

## PRIVACY NOTICE

This Privacy Notice sets out how your personal data is collected, processed and disclosed in connection with Bailiwick Investments Limited (the “Fund”).

We take the privacy and security of your information seriously and will only use such personal information as set out in this Privacy Notice.

The Fund is an entity incorporated in Guernsey and as such it is obliged to comply with the provisions of the Guernsey data protection laws.

This Privacy Notice should be read in conjunction with the Fund’s website terms & conditions, where applicable.

### 1. TO WHOM DOES THIS PRIVACY NOTICE APPLY?

- 1.1 The Fund collects personal data from investors and prospective investors, intermediaries, service providers and business partners (each a “**Relevant Person**”) for the purposes of entering into a contract or a service agreement and/or to meet certain legal or regulatory requirements. We also collect limited data from casual browsers of the website <https://www.bailiwickinvestments.com/>(the “**Website**”) as set out under section 3.2 below.
- 1.2 Your personal information may be provided to the Fund, which will act as a data controller in respect of such personal data, or certain other service providers to the Fund or other third parties the Fund authorises to process data for lawful purposes (the “**Processors**”). Such Processors will include the Fund’s appointed Administrator and Investment Manager, which have their own privacy notices available on request.
- 1.3 The Processors may process your personal information or such data in respect of your directors, officers, employees or beneficial owners. If you are a director, employee or consultant of an entity that provides the Fund with personal data on individuals connected to you for any reason in relation to your involvement with the Fund, this will affect those individuals and you should transmit this document to those individuals or otherwise advise them of its content.
- 1.4 Your personal data may also be collected and processed by us as a result of your professional or family connection with a Relevant Person.

### 2. HOW DO WE COLLECT PERSONAL DATA?

- 2.1 We collect personal data when you or someone acting on your behalf sends us documentation or corresponds with us by phone, email or otherwise. We may collect additional personal information during the course of your relationship with the Fund. The personal data which we collect, process and retain will vary depending on the nature of that relationship.

### 3. WHAT PERSONAL DATA DO WE COLLECT?

#### 3.1 Investors

- 3.1.1 In addition to the requirements under law for the Fund to maintain records of its shareholders, we may collect, retain and process personal data (including where appropriate your name, postal address, email address, nationality and national identification numbers, tax status and tax identification numbers, bank account details and any other relevant information that you or your representatives provide to us or that we collect) for:
  - complying with anti-money laundering and counter terrorist financing laws and regulations;
  - complying with exchange of information laws and regulations;
  - the processing and payment of dividends, and associated reporting;



- the issuance of circulars to shareholders; and
- routine correspondence and administration purposes.

### **3.2 Casual browsers of the Website and administration purposes**

#### **3.2.1 When you browse the Website it may automatically collect the following:**

- technical information, including your Internet Protocol (“IP”) address to help diagnose problems with the server, and to administer the Website. An IP address is a number that is assigned to your computer when you use the internet. Your IP address is also used to help identify you during a particular session and to gather broad demographic data; and
- information about your visit including, for analytical purposes, using the Google Analytics service which collects information such as how often and what pages you visit on the Website and what other sites you used prior to coming to the Website.

3.2.2 Google Analytics places a cookie, which is only accessible by Google, on your computer to identify you as a unique user the next time you visit our Website. Google's use of this cookie is governed by their Google Analytics Terms of Service (<https://www.google.com/analytics/terms/>) and their Google Privacy Policy (<https://www.google.com/intl/en-GB/policies/privacy/>).

3.2.3 We do not combine the information collected through our use of Google Analytics with any other information which may identify you personally.

## **4. WHY WE COLLECT YOUR PERSONAL DATA**

### **4.1 We are entitled to hold and process your personal data on the following lawful grounds:**

- the processing is necessary for our legitimate interests, provided your interests and fundamental rights do not override those interests;
- the processing is necessary for us to comply with our contractual duties to you under the terms of any contract which we have with you;
- to comply with our legal and regulatory obligations;
- (on exceptional occasions) where we have obtained your consent; and
- (on rare occasions) where it is needed in the public interest.

Some of the grounds for processing described above will overlap and there may be several grounds which justify our use of your personal data.

### **4.2 Inaccurate or Amended Information**

4.2.1 Please let us know if any of your personal data (including correspondence details) changes as soon as possible. Failure to provide accurate information or to update changed information may have a detrimental impact upon your shareholding, directorship or consultancy, including the processing of any payment due to you. Failure to provide information where the same is required for anti-money laundering, pursuant to automatic exchange of information agreements, or other legal requirements may mean that any payment due to you cannot be processed.

### **4.3 Purposes of Processing**

#### **4.3.1 We may process, store and use your personal data for the purposes set out below:**

- a) to reflect your (direct or indirect) shareholding, directorship, employment or consultancy relationship with the Fund or with one of its service providers;



- b) to communicate with you as necessary in connection with your affairs and generally in connection with your (direct or indirect) shareholding, directorship, employment or consultancy relationship with the Fund or with one of its service providers;
- c) to disclose information to other third parties, such as regulatory authorities and technology providers for the purposes described in this Privacy Notice;
- d) to update and maintain records, including to permit, administer and record an investment in the Fund, and to carry out fee calculations;
- e) to manage, increase, decrease, terminate, convert or transfer an investment in the Fund;
- f) to conduct credit reference checks;
- g) to operate the Fund's IT systems, software and business applications;
- h) to support the Fund's IT and business applications support teams, accounting, legal, reporting, internal audit and risk management, administrative, transfer, document storage, record keeping and other related functions, including but not limited to processing personal data in connection with the Fund;
- i) to monitor and record telephone and electronic communications and transactions:
  - for quality, business analysis, training and related purposes in order to improve service delivery;
  - for investigation and fraud prevention purposes, for crime detection, prevention, investigation and prosecution of any unlawful act (or omission to act); and
  - to enforce or defend the Fund's rights, or through third parties to whom the Fund may delegate such responsibilities or rights in order to comply with a legal or regulatory obligation imposed on it;
- j) detecting and preventing crime such as fraud, money laundering, terrorist financing, bribery, corruption, tax evasion and to prevent the provision of financial and other services to persons who may be subject to economic or trade sanction on an ongoing basis ("**Regulatory Assessments**");
- k) facilitating the internal administration of the Fund by the Processors and retaining your personal data as part of our Regulatory Assessments or future services entered into by you;
- l) liaising with or reporting to any regulatory authority (including tax authorities) with whom the Fund is either required to cooperate or report to, or with whom it decides or deems it appropriate to cooperate, in relation to an investment, and which has jurisdiction over the Fund or its investments in a third country without the same or similar data protection laws as Guernsey or any EU member state (a "**Third Country without Adequacy**");
- m) disclosing your personal data to any bank, financial institution or other third party lender providing any form of facility, loan, finance or other form of credit or guarantee to the Fund;
- n) to carry out our obligations to you in connection with your shareholding (direct or indirect), directorship, employment or consultancy with the Fund or with one of its service providers;
- o) to discharge our anti-money laundering obligations to verify the identity of the Fund's shareholders, directors, employees or consultants (or those of its service providers) or for the prevention of fraud or for legal, regulatory or tax reporting purposes or in response to legal requests or requests from regulatory authorities (i.e. where it is necessary for compliance with a legal obligation to which we are subject). In discharging our anti-money laundering obligations we may, in certain circumstances, collect, store and process special categories of data such as information relating to criminal convictions;
- p) communicating with our professional advisers for the purposes of obtaining professional advice; and
- q) conducting business analytics and diagnostics.

4.3.2 We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use

your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

- 4.3.3 Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **5. HOW WE USE SENSITIVE PERSONAL DATA**

- 5.1 To the extent that such personal data contains special category data such as, for example: data relating to racial or ethnic origin, political opinion, religious or philosophical belief, trade union membership or criminal data then the processing of such data shall solely be for the purpose of complying with any duty imposed on the Fund by an enactment including, but not limited to, legislation and regulatory obligations relating to Anti-Money Laundering and Combatting the Financing of Terrorism and all other related legislation.

## **6. AUTOMATED DECISION-MAKING**

- 6.1 The Fund will not make decisions about you based on automated processing of your personal data

## **7. DATA SHARING**

- 7.1 The Fund may share your personal data with group companies and third parties (including bank, financial institution or other third party lenders, IT service providers, auditors and legal professionals) under the terms of any appropriate delegation or contractual arrangement. Those authorised third parties may, in turn, process your personal data abroad and may have to disclose it to foreign authorities to help them in their fight against crime and terrorism.
- 7.2 Data processing (as described above) may be undertaken by any entity in the Channel Islands, the United Kingdom ("UK") or the European Economic Area (the "EEA"), an entity which is located outside the Channel Islands, the UK or the EEA in a Third Country without Adequacy.
- 7.3 Any Third Country without Adequacy to which we transfer your data is legally not deemed in general to provide an adequate level of protection for your personal information. However, to ensure that your personal data receives an adequate level of protection we will put in place the following appropriate measures to ensure that your personal information is treated by those third parties in a way that is consistent with and which respects the EU laws and the laws of the Bailiwick of Guernsey on data protection. Any entity having access to your personal data outside the Channel Islands, the UK or the EEA will be required by binding legal contract to protect and only process your data as though it were in the Channel Islands, the UK or the EEA and subject to the same level of protection as applies in those territories.
- 7.4 We may share your personal data with other third parties, for example in the context of the possible sale or restructuring of the business.

## **8. DATA RETENTION**

- 8.1 Your personal data will be retained for the longest of the following purposes:
- a) for the Fund, the Processors and/or any other authorised third parties to carry out the purposes for which the data was collected or as long as is set out in any relevant agreement you enter into with us;
  - b) in order to establish or defend legal rights or obligations or to satisfy any reporting or accounting obligations;
  - c) six years following the point from when the business relationship with the Fund has ceased; or

- d) any retention period that is required by data protection laws and any applicable laws or regulatory requirements.

8.2 We endeavour and require all third parties with access to your personal data, to store such data securely on computer systems and/or manually in accordance with accepted market standards.

8.3 Whilst we have taken every reasonable care to ensure the implementation of appropriate technical and security measures, we cannot guarantee the security of your personal data over the internet, via email or via our websites nor do we accept, to the fullest extent permitted by law, any liability for any errors in data transmission, machine, software or operating error or any other cause.

## 9. YOUR RIGHTS

9.1 You have, under certain circumstances, the following rights in respect of personal data:

- **Right of access** to your personal data (commonly known as a "data subject access request"). This entitles you to ask what data we hold about you and why.
- **Right to data portability**: right to request the transfer of your personal data to another party.
- **Right to rectification** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Right to the restriction of processing** of your personal data enabling you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Right to erasure of your personal data**, enabling you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing.
- **Right to object to the processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal data for direct marketing purposes or if data were being processed on grounds of public interest or for historical or scientific purposes.
- **Right to withdraw consent** at any time by contacting us via the contact details below where we have relied on consent to process the personal data.

9.2 You also have the right to lodge a complaint with the Guernsey Data Protection Authority or a supervisory authority in the EU member state of your usual residence or place of work or of the place of the alleged breach if you consider that the processing of your personal data carried out by the Fund or any other service provider to the Fund has breached data protection laws.

9.3 In limited circumstances we may approach you for your written consent to allow us to process certain particularly sensitive data or to use data for another purpose. Where you may have provided your consent to the collection, processing and transfer of your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact us at the contact details below. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

## 10. CONTACT US

10.1 If you have any questions about our use of your personal data, our retention procedures or our security processes, please contact us at:

**Bailiwick Investments Limited**

c/o Sanne Fund Services (Guernsey) Limited

1 Royal Plaza

Royal Avenue

St Peter Port

Guernsey

GY1 2HL

**Telephone:** + 44 (0) 203 530 3600

**Email:** [gemma.berry@apexfs.group](mailto:gemma.berry@apexfs.group)

## 11. CHANGES TO THIS PRIVACY NOTICE

11.1 This Privacy Notice is dated 26 April 2023.

We reserve the right to amend this Privacy Notice at any time without notice, in which case the date of the Privacy Notice will be revised.