



GENEVA COMPLIANCE GROUP SA

Declaration on the Protection of Personal Data

The purpose of this personal data protection declaration (hereinafter referred to as the "**Declaration**") is to inform data subjects about how we collect, store and process data (hereinafter referred to as the "**Subjects**").

1. Person Responsible for Processing and Principles

The responsible entity for processing, Geneva Compliance Group SA, a public limited company with its registered office at Rue de Candolle 12, 1205 Geneva, Switzerland, and whose IDE number is CHE-431.782.139 (hereinafter "**GCG**"), recognises the importance of keeping the personal data of its customers confidential and protecting their privacy rights. Regarding its activities and the data collected by GCG, GCG intends to apply the most restrictive principles and standards that are identifiable with respect to the protection of personal data.

Consequently, all personal data and information (hereinafter referred to as "**Data**") provided in connection with our services will be processed lawfully, fairly, transparently and confidentially by GCG.

2. Consent

By contracting the services offered by GCG (hereinafter referred to as the "**Services**"), and in accordance with the legal provisions in force, you acknowledge and agree that, in connection with our Services, Data is or will be collected by GCG. This Data will be collected and used solely for the purposes of the Services offered by GCG or any subsequent contractual relationship with GCG. For this purpose, they may be transmitted to any third party in the context of the execution of a mandate, for example to a tax authority to fulfil a FATCA sponsoring or AEOI reporting service.

Therefore, (i) entering into an engagement with GCG or (ii) requesting an online GCG service (FATCA / AEOI Portal, GDPR Evaluation or other) means that you agree to the collection, processing (including dissemination and transmission to national and international tax authorities) of Data and agree to this Declaration.

3. Basis and Purposes of Data Collection and Processing

3.1. Basis

The Subject concerned acknowledges that the collection and processing of Data by GCG is necessary for the fulfilment of the mandate entrusted to GCG to which the Subject concerned is a party in connection with the Services.

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3.2. Aims

The Data is collected by GCG for the following purposes:

- GCG's services: management of the Services offered by GCG (customized consulting, sponsoring and service provider (including reporting) FATCA and AEOI, administration of an online platform for Relationship Managers, support for the issuance of LEI numbers, management of contracts for outsourced compliance functions) and management of any other services offered by GCG in the future.
- GCG's overall view of its clients: integration of all or part of the data processed for one of the specific purposes of the compliance consulting and reporting sector, in order to assess a client's situation with regard to a regulatory standard, to propose products or services adapted to his needs and, in general, to help GCG make the necessary decisions with regard to his client.
- GCG Customer Management: GCG's customer administration, invoicing services, marketing (newsletters, event invitations, etc.) and others.

4. What Data is Collected ?

4.1. Types of Data

As part of the Services, GCG collects the following data (contemplative, non-exhaustive list) from its counterparties (customers, trustees, administrators of private equity vehicles, lawyers, banks, other financial intermediaries):

- Identification data: personal identification data (name, surname, title, tax identification number) and structural identification data (information relating to investment entities).
- Identification data issued by public authorities and other registers: identity cards, passports, certificate of incorporation, articles of association, share registers.
- Location data: personal and business addresses of investment entities.
- Communication and electronic identification data (personal and business): telephone number, e-mail address.
- Financial data: identification number and bank account numbers, financial means / assets, financial transactions.

4.2. Information Collected Directly from Subjects

GCG collects and records all information provided to it in connection with the Online Services or by any other means in its Customer Relationship Management (CRM) system. The Subject may choose not to provide GCG with certain information, however this decision may have the effect of depriving the Subject of certain Services or features offered in connection with the Services.

4.3. Information Collected from Third Parties - Subcontractors

As part of its Services, GCG may also collect data from third parties (trustees, administrators of private equity vehicles, lawyers, banks, other financial intermediaries). Data collected from third parties is treated in the same way as Data collected directly from the Subjects (see paragraph 4.2 above).

GCG may be considered as a processor of personal data in the context of information collected from third parties, according to the applicable regulations. Should this be the case, GCG will enter into a subcontracting agreement with the third parties concerned to ensure compliance with the present Declaration.

5. Methods of Data Processing

The Data is processed by GCG - or by third parties selected on the basis of their reliability and competence, as well as by duly appointed data controllers - solely for the purpose of carrying out the purposes specified in paragraph 3.2 above, mainly by means of computer tools, but also on paper.

GCG retains the Data for as long as necessary for the fulfilment of the purposes for which it was collected and in accordance with the regulations applicable to the Services (for example, ten years in connection with banking services or seven years in accordance with FATCA regulations).

Specific measures are applied to prevent the risk of loss of data, unlawful or improper use and unauthorised access (see paragraph 7 (Confidentiality, Security and Data Protection) below).

6. Knowledge and Data Transmission

The Data that will be transmitted to GCG will be known and used by GCG employees and/or its subsidiaries (national or foreign) for the sole purpose of performing the Services that constitute the purpose for which the Data was collected.

As part of the performance of the Services, GCG may transmit the Data to third parties, in particular to national and international tax authorities, in accordance with fiscal reporting obligations.

The transmission of data to third parties is alternatively based on (i) an adequacy decision, (ii) appropriate safeguards or (iii) a waiver for specific situations (execution of a mandate related to the Services offered by GCG, in particular).

It is already stated that:

- As part of the implementation of FATCA regulations, data transfers may be made to the Internal Revenue Service (IRS) or any other competent tax authority recognized by the IRS.
- In the context of the implementation of the Automatic Exchange of Information (AEOI), data transfers may take place with any competent tax authority, it being specified that the condition of confidentiality of data is a *sine qua non* stipulated by the OECD to adhere to the AEOI Mechanism.
- In the context of Legal Entity Identifier (LEI) applications, GCG makes applications to GMEI Utility B.V.
- As part of the implementation of any other regulations and Services, GCG carries out an assessment of Data recipients in accordance with applicable data standards.

GCG does not sell or rent the Data to any third party.

Finally, GCG may have to share the personal data:

- To put at your disposal the Service you need;
- Where permitted or required by law to comply with a valid legal process;
- To protect and defend GCG's rights or property, including the security of its products and services.;
- To protect the personal safety, property or other rights of the public, GCG or its customers or employees.; or
- In connection with the sale of all or part of GCG's operations.

If GCG is required by law to disclose the Data to third parties, GCG will take all commercially reasonable steps to notify you in advance, unless otherwise required by law. If GCG engages in a process of merging, acquiring or selling assets, GCG will comply with this Declaration. Any Subject concerned will be informed if his/her Personal Data is transmitted to a third party or if, as a result of this transmission, they are subject to a different privacy policy.

7. Privacy, Security and Data Protection

GCG undertakes to ensure that there are adequate levels of protection in accordance with the applicable legal and regulatory requirements, in particular those relating to banking secrecy and data protection.

Data will be transmitted and stored on GCG's servers, access to which is strictly limited. We have taken the appropriate technical and organisational precautions to ensure that our servers are accessible to duly authorised persons, as well as special precautions with regard to the protection of our technical environment (e. g. use of Firewalls). Our servers also comply with the ISO 27001 standard (standard

recognized by the OECD for Automatic Exchange of Information for tax purposes), combined with strong authentication and encrypted communications.

In particular, GCG has implemented a data protection system by separating the (i) personal data and (ii) financial data on two separate servers so that only authorised GCG employees can use their login information to reconcile the data.

8. Rights of the Subjects

In accordance with the applicable regulations, Subjects may exercise the following rights with respect to their data in connection with the processing of Data:

- Right to request access to stored data;
- Right to request the rectification of stored data;
- Subject to the applicable legal provisions on data retention (bank law, FACTA law, etc.), the right to request the deletion of stored data.;
- Subject to the applicable legal provisions regarding the processing of data (bank law, FACTA law, AEOI, etc.), the right to request a limitation of the processing of stored data.; and
- Subject to the applicable legal provisions regarding the processing of data (bank law, FACTA law, AEOI, etc.), the right to request a prohibition on the processing of stored data.

Generally speaking, the Subject has the right to require GCG to protect his/her data. GCG works tirelessly to protect itself and its users from unauthorized access, alteration, disclosure or destruction of information that is held. More specifically:

- GCG respects this Declaration in all circumstances with respect to all Data that GCG collects about the Subject concerned.;
- GCG limits the use and disclosure of Data and ensures that anyone with whom GCG shares this information will treat it with the confidentiality and security it deserves.; and
- GCG has implemented physical, technical and administrative procedures to protect the information collected.

The exercise of any right set forth in the paragraph shall be carried out in accordance with the provisions of paragraph 9 (Notices) below.

9. Notices

If you have any questions about GCG's data protection, a detailed message can be sent to info@genevacompliance.com and GCG will try to resolve them as soon as possible.



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GCG's business is constantly evolving and this Declaration and the Terms of Service may change. Unless otherwise stated, our Declaration applies to the use of all information collected about any Subject.