and regulations on management companies of undertakings for collective investments respectively alternative investment fund managers as well as the relevant fund laws and provisions governing the prevention of money laundering and market abuses, tax legislation and treaties, monitoring and reporting duties and risk management standards).
- **to safeguard the legitimate interests of the Bank or third parties** for specifically defined purposes, in particular the assessment of creditworthiness, the pursuit of claims, product development, marketing and promotion, business analysis and risk control, reporting, statistics and planning, the prevention and investigation of criminal acts, video surveillance to avert threats, telephone recordings.
- **by virtue of your consent**, given to us to enable the provision and intermediation of financial services or in respect of orders issued by you, such as in relation to the disclosure of data to Group companies or the VPFLU's service providers and suppliers. You have the right to revoke this consent at any time. The same applies to the revocation of declarations of consent made to VPFLU prior to the entry into force of the GDPR, i.e. before 25 May 2018. Revocations of consent apply only to the future and do not affect the lawfulness of any data processing carried out prior to such revocation. Revoking consent may affect the range of services we can offer.

We reserve the right to process personal data obtained for one of the above purposes further for any other of those purposes, providing such further processing is compatible with the original purpose or is permitted or prescribed by law (e.g. reporting duties).

3. Who has access to personal data and for how long are they stored?

Individuals and units both within and outside VPFLU may have access to your data. Within VPFLU your personal data may be processed only by individuals and units that need access in order to discharge our contractual, statutory and

regulatory obligations and to safeguard legitimate interests. Subject to compliance with legal and contractual confidentiality requirements and data protection rules, other Group companies (in particular, our parent company, VP Bank AG, headquartered in Vaduz, Liechtenstein and VP Fund Solutions (Liechtenstein) AG), service providers or authorised agents, which have been entrusted with the performance of collective portfolio management functions such as investment management, risk management, central administration including transfer and register agency services, fund distribution/ marketing, may have access to personal data for these same purposes. In this context, we also refer you to the offering documents of the concerned funds. Order-processing companies may include firms active in banking, information technology, logistics, printing, collection, advice and consultancy and promotion and marketing. Moreover, in this context your data may be made available to other lending and financial service institutions or similar organisations which we provide with personal data in order to conduct the business relationship (e.g. correspondent banks, custodian banks, brokers, securities exchanges, information offices). Wherever statutory or regulatory obligations apply, your data may also be made available to public bodies and official institutions (e.g. supervisory authorities, financial regulators, etc.).

Data are transmitted to "third countries" (countries outside the EU/EEA) only insofar as required for the performance of a contract or in order to take steps prior to entering into a contract, for the provision of services or the processing of orders (e.g. execution of payment orders and securities transactions), only if you have given us your consent (e.g. to receive client care from a different VP Bank Group company) or if such transmission is required by compelling reasons in the public interest (e.g. for the prevention of money laundering) or by law (e.g. tax reporting duties). We process and store personal data for the entire duration of the business relationship, save where obligations pertaining to certain data require their deletion after shorter periods. You should bear in mind that a business relationship with us may last many years. In all other respects the length of time for which data are stored will depend on the need for and purpose of the data processing procedure. Where data are no longer needed in order to fulfil contractual or statutory obligations or to safeguard our own legitimate interests (i.e. the purpose has been achieved), or where the consent given has been revoked, these data are deleted at regular intervals save where further processing is required on the basis of contractual or statutory data storage periods and documentation requirements or in order to preserve.

4. Is decision-making (including profiling) done on an automated basis?

The decisions we make do not generally rely on any exclusively automated processing of personal data. If we use fully automated processing in certain individual cases, we will inform you separately where so required by law. There are some business areas in which the processing of personal data is at least partly automated. This is done with a view to evaluating certain personal aspects to the extent required by law and regulation (e.g. for the prevention of money laundering).

5. What are your data protection rights?

With regard to the personal data relating to you, your data protection rights are as follows (Art. 7 and Art. 15-21 GDPR):

- **Right to obtain information:** You have the right to know whether VPFLU is processing your personal data and, if so, what the scope of such processing is (e.g. the categories of personal data processed, the purposes for which they are processed, etc.).
- **Right to have data corrected/deleted and processing restricted:** You have the right to require VPFLU to correct any of your personal data that are inaccurate or incomplete. Furthermore, personal data must be deleted if they are no longer required for the purposes for which they were gathered or processed, if you have revoked your consent or if the data were unlawfully processed in the first place. You also have the right to restrict the processing of your personal data.
- **Right of revocation:** You have the right at any time to revoke your consent to the processing of your personal data for one or more purposes, where such processing is conditional upon your explicit consent. The same applies to the revocation of declarations of consent made prior to the entry into force of the GDPR, i.e. before 25 May 2018. Please note that such revocations apply only to future data processing. Any processing carried out prior to the revocation is unaffected. Likewise, the revocation has no effect on data processing carried out on a different legal basis.
- **Right of data portability:** You have the right to have the personal data relating to you that you have supplied to the responsible party issued to you in a structured, widely used, machine-readable format and to pass such data on to a different responsible party.
- **Right of complaint:** You have the right to submit a complaint to the competent Luxembourgish supervisory authority. You may also refer the matter to another supervisory authority in an EU or EEA member state, e.g. at the place where you are residing or working or at the location in which the cause of the complaint allegedly occurred.

The contact details of the competent data protection office in Luxembourg are: National Commission for Data Protection (CNPD) Grand-Duchy of Luxembourg, 1, Avenue du Rock'n'Roll, L-4361 Esch-sur-Alzette, T +352 26 10 60-1, info@cnpd.lu

Information on your right to object

In individual cases and for reasons arising from your own particular circumstances you have the right to object (without any need to meet formal requirements) to the processing of data where this is done in the public interest or to safeguard the legitimate interests of VPFLU or a third party.

Further, you have the right to object (without any need to meet formal requirements) to the use of personal data for promotional purposes. If you object to the processing of your personal data for direct advertising, we will no longer process your personal data for these purposes.

Such objections should preferably be submitted in writing to the responsible data protection officer. He or she is at your disposal as a contact point for all other matters relating to data protection legislation.

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