

ThomasLloyd SICAV privacy policy

Last updated: 07/2018

By way of the following privacy policy, we, ThomasLloyd SICAV (hereinafter also referred to as “we”, “us” or “the Fund”) provide you with explanations of what personal data we process if you invest in shares in the Fund or the associated sub-fund and what rights you are entitled to in this regard.

You will find this and the general privacy policy for clients of the ThomasLloyd Group at www.thomaslloyd.com/en/gdpr.

According to the EU General Data Protection Regulation (“GDPR”), personal data refers to any and all information concerning an identified or identifiable natural person (a “data subject”). An identifiable natural person is one who can be identified either directly or indirectly, particularly by means of assignment to an identifier such as a name, to an ID number, to location data, to an online ID or to one or several particular personal features. This therefore refers to personal data including the likes of your name, postal address or email address, as well as your tax number, passport / identity document number or bank details.

1. Controller under data protection law

The controller under data protection law for processing personal data within the framework of your participation in the Fund is

ThomasLloyd SICAV
6A, rue Gabriel Lippmann,
5365 Munsbach
Luxembourg

Email: gdpr@thomas-lloyd.com

2. Data protection officer

If you have any questions, queries or suggestions regarding data protection, you are more than welcome to contact our data protection officer at any time:

Andreas Obrist,
c/o ThomasLloyd Global Asset Management (Schweiz) AG;
Talstrasse 80,
8001 Zurich
Switzerland

Email: gdpr@thomas-lloyd.com

You may also contact our data protection officer to exercise your rights as a data subject. You will find more information about this in Section 9.

3. What personal data concerning you do we process?

If you subscribe to shares in the Fund or the sub-fund through one of our brokers, a ThomasLloyd Group company or directly from us, we process the following personal data:

- a. **Personal details:** particularly your name, date of birth, place of birth, country of birth and nationality
- b. **Contact details:** particularly your address, phone number, fax number and email address
- c. **Personal data:** e.g. marital status, number of children under the age of 18, learnt occupation, current and previous employment (in connection with financial investments, if necessary)
- d. **Identity details:** e.g. ID card data
- e. **Authentication data:** e.g. specimen signature
- f. **Order data:** e.g. subscription form, contract documents
- g. **Information about the assets:** e.g. supporting documents to demonstrate the origin of the assets; details of loan-financed financial investment transactions

- h. Documentation data:** e.g. information provided in the brokerage documentation; information about appointments with the broker; confirmations (e.g. to receive the sales prospectus); content of correspondence
- i. Bank data:** e.g. bank details
- j. Tax data:** e.g. tax (identification) number, competent tax authority
- k. Details about knowledge of securities trading**

4. What sources do we receive personal data from?

We process personal data which we receive directly from you within the framework of your participation in the Fund or which our distribution partners or ThomasLloyd Group companies collect and forward to us.

In addition, we collect data from publicly accessible sources (e.g. debtor registers, commercial registers, press, Internet) where doing so is permitted and necessary for participation in the Fund.

5. What purposes do we process personal data for, and what is the legal basis for doing so?

We process personal data for the following purposes and on the following legal bases:

5.1. Processing for the performance of contractual obligations (Art. 6, Para. 1, lit. b) of the GDPR)

Personal data is processed to broker and implement your participation (investment) in the Fund or the sub-fund, or to implement pre-contractual measures. Processing includes administration of your personal data for the duration of the investment period and the implementation of measures to which we are contractually obligated (distributions, invitations to shareholder meetings, direct debits, etc.). Processing of the personal data specified in Section 3 is necessary to be able to close the investment transaction in the Fund with you. Failure to provide this data would mean you would be unable to acquire an interest in the Fund or the sub-fund.

5.2. Processing for compliance with a legal obligation (Art. 6, Para. 1, lit c) of the GDPR)

We are subject to numerous statutory obligations (e.g. money laundering legislation, securities trading legislation, tax legislation) and must meet requirements under supervisory law. The purposes of processing therefore include identity and age checks, screening for fraud and money laundering, and fulfilling monitoring, retention and reporting obligations under tax law.

5.3. Processing based on legitimate interest (Art. 6, Para. 1, lit. f) of the GDPR)

We process personal data outwith the actual performance of the contract to pursue our legitimate interests or the legitimate interests of third parties. Based on Art. 6, Para. 1, lit. f) of the GDPR, processing of personal data within the framework of our "legitimate interests" is permitted unless your fundamental rights, fundamental freedoms or interests override ours. We process personal data based on the following legitimate interests:

- Assessment and optimisation of needs analysis procedures so that we can address our clients directly
- Communication by email or post to advertise our products
- Exercise of legal claims and defence during disputes
- Prevention and investigation of criminal acts
- Risk management within the ThomasLloyd Group

6. Recipients of personal data

We transfer personal data to the following categories of recipients:

- Credit agencies and financial services organisations (e.g. correspondent banks, depositary banks, custodians)
- Payment service providers
- Service providers for implementing the investment transaction, e.g. fund managers, investment consultants, managers and transfer agents
- Distribution partners

- Public bodies and institutions (e.g. tax authorities, prosecution authorities, family courts, land registries) if a legal or official obligation exists, or in the event of attacks on our legal assets for the purpose of (criminal) prosecution
- Other ThomasLloyd Group companies which assist us in providing our services
- If necessary, creditors or liquidators who request personal data within the framework of enforcement
- Service providers which we use within the framework of processing relationships, particularly IT, printing and logistics service providers
- Consultants (particularly lawyers, tax advisors, auditors)
- Assessors

If we engage processors as service providers, these service providers shall process personal data within the framework of their respective contracts, according to our instructions and for the purposes specified in this privacy policy. They are contractually bound to strict compliance with this privacy policy, applicable data protection regulations and our instructions (as “processors” according to Art. 28 of the GDPR). The same applies to any subcontractors if our processors engage the same.

7. Processing of personal data in “third countries”

Personal data is processed exclusively within the EU and Switzerland. The European Commission has passed an adequacy decision for Switzerland in accordance with Art. 45 of the GDPR, meaning that Switzerland offers a sufficient level of data protection.

Data is only transferred to countries outside of the EU or the EEA (“third countries”) if doing so is necessary to implement the investment transaction or is stipulated by law (e.g. reporting obligations under tax law), or if consent has been given to this effect.

Insofar as doing so is stipulated by law, we also transfer personal data to public bodies and institutions in third countries which do not have an appropriate level of data protection. If personal data is to be transferred to other recipients in such countries, these recipients shall be obligated to comply with the data protection level by means of special measures (such as agreeing to the EU standard contractual clauses, for example).

8. Duration of storage

Generally speaking, we only store personal data for as long as it is necessary to fulfil the purpose of the respective data processing operation, or until you request that we erase the personal data for other legitimate grounds (see Art. 17, Para. 1 of the GDPR). However, it must be noted that your participation in the Fund or the sub-fund is an ongoing obligation set to last several years.

When these storage periods elapse or we receive your legitimate request to erase the data, we shall assess each situation to see whether certain elements of personal data are still required for (other) legitimate purposes and, if not, whether contractual or statutory retention periods prohibit the erasure of personal data. In these cases, we shall continue to store the pertinent personal data for as long as is necessary to fulfil this (other) legitimate purpose or for the duration of the respective contractual or legal retention period. However, for other purposes, the data shall be restricted from processing and then permanently erased once the last relevant contractual or statutory retention period has elapsed.

9. Your rights (rights of the data subject)

Where the legal requirements according to Art. 15 et seq. of the GDPR are met, you have the following rights regarding the personal data concerning you which we store (known as “the rights of the data subject”):

- You may, at any time, request information from us as to whether we store personal data and what categories of data concerning you we store, the purposes for which such data is processed, and what recipients or categories of recipient may potentially receive the same. Furthermore, you may request the other information listed in Art. 15 of the GDPR with regard to the personal data concerning you (right of access).
- In accordance with legal requirements, you also have a right to rectification (Art. 16 of the GDPR), a right to erasure (Art. 17 of the GDPR), and a right to restriction of processing (blocking) of

personal data (Art. 18 of the GDPR).

- Moreover, in accordance with Art. 20 of the GDPR, you have the right to receive the personal data concerning you which you provided us with in a structured, commonly used and machine-readable format; you may also transmit this personal data or have it transmitted to another controller (right to data portability).
- You also have the right, at any time, to withdraw any consent you may have granted.
- Additionally, you have the **right to object to data processing where such processing is performed on the grounds of the controller's or a third party's legitimate interests as per Art. 6, Para. 1, lit. f) of the GDPR (see Section 5.3) and where the legal requirements are met according to Art. 21 of the GDPR.**

You can contact us at any time on gdpr@thomas-lloyd.com to exercise your rights as a data subject.

In addition, you have the right to lodge a complaint with a data protection supervisory authority if you believe that the processing of the personal data concerning you violates data protection law.

10. Data security

We implement comprehensive technical and organisational precautionary measures to secure the personal data that we store and process against misuse, accidental or intentional manipulation, loss, access by unauthorised persons and other data security risks. The data security precautions we take are continuously improved in line with technological developments. Personal data is transmitted in encrypted format using state-of-the-art technology.

We have obligated our employees to maintain confidentiality and comply with the relevant regulations under data protection law.

11. Amendments to the privacy policy

We may amend this privacy policy at any time in line with changed factual or legal circumstances, and we shall publish the most recent version of this privacy policy on this site. You can see when this privacy policy was most recently amended by looking at the date ("Last updated") at the start of this privacy policy.