

AULIEN S.C.A., SICAV -SIF

Privacy Policy

AULIEN S.C.A., SICAV SIF is an investment company regulated by the Luxembourg Financial Authority (CSSF) together with its General Partner AULIEN PARTNERS S.à r.l., 6, Place de Nancy, L-2212 Luxembourg (we, us) committed to satisfy all stake holders' needs and comply with all legal and contractual obligations and in particular personal data in compliance with applicable data protection laws, including as of 25 May 2018, the General Data Protection Regulation ("GDPR")¹.

We are a data controller within the meaning of the GDPR i.e. we are responsible for ensuring that the uses of your personal data is made in compliance with such data protection laws.

1. Importance of a privacy policy

With the present privacy policy, we inform you in the way that we process your personal data in order to respect all legal obligations and business contracts.

We always process your personal data for a specific purpose and only process the personal data which is relevant to achieve that purpose.

Our privacy policy set out what personal data we collect and use, the legal basis for the collection and processing, for what purposes and to whom your personal data may be disclosed by us in the context of all applicable laws and business relationships.

Further, this Privacy Policy includes important information regarding your rights with respect to the processing of your personal data, our retention policy, where find the last version and how to contact us.

Our Privacy Policy applies to you if you are an individual residing in the European Economic Area. *Therefore, if you are an individual, please take the time to read and understand this privacy notice.*

2. Personal data collected and processed

According to the service we provide to you or receive from you, we collect and process personal data about you including:

- **personal details** such as your name, identification number, date and place of birth, KYC documents (including a copy of your national identity card or passport), phone number physical and electronic address, postal address, and family details such as the name of your spouse, partner, or children; Such information might be provided in a subscription agreement or in other documents (in connection with your subscription, continued investment or at other times), face-to-face, by telephone, by email or otherwise.
- **financial information**, including payment and transaction records and information relating to your assets (including fixed properties), financial statements, liabilities, taxes, revenues, earnings and investments (including your investment objectives);
- **tax domicile** and other tax-related documents and information;
- where applicable, **professional information** about you, such as your job title and work experience;
- your **knowledge of and experience in investment matters**;
- where applicable, details of your nomination of a mandate and your signature;

¹ GDPR: Regulation (EU) 2016/679 of the European Parliament and of the Council 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. : <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679&from=EN>

- identifiers we assign to you, such as your share holder or account number;
- in some cases (where permitted by law), **special categories of personal data** or sensitive data: we may also collect sensitive data for the performance of our services i.e. personal data that may reveal political opinions or personal data relating to criminal convictions and offences due to the legal and regulatory obligations (in particular anti-money-laundering and tax laws).

3. Legal basis for collecting and processing your personal data

To the extent we obtained your consent to process ordinary personal data in the past in any product-specific terms and conditions for the purposes of data protection law only, we will no longer rely on such consent, but instead will rely on lawful grounds of compliance with a legal obligation, contractual necessity or legitimate interests, and our ability to rely on that consent is hereby waived or extinguished.

Where the personal data we collect from you is needed to meet our legal or regulatory obligations or enter into an agreement with you, if we cannot collect this personal data there is a possibility we may be unable to on-board you as a Shareholder (or account holder or client) or provide services to you (in which case we will inform you accordingly).

Depending on the purpose of the processing activity (see below in section 4), the processing of your personal data will be one of the following:

- necessary for taking steps to enter into or executing a contract with you for the services or products you request, or for carrying out our obligations under such a contract, such as when we use your data for some of the purposes in sections 4;
- necessary for assessing and processing your investment, transaction requests in the fund managed by the General Partner and other share or interest dealings, including eligibility, performing know-your-client procedures, automatically exchanging information for tax purposes (e.g., under FATCA or CRS) issuing and redeeming shares or interests, receiving payments from and making payments to the investor or intermediaries, calculating net asset value, and overseeing these processes;
- required to meet our legal or regulatory responsibilities, or industry standards including when we conduct the checks referred to in section 4 below and make the disclosures to authorities, regulators and government bodies.
- necessary for general business administration, including communicating with and servicing of investors, communicating with service providers and counterparties, accountancy and audit services, risk monitoring, administration of IT systems and monitoring and improving products and services;
- required to meet our legitimate interests in order to develop and process the business relationship between the Company and the Limited Shareholder or the potential investor including decision-making, business strategy and development and marketing in relation to the fund managed by the General Partner.

4. Purposes of personal data collection and processing

We process personal data for the following purposes:

- **necessary for the performance of a contract you are part of or done at your request prior to entering into such contracts:**

- Shareholder (or client or account holder) on-boarding processes, including to verify your identity and assess your application, and to conduct legal and other regulatory compliance checks (for example, to comply with anti-money laundering regulations, and prevent fraud);
 - providing products to you and receiving services from you and ensuring their proper execution, for instance make payments to you in accordance with your instructions;
 - managing our relationship with you;
- **necessary to comply with our on-going regulatory and legal obligations** (e.g. laws of the financial sector, anti-money-laundering and tax laws):
 - disclosure to tax authorities, auditors, financial service regulators and other regulatory and governmental bodies, and investigating or preventing crime.
 - In respect of any processing of sensitive personal data falling within special categories, such as any personal data relating to the political opinions of a politically exposed person.
 - **necessary to meet our legitimate business interests** which are the followings and in which you where the General Partner has performed a Data Protection Impact assessment to ensure our legitimate interests do not override yours interests or fundamental rights and freedoms : this is the case, for example, when processing your Personal Data to communicate with you, to provide you and to manage our business operations and IT infrastructure, to prevent fraud, data leakage, malicious access.
 - **your consent:** you have expressly given us your consent to process your personal data in that manner: we will only provide you with marketing related information after you have, where legally required to do so, opted in to receive those communications and having provided the opportunity for you to opt out at any time.
 - **Profiling:** according to our legal obligations, in particular regarding AML, we may conduct due diligence of the business relationship including scrutiny of transactions undertaken throughout the course of our relationship to ensure that the transactions being conducted are consistent with the risk profile for which we assign a score, including, where necessary, the source of funds and ensuring that the documents, data or information held are kept up-to-date.

The provision of certain personal data is necessary for our compliance and to provide our services. As a consequence, if certain personal data is not provided when requested and marked as mandatory, a subscription might not be accepted.

5. Sharing of your personal data to third parties and Data processor

We may share your personal data with certain trusted partners acting on your behalf or otherwise involved in the transactions, in order to comply with our legal obligations and to run our activities:

- our administrative agent, registrar and transfer agent, our custodian, based in Luxembourg;
- or with relevant parties, such as auditors or depositary bank, legal advisors based in Luxembourg;
- our IT service providers based in Luxembourg;

providing for restrictions on the use of your personal data and obligations with respect to the protection and security of your personal data.

If required from time to time, we disclose personal data to:

- public authorities, regulators, or governmental bodies, Courts, including when required by law or regulation, or when these authorities or bodies require us to do so.

We do not use cookies on our web site where you can find the detail of our Web Privacy Policy.

We do not share your personal data as set out above with other parties located in countries outside the European Union.

6. Security of your personal data

We have put in place appropriate technical and organisational measures to prevent or act against any unauthorised and unlawful processing or disclosure, as well as accidental loss, modification or destruction of Personal Data (e.g. encryption in our communication with our Administrative Agent) .

These measures are based on the state of the art, the risks of processing, and the need to protect the Personal Data.

Furthermore, these technical and organisational measures for protecting personal data will regularly be adjusted to the technical developments and organisational changes.

We are subject to a strict professional secrecy under Luxembourg financial sector rules. The breach of our professional secrecy may lead to criminal sanctions.

7. Your rights with respect to the processing of your personal data

The GDPR ensures you certain rights in relation to your personal data which varies depending on the purposes of the processing:

- **Right of access:** If you ask us, we'll confirm whether we're processing your personal data and, if necessary, provide you with a copy of that personal data. If you require additional copies, we may need to charge a reasonable fee. There are exceptions to this right, so that access may be denied if, for example, making the information available to you would reveal personal data about another person, or if we are legally prevented from disclosing such information.
- **Right to rectification:** If the personal data we hold about you is inaccurate or incomplete, you are entitled to request to have it rectified. If you are entitled to rectification and if we've shared your personal data with others, we'll let them know about the rectification where possible.
- **Right to object** You can ask us to stop processing your personal data, and we will do so, if we are relying on our own or someone else's legitimate interests to process your personal data, except if we can demonstrate compelling legal grounds for the processing; or
- **Right to withdraw consent:** If you have provided your consent to the collection, processing and transfer of your personal data, you have the right to fully or partly withdraw your consent at any time.

- To withdraw your consent please follow the opt-out links on any marketing message sent to you or send us an email. Please also note that the withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.
- To exercise your rights, please send a letter to AULIEN SCA, SICAV-SIF, GDPR, 6, Place de Nancy, L-2212 Luxembourg.
- If you are a shareholder (or client or account holder) you can contact also CF Fund Services SA, Shareholder Services, 1B rue Jean Piret, L-2013 Luxembourg.
- **Right to erasure:** You can ask us to delete or remove your personal data in some circumstances such as when the personal data is no longer necessary for the purposes for which it was collected, or when your personal data have been unlawfully processed or if you withdraw your consent (where applicable).
- **Right to restrict processing:** You can ask us to restrict the processing of your personal data in certain circumstances, such as where you contest the accuracy of that personal information or you object to us.
- **Right to data portability:** You have the right, in certain circumstances, to obtain personal information you've provided us with (in a structured, commonly used and machine readable format) and to reuse it elsewhere or to ask us to transfer this to a third party of your choice.

You may, at any time, exercise any of the above rights, by sending us an email gdpr@aulien.lu together with a proof of your identity, i.e. a copy of your ID card, or passport, or any other valid identifying document.

If you are not satisfied with our answer or if you believe that your data protection rights may have been breached you have a right to lodge a complaint with the competent Data Protection Authority.

In Luxembourg the Data Protection Authority is the CNPD: <https://cnpd.public.lu/fr/particuliers/faire-valoir/formulaire-plainte.html>

The above rights may be applicable in certain circumstances only and may be subject to certain conditions, exemptions or exceptions as set out in applicable data protection legislation.

8. Our retention Policy

If you are a Shareholder (or client or account holder) we keep your personal data for five years after the closing of the relationship.

If you are a supplier we keep your personal data for ten years after the performance of the contract.

In all other cases, we will only retain personal data for as long as necessary to fulfil the purpose for which it was collected or to comply with legal, regulatory or internal policy requirements.

9. Changes to our Privacy Policy

From time to time, we may need to change this Privacy Policy. The most recent version of this Privacy Policy is available on our website: www.aulien.lu

10. Contact

If you have any questions, comments or complaints in relation to this Privacy Policy or the processing of your personal data by us, please feel free to contact us by post at our abovementioned address or via mail: gdpr@aulien.lu