

## THIRD PARTY PRIVACY NOTICE

### 1. INTRODUCTION

#### 1.1 We value your privacy

MUFG Lux Management Company S.A. (the "**Company**") and our affiliates and service providers, as our data processors ("**We**", "**us**"), will collect, store, use, disclose or otherwise process personal data of individuals ("**You**") with whom we correspond and communicate.

We will process your personal data ("**Personal Data**") in accordance with Regulation (EU) 2016/679 of 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, and repealing Directive 95/46/EC (the "**General Data Protection Regulation**", "**GDPR**"), as amended or replaced from time to time, as well as any applicable law or regulation relating to the protection of personal data (together the "**Data Protection Law**").

We mainly collect and use your Personal Data for the purposes of corresponding and communicating with You; for organising the services We deliver to You or receive from You; for managing, testing, securing and optimising our systems and infrastructure; and for compliance with legal or regulatory obligations, based either on the necessity for the processing of your personal data, legal obligations or our legitimate interests.

Personal Data processed includes mainly identification and professional details (and exceptionally other details as disclosed in this Privacy Notice) and is kept for a period of up to ten (10) years after the end of our relationship.

Personal Data may be shared by us with other entities, acting as controllers or processors of your personal data and which are not located within the European Economic Area ("**EEA**"), in countries that may not provide the same level of data protection than the EEA. In such cases, appropriate safeguards are put in place.

Our Privacy Notice sets out to explain the details of our role as data controller, the purposes of data processing, types of data processed, of individuals concerned, disclosures, transfers and individual rights as well as contact details as to where further requests may be made.

This Third Party Privacy Notice as may be amended from time to time can be found on the following link: <http://www.lu.tr.mufg.jp/lmsa/>

#### 1.2 Electronic storage

We will store and process, by electronic or other means, your personal data on computer systems.

### 2. COUNTERPARTIES

#### 2.1 Controllers

Your personal data provided or collected in the course of our relationship will be processed by the Company as data controller (i.e. the "**Controller**").

Further entities may process your personal data as data controllers in the course of the performance of services by the Company, such as local and foreign authorities, courts, governmental or regulatory bodies, including tax authorities.

## 2.2 Processors

Mitsubishi UFJ Investor Services & Banking (Luxembourg) S.A. (the "**Bank**") processes your personal data as a processor on our behalf. The Bank's Privacy Notice with further details as to the Bank's role as processor can be found at: <http://www.lu.tr.mufg.jp/about/privacynotices.html>.

Further entities (together with the Bank, "**Processors**") will process your personal data on behalf of the Company, in particular its affiliates and service providers such as auditors, legal, financial or technical advisers.

The Processors may act as data processor on behalf of the Company and, in certain circumstances, as data controller, in particular for managing, testing, securing and optimising their systems and infrastructure and compliance with their own legal obligations in accordance with applicable laws and regulations (such as anti-money laundering identification) and/or order of competent jurisdiction.

## 3. DATA SUBJECTS

We process personal data about You and about any other individuals whose Personal Data you may provide to us.

## 4. PERSONAL DATA PROCESSED

Personal Data processed by us may include the following categories, without limitation:

- Personal identification data, including electronic identification data (e.g. an email, IP address, usernames and passwords, access rights, etc.) and identification data issued by public authorities (e.g. passport or national ID)
- Bank and financial data (e.g. account numbers)
- Tax information (e.g. tax identification number)
- Personal details such as gender, age, date and place of birth, etc.
- Education and business career
- Professional and employment details such as employer, position, professional contact details
- Details on products and services delivered or received
- Judicial data, criminal records, criminal offences or convictions and similar
- Images and sound
- Any other personal data that is necessary to us for the purposes described in this Privacy Notice or that is voluntarily disclosed by You.

## 5. SOURCE OF PERSONAL DATA

Personal Data is collected directly from You or provided by entities (such as our clients, service providers or business partners) We have a relationship with.

## **6. PURPOSES OF DATA PROCESSING**

Your personal data may be processed for the purposes of:

- (a) Managing communications, relations and complaints
- (b) Managing the services we deliver to You or receive from you
- (c) In-house legal advice and litigation management
- (d) Managing, testing, securing and optimising the Company's systems and infrastructure, through measures such as:
  - (i) Managing IT assets
  - (ii) Controlling building access
  - (iii) Video surveillance
  - (iv) Maintaining and using document archiving systems
  - (v) Managing access rights
  - (vi) Testing system and applications
  - (vii) Monitoring email systems
  - (viii) Managing technical incidents and providing user support
  - (ix) Maintaining and using incident and threat management systems
  - (x) Ensuring business continuity and disaster recovery
  - (xi) Applying whistleblowing processes

Personal Data may also be processed to comply with legal or regulatory obligations including, but not limited to

- (i) legal obligations under applicable laws and regulations we are subject to, including anti-money laundering, anti-bribery laws, mandatory reporting laws and similar;
- (ii) internal and external audits;
- (iii) prevention and detection of crime.

## **7. PROCESSING GROUNDS**

We collect, use, store, retain, transfer and/or otherwise process Personal Data:

- (a) as a result of the entering into a business relationship between the Company and the entity that provided your personal data to us (e.g. your employer), where

necessary to perform the services, to enter into contact and communicate in general; and/or

- (b) to comply with a domestic legal or regulatory obligation we are bound to; and/or
- (c) for the purposes of the legitimate interests pursued by us or by the entity that provided your personal data to us, which mainly consist in
  - (i) the performance of the services, to enter into contact and communicate in general in the event where your personal data was not directly provided to us by You;
  - (ii) the management, testing, securing and optimising of our systems and infrastructure;
  - (iii) the management of customer communications, relations and complaints;
  - (iv) the provision of in-house legal advice and management of contentious proceedings;
  - (v) marketing, invitation to events, newsletters and similar communications;
  - (vi) compliance with foreign laws and regulations and/or any order of a foreign court, government, supervisory, regulatory or tax authority.

## 8. RECIPIENTS OF PERSONAL DATA

Your personal data may be disclosed to and/or transferred by us to our affiliates and service providers, as well as any court, governmental or regulatory bodies including tax authorities (i.e. the “**Authorised Recipients**”).

The Authorised Recipients may act as data processor on behalf of us or, in certain circumstances, as data controller for pursuing their own purposes.

You acknowledge that the Authorised Recipients may be located outside of the EEA in countries which are not subject to an adequacy decision of the European Commission and which do not offer the same level of data protection as in the EEA or where data protection laws might not exist.

## 9. INTERNATIONAL DATA TRANSFERS

We undertake not to transfer your personal data to any third parties other than the Authorised Recipients, except as disclosed by us to You from time to time or if required or permitted by applicable laws and regulations, including Data Protection Law, or by any order from a court, governmental, supervisory or regulatory body, including tax authorities.

By entering into a relationship with us, You acknowledge that your personal data may be processed for the purposes described above and in particular, that the transfer and disclosure of your personal data may take place to countries which do not have equivalent data protection laws to those of the EEA, including the Data Protection Law, or that are not subject to an adequacy decision of the European Commission.

These countries include the countries listed on the website of EU Commission.

We may transfer your personal data to the Authorised Recipients (i) on the basis of appropriate safeguards according to Data Protection Law, such as standard contractual clauses, binding corporate rules, an approved code of conduct, or an approved certification mechanism or, (ii) for the performance of services or for the implementation of pre-contractual measures or, (iii) for the Processors to perform their services rendered in connection with the services or, (iv) for important reasons of public interest or, (v) for the establishment, exercise or defence of legal claims or, (vi) where the transfer is made from a register which is legally intended to provide information to the public or, (vii) for the purposes of compelling legitimate interests pursued by us, to the extent permitted by Data Protection Law.

## **10. DATA SUBJECT RIGHTS**

You may request (i) access to, rectification, or deletion of, any incorrect personal data, (ii) a restriction of processing of personal data, (iii) to receive a copy of your personal data or to have such data transferred to a third party in accordance with Data Protection Law and (iv) to obtain a copy of or access to the appropriate or suitable safeguards which have been implemented for transferring your personal data outside of the EEA, in the manner and subject to the limitations prescribed in accordance with Data Protection Law. In particular, You may at any time object, on request and free of charge, to the processing of your personal data for any processing carried out on the basis of our legitimate interests.

## **11. CONTACT DETAILS AND SUPERVISORY AUTHORITY**

For any information related to the processing of your personal data by the Company or the Processors under this Privacy Notice, you can contact us via post mail to the attention of the "data protection team" at 287-289, Route d'Arlon, L-1150 Luxembourg, Grand-Duchy of Luxembourg, or via email at: [dataprotection\\_mufglm@lu.tr.mufg.jp](mailto:dataprotection_mufglm@lu.tr.mufg.jp).

In case You want to formulate a complaint in terms of the data processing by the Company, the Processors and their affiliates or service providers under this Privacy Notice, such complaint should also be addressed to the above contact details. Should the Company not be able to resolve such complaint and in any event, you may address a complaint to the supervisory authority, the *Commission Nationale pour la Protection des Données* ("CNPD"). Further details on the complaint process can be found at <https://cnpd.public.lu/en/particuliers/faire-valoir.html>.

## **12. RETENTION PERIODS**

Personal Data is held until the end of our business relationship (or as the case may be the end of our business relationship with the entity that provided your personal data to us) and a subsequent period of ten (10) years thereafter where necessary to comply with applicable laws and regulations or to establish, exercise or defend actual or potential legal claims, subject to the applicable statutes of limitation, unless a longer period is required by applicable laws and regulations. In any case, your personal data will not be held for longer than necessary with regard to the purposes described in this Privacy Notice, subject always to applicable legal minimum retention periods.