

# **Data Privacy Statement**

**of**

## **CAIAC Fund Management AG**

Compliance with data protection laws, in particular the EU General Data Protection Regulation (hereinafter "GDPR") and thus the protection and confidentiality of your personal data is an important concern for our company. This privacy statement informs you about how our company collects and handles personal data in our role as data controller and, in particular, which rights you are entitled to in respect to the personal data.

### **1. General**

The processing of personal data, such as the name, address, e-mail address or telephone number of a data subject, is always carried out in accordance with the GDPR and the country-specific data protection regulations applicable to our company. By means of this data privacy statement, we seek to inform the public on the type, scope and purpose of the personal data our company collects, uses and processes. Furthermore, data subjects will be informed of their rights by means of this data protection declaration.

### **2. Definitions**

The data privacy statement of CAIAC Fund Management AG is based on the terms used by the European directive and regulatory authority when issuing the GDPR. Our data privacy statement should be easily read and understood by the public as well as our customers and business partners. In order to ensure this, we would like to explain the terminology used in advance.

We use these following terms, among others, in this data privacy statement:

#### **2.1. Personal Data**

Personal data includes all information that relates to an identified or identifiable natural individual (hereinafter "data subject"). An identifiable person is a natural person who can be identified directly or indirectly, in particular by attribution to an identifier such as a name, an identification number, location data, an online identifier or to one or more special features that express the physical, physiological, genetic, psychological, economic, cultural or social identity of this natural person.

## 2.2. Data Subject

The data subject is any identified or identifiable natural person whose personal data are processed by the controller.

## 2.3. Processing

Processing means any operation or series of operations carried out with or without the aid of automated procedures relating to personal data, such as the collection, recording, organisation, arrangement, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, distribution or any other form of provision, comparison or linking, restriction, deletion or destruction.

## 2.4. Limitation of Processing

Restriction of processing is the marking of stored personal data with the aim of restricting their future processing.

## 2.5. Profiling

Profiling is any type of automated processing of personal data that consists in the use of such personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects relating to the work performance, economic situation, health, personal preferences, interests, reliability, behaviour, whereabouts or relocation of that natural person.

## 2.6. Recipient

The recipient is a natural or legal person, authority, institution or other entity to whom personal data is disclosed, whether or not it is a third party. However, authorities which may receive personal data under European Union law or the law of the Member States under a particular investigation mandate shall not be regarded as recipients.

## 2.7. Third Party

A third party is a natural or legal person, authority, institution or other body other than the data subject, the data processor, the data processor and the persons authorised under the direct responsibility of the data processor or the data controller to process the personal data.

## 2.8. Consent

Consent is any informed and unequivocal statement of intent, made voluntarily by the data subject in the specific case, in the form of a statement or other clear affirmative act by which the data subject indicates that he/she is in agreement with the processing of his/her personal data.

### **3. The name and address of the responsible respectively whom you can contact**

The responsible or the responsible for the processing is the natural or legal person, public authority, institution or other body which alone or together with others decides on the purposes and means of processing personal data.

Responsible in the sense of the basic data protection regulation is:

CAIAC Fund Management AG

Haus Atzig

Postfach 27

Industriestrasse 2

FL-9487 Bendorf

T +423 375 83 33

F +423 375 83 38

E-Mail: [datenschutz@caiac.li](mailto:datenschutz@caiac.li).

### **4. Scope of Data Processing**

#### **4.1. Categories of Processed Data and Origin**

We collect and process personal data that we receive in the context of our business relationship with our customers. In principle, as little personal data as possible is processed. The data processed can differ depending on the group of individuals. Personal data may be collected or (further) processed in any phase of the business relationship, from the initiation of the business relationship to the termination of the business relationship.

In addition to customer data, we may also process personal data of third parties involved in the business relationship.

By personal data we mean the following categories of data:

- Personal details
- Legitimation and authentication data
- Information from the fulfilment of our legal obligations
- Other master data
- Data from the fulfilment of contractual obligations
- Information on the financial situation and professional background
- Documentation data
- Marketing data
- Technical data
- Information from your electronic correspondence with our company
- Data from publicly available sources

We process personal data from the following sources:

- Personal data that we receive from you by means of submitted contracts, forms, correspondence or other documents
- Personal data arising or being transmitted as a result of the use of products or services
- Personal data transmitted to us by third parties, public authorities (e.g. UN and EU sanctions lists) or other companies (e.g. for the execution of orders or for the performance of contracts)
- Personal data - as far as necessary for the provision of our services - which we have legitimately obtained from publicly accessible sources or other sources, such as databases for checking and monitoring business relations (e.g. judicial, official or administrative measures, memberships and offices)

#### 4.2. Legal Bases and Purposes for the Processing of Personal Data

We process personal data in accordance with the provisions of the GDPR on the following legal basis and for the following purposes:

##### 4.2.1 For the Fulfilment of a Contract or for the Implementation of Pre-Contractual Measures

If the processing of personal data is necessary for the fulfilment of a contract (e.g. the providing of financial services) to which the data subject is a party, the processing is based on Article 6(1)(b) of the GDPR. The same applies to such processing procedures that are necessary for the implementation of pre-contractual measures, e.g. in the case of inquiries about our services.

##### 4.2.2 For the Fulfilment of Legal Obligations

If our company is subject to a legal obligation which requires the processing of personal data, for example to fulfil obligations under tax, supervisory or money laundering law, the processing is based on Art. 6(1)(c) of the GDPR.

##### 4.2.3 Protection of Justified Interests

Similarly, processing operations may be based on Article 6(1)(f) of the EU DGPR. Processing operations which are not covered by any of the aforementioned legal bases are based on this legal basis if the processing is necessary to protect a legitimate interest of our company or a third party, provided that your interests, fundamental rights and freedoms do not outweigh them. Such legitimate interests include in particular the following processing actions:

- Prevention of fraud
- Direct mail
- the transfer of data within a group of companies for internal administrative purposes
- Guaranteeing network and information security
- Prevention of possible criminal offences

In addition to that, we also collect personal data from publicly available sources for the purposes of customer acquisition and the prevention of money laundering.

##### 4.2.4 Within your Consent

Article 6(1)(a) of the GDPR should serve as legal basis for the processing operations of our company. For certain purposes of processing we will need your consent.

#### 4.3. Use and Retention of your Personal Data

##### 4.3.1 Transmission of Data

Access to your data can be gained both inside and outside our company. Only departments or employees within the company may process your data if they need it to fulfil our contractual, legal and supervisory obligations and to safeguard legitimate interests.

If the company's business areas and services are wholly or partly outsourced to external service providers who are wholly or partially outsourced or provide these services (such as payment transactions, subscription and redemption of fund units, printing and mailing of documents, IT systems and other support functions), this is done in accordance with the applicable legal provisions. All external service providers or vicarious agents to whom personal data is transmitted are contractually obliged guarantee data protection, to process your data only within the scope of the provision of services and to comply with data protection directives and legal requirements. Contract processors can be companies in the categories banking services, distribution agreements, IT services, logistics, printing services, telecommunications, debt collection, consulting and sales and marketing.

##### 4.3.2 Data Erasure and Storage

We process and store your personal data for the duration of the entire business relationship, i.e. from the first initiation to the termination of the contract. After termination of a contract and thus with the discontinuation of the purpose of storage, the duration of storage is determined on the basis of legal storage and documentation obligations. Some of these storage periods are 10 years or more.

Our decisions are not based on an exclusively automated processing of personal data. In particular, we do not use automated decision making to establish and carry out the business relationship. Nor do we use profiling measures.

## 5. Rights and Obligations

### 5.1. Available Data Protection Rights

#### 5.1.1. Right to Confirmation

You have the right to request confirmation as to whether your personal data will be processed. If you wish to make use of this right of confirmation, you can contact the responsible at any time.

#### 5.1.2 Right to Information

You have the right to obtain information free of charge about your personal data stored and a copy of this information at any time. This right to information includes the following information:

- Processing purposes
- The categories of personal data to be processed
- The recipients or categories of recipients to whom the personal data have been or are still being disclosed, in particular recipients in third countries or international organisations

- If possible, the planned duration for which the personal data will be stored or, if this is not possible, the criteria for determining this duration
- The existence of a right of rectification or deletion of personal data concerning him or of a restriction on processing by the controller or of a right of opposition to such processing
- The existence of a right of appeal to a supervisory authority
- If the personal data are not collected from the person concerned: all available information on the origin of the data
- The existence of automated decision-making, including profiling in accordance with Article 22(1) and (4) of the GDPR, and - at least in these cases - meaningful information on the logic involved and the scope and intended effects of such processing for the person concerned

You also have a right of access to information on whether personal data has been transferred to a third country or to an international organisation. If this is the case, you also have the right to obtain information about the appropriate guarantees in connection with the transmission.

If you would like to make use of this right to information, you can contact the responsible officer at any time.

#### 5.1.3 Right to Rectification

You have the right to request the immediate rectification of incorrect personal data concerning you. Furthermore, you have the right, taking into account the purposes of the processing, to request the completion of incomplete personal data - also by means of a supplementary declaration.

If you would like to make use of this right of rectification, you can contact the resp officer at any time.

#### 5.1.4 Right to Deletion

You have the right to have your personal data deleted immediately, provided that one of the following reasons applies and insofar as processing is not necessary:

- The personal data have been collected or otherwise processed for such purposes for which they are no longer necessary
- You have revoked your consent on which the processing was based pursuant to Article 6(1)(a) of the GDPR or Article 9(2)(a) of the GDPR and there is no other legal basis for processing.
- You file an objection to the processing pursuant to Article 21(1) of the GDPR, and there are no overriding legitimate grounds for processing, or you file an objection to the processing pursuant to Article 21(2) of the GDPR
- The personal data have been processed unlawfully
- The deletion of personal data is necessary to fulfil a legal obligation under European law or the law of the Member States to which the data controller is subject

If one of the above-mentioned reasons applies and you wish to have your personal data stored at our company deleted, you can contact the responsible at any time. The officer will arrange for the request for deletion to be complied with without delay.

#### 5.1.5 Right to Limitation of Processing

You have the right to require the processing to be restricted if one of the following conditions is met:

- The accuracy of the personal data is disputed for a period of time that enables the data controller to verify the accuracy of the personal data.
- The processing is unlawful, but you refuse to delete the personal data and instead demand that the use of the personal data be restricted
- The data controller no longer needs the personal data for the purposes of processing, but you do need the personal data to assert, exercise or defend legal claims
- You have lodged an objection to the processing pursuant to Article 21(1) of the GDPR and it has not yet been determined whether the legitimate reasons of the data controller outweigh those of the data subject

If one of the above conditions is met and you wish to request the restriction of personal data stored by our company, you can contact the responsible at any time. The responsible will arrange for processing to be restricted.

Recipients to whom personal data have been disclosed shall be notified of the correction or deletion of the data or of any restriction on processing. This notification obligation does not apply if this proves impossible or involves a disproportionate effort.

#### 5.1.6 Right of Revocation

You have the right to revoke your consent to the processing of personal data at any time. This also applies to the revocation of declarations of consent issued before the GDPR was valid, i.e. before 25 May 2018. Please note that the revocation will only take effect in the future. Processing that took place before the revocation is not affected by this. If you would like to exercise your right to revoke your consent, you can contact the responsible at any time.

#### 5.1.7 Right to Data Transferability

You have the right to receive the personal data concerning you that has been provided to you in a structured, common and machine-readable format. You also have the right to have this data transmitted to another controller by the controller to whom the personal data have been made available, provided that the processing is based on the consent pursuant to Article 6(1)(a) of the GDPR or Article 9(2)(a) of the GDPR or on a contract pursuant to Article 6(1)(b) of the GDPR and the processing is carried out using automated procedures, provided that the processing is not necessary for the performance of a task in the public interest or in the exercise of public authority which was transferred to the controller.

To assert your right to data transferability, you can contact the responsible at any time.

#### 5.1.8 Right of Objection

You have the right to object at any time to the processing of personal data concerning you on the basis of Article 6(1)(f) of the GDPR for reasons arising from your particular situation.

Our company no longer processes personal data in the event of a request, unless we can prove compelling reasons worthy of protection for the processing which outweigh the



interests, rights and freedoms of the data subject, or the processing serves to assert, exercise or defend legal claims.

If our company processes personal data for direct marketing purposes, you have the right to object at any time to the processing of personal data for the purpose of such advertising. If you contact our company for processing for direct advertising purposes, we will no longer process your personal data for these purposes.

## 5.2 Exercise of Rights

Requests for information are accepted in writing, together with a legible copy of a valid official ID (e.g. passport, identity card, driving licence). You can send your request to the responsible.

You can exercise other rights, such as the right to rectification, the right to cancellation, the right to limitation of processing and - if applicable - the right to data transferability, by sending us a corresponding message. Please address this message to the responsible within the meaning of the GDPR at the address given under point 3.

## 6. Right of Appeal to the Supervisory Authority

You have the right to lodge a complaint with a supervisory authority in an EU or EEA Member State, in particular at your place of residence, place of work or at the place of suspected violation of the provisions of the GDPR. The supervisory authority responsible for our company is the Liechtenstein data protection office, Städtle 38, P.O. Box 684, 9490 Vaduz.

If you need the contact details of a supervisory authority in another EU or EEA Member State, you can contact the responsible within the meaning of the GDPR at the address given under point 3.

## 7. Obligation to Provide Personal Data

We inform you that the provision of personal data is partly prescribed by law (e.g. tax regulations, money laundering prevention, etc.) or may also result from contractual regulations (e.g. information on the contractual partner). In order to conclude a contract, it may sometimes be necessary for you to provide us with personal data which must subsequently be processed by us. For example, you are obliged to provide us with personal data if our company enters into a contract with you. Failure to provide the personal data would mean that the contract could not be concluded.

You are not obliged to give your consent to the processing of data that is not relevant for the performance of the contract or that is not required by law and/or regulation.

## 8. Contact Form and Contact via e-mail

Our company's website contains information that enables us to contact our company quickly by electronic means and to communicate directly with us, which also includes a general address for so-called electronic mail (e-mail address). If you contact our company by e-mail or via a contact form, the personal data transmitted by you will be stored automatically. Such personal data transmitted on a voluntary basis will be stored for the purpose of processing or contacting you. This personal data is not passed on to third parties.



## 9. Notes on the use of Cookies

When accessing our website, the user is informed about the use of cookies for analytical purposes and his consent is obtained for processing the personal data used in this context. In this context, reference is also made to this data protection declaration.

### 9.1. Why are Cookies used?

All our websites use cookies for statistical purposes and to improve the user experience. By using this website, you agree to the use of cookies for this purpose.

### 9.2. What are Cookies?

Cookies are text files that are stored on your electronic device to track your use of the electronic services and your preferences when navigating between individual websites and, if necessary, to save settings between your visits. Cookies help the developers of electronic services to compile statistical information on the frequency of visits to certain areas of the website and help them to make electronic services even more useful and user-friendly. A cookie contains a characteristic string of characters that enables a unique identification of the browser when the website is called up again.

Please note that most Internet browsers automatically accept cookies. You can configure your browser so that no cookies are stored on your electronic device, that cookies can only be accepted by certain websites or that a message is always displayed before you receive a new cookie. If cookies are deactivated for our website, it may no longer be possible to use all functions of the website in full.

Through our website we inform our customers and interested parties about the services and products of our company and offer information on specific topics. Also published on our website are contact details such as directions, telephone number and e-mail address, etc.