

**IXI Investments**



**IXI Fund Managers Ltd**

**Privacy Policy**



## PRIVACY POLICY

### 1. Introduction

As part of our daily business operations, we need to collect personal information from our clients and prospective clients in order to provide them with our products and services and ensure that we can meet their needs when providing these products and services, as well as when providing them with the respective information.

Your privacy is of utmost important to us, and it is our policy to safeguard and respect the confidentiality of information and the privacy of individuals. This Privacy Policy sets out how IXI Fund Managers Ltd (the "Company" or "IXI Investments") collects, uses and manages the personal information we receive from you, or a third party, in connection with our provision of services to you or which we collect from your use of our services. The Privacy Policy also informs you of your rights with respect to the processing of your personal information.

Our Privacy Policy is reviewed regularly to ensure that any new obligations and technologies, as well as any changes to our business operations and practices are taken into consideration, as well as that it remains abreast of the changing regulatory environment. Any personal information we hold will be governed by our most recent Privacy Policy.

Please note that if you are an existing or former employee of the Company, a job applicant, a contractor to the Company or a third-party service provider, your personal information will be used in connection with your employment contract or contractual relationship, whichever applies.

This Privacy Policy applies to the processing activities performed by the Company to the personal data of its clients, former clients, potential clients, job applicants, existing and former employees of the Company, third party service providers and website visitors (hereinafter collectively referred to as "Data Subjects"). This Privacy Policy does not apply to websites operated by any other organisations or other third parties.

### 2. Who we are

IXI Fund Managers Ltd is a licenced Alternative Investment Fund Manager (AIFM), regulated by the Cyprus Securities and Exchange Commission (CySEC) under license number AIFM27/56/2013, with its registered office at Syntagmatos Square, Old Port, Building X1, 1st Floor, 3042 Limassol, Cyprus.

### 3. Safeguarding the confidentiality of your personal information and protecting your privacy

The Company respects the privacy of Data Subjects, and it is therefore committed to taking all reasonable steps to safeguard their personal data and to process the same in accordance with Regulation (EU) 2016/679 of the European Parliament and the Council of Europe 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 as amended from time to time (hereinafter the "GDPR") and all other relevant applicable to Cyprus and EU laws and regulations (collectively referred to as "Applicable DP Laws").

We have the necessary and appropriate technical and organisational measures and procedures in place to ensure that your information remains secure at all times. We regularly train and raise awareness to all of our employees on the importance of maintaining, safeguarding and respecting your personal information and privacy. We regard breaches of individuals' privacy very seriously and will impose appropriate disciplinary measures, including dismissal from employment of any employees breaching such privacy.

Transmission of information via the internet is not always completely secure, but the Company tries to protect your personal data by taking significant precautions. Once we have received your information, we will apply procedures and security features to try to prevent unauthorised access.

### 4. Collection of information

In order to establish a business relationship with us, you must complete and submit the subscription application forms for subscription in our managed fund(s) or the application forms for provision of individual portfolio management services, including the required information. By completing the relevant forms, you are requested



to disclose personal information in order to enable the Company to assess your application (including your investment eligibility) and comply with the relevant laws and pertinent regulations.

The information that we may collect from you includes the following:

- full name, residential address and contact details (e.g. email address, telephone number, fax etc.);
- date of birth, place of birth, gender, citizenship;
- identification and verification information which includes information necessary to verify your identity (e.g., identity number, passport number, driver's licence, etc.) and background information we receive about you from public records or from other entities not affiliated with us;
- other verifiable information such as social security and tax registration numbers;
- information about your income and wealth, including details about your source of funds, assets and liabilities, bank account information, trading statements, FATCA and CRS information and financial statements;
- account balances, trading activity, your inquiries and our responses;
- information on whether you hold a prominent public function (PEP);
- profession and employment details;
- authentication data (e.g. signature);
- location data;
- trading performance, knowledge and experience;
- any other information customarily used to identify you and about your trading experience which is relevant to us providing our services to you.

We may ask you for other personal information voluntarily from time to time (for example, through market research or surveys).

We may record any communications, electronic, by telephone, in person or otherwise, that we have with you in relation to the services we provide to you and our business relationship with you. These recordings will be our sole property and will constitute evidence of the communications between us. Further, if you visit any of our offices or premises, we may have CCTV which will record your image.

#### ➤ Job Applicants

Personal data is kept in personnel files or within the Company's Human Resources systems. We have a separate employee non-disclosure agreement for employees, which will be provided to you upon being recruited. The following types of data may be held by the Company, as appropriate, on relevant individuals:

- name, address, phone numbers, date of birth, email address, gender, marital status, etc.;
- CVs and other information gathered during recruitment;
- references from former employers;
- National Insurance numbers;
- Criminal conviction data;
- job title, job descriptions and pay grades;
- conduct issues such as letters of concern and disciplinary proceedings;
- internal performance information;
- medical or health history/information;
- tax codes;
- terms and conditions of employment;
- training details.



We may further ask for other personal information as we may consider necessary for the purpose of recruitment.

If you are unsuccessful in obtaining employment, we will seek your consent to retaining your data in case other suitable job vacancies arise in the Company for which we think you may wish to apply. You are free to withhold your consent to this and there will be no consequences for withholding consent.

## 5. Lawful basis for processing your personal information and purposes

We may process your personal data on the following bases and for the following purposes:

### a) Performance of a contract

We process personal data in order to provide our services and products, as well as information regarding our products and services based on the contractual relationship with our clients (i.e., to perform our contractual obligations). In addition, processing of personal data takes place to be able to complete our client on-boarding/acceptance and redemption procedures.

In view of the above, we need to verify your identity in order to accept you as our client and we will need to use those details in order to effectively perform our monitoring processes and procedures while managing your funds or while managing your discretionary account. This may include third parties carrying out credit or identity checks on our behalf. The use of your personal information is necessary for us to know who you are as we have a legal obligation to comply with 'Know Your Customer' and customer due diligence' regulatory obligations.

### b) Compliance with a legal obligation

There are several legal obligations imposed by relevant laws to which we are subject, as well as specific statutory requirements (e.g. anti-money laundering laws, financial services laws, corporation laws, privacy laws and tax laws). There are also various supervisory authorities whose laws and regulations apply to us. Such obligations and requirements impose on us necessary personal data processing activities for credit checks, identity verification, payment processing, compliance with court orders, tax law or other reporting obligations and anti-money laundering controls.

These obligations apply at various times, including client on-boarding/acceptance, redemption payments and systemic checks for risk management.

### c) For the purposes of safeguarding legitimate interests

We process personal data to safeguard the legitimate interests pursued by us or by a third party. A legitimate interest is when we have a business or commercial reason to use your information. Despite that, it must not unfairly go against what is right and best for you. Examples of such processing activities include the following:

- initiating legal claims and preparing our defence in litigation procedures;
- means and processes we undertake to provide for the Company's IT and system security, preventing potential crime, asset security, admittance controls and anti-trespassing measures;
- recording telephone calls and setting up CCTV systems (e.g. at our premises for security reasons);
- measures to manage business and for further developing products and services;
- sharing your personal data within the Company for the purpose of updating/verifying your personal data in accordance with the relevant anti-money laundering compliance framework;
- risk management.

### d) You have provided your consent

Our storage and use of your personal data are based on your consent (other than for the reasons described or implied in this policy when your consent is not required). You may revoke consent at any time; however, any processing of personal data prior to the receipt of your revocation will not be affected.



**e) To assess your suitability of our services/products and eligibility to invest in the fund(s) under our management.**

**f) To provide you with products and services, or information about our products and services.**

Once you successfully subscribe with us or open a managed-account with us, we will need to use your personal information to perform our services and comply with our obligations to you.

**g) To investigate or settle enquiries or disputes**

We may need to use personal information collected from you to investigate issues or to settle disputes with you because it is in our legitimate interests to ensure that issues and disputes get investigated and resolved in a timely and efficient manner.

**h) To comply with applicable laws, court orders, other judicial process, or the requirements of any applicable regulatory authorities**

We may need to use your personal information to comply with any applicable laws and regulations, court orders or other judicial process, or the requirements of any applicable regulatory authority. We do this not only to comply with our legal obligations but because it may also be in our legitimate interest to do so.

**i) Marketing purposes**

We may use your personal information to send you marketing communications by email to ensure that you are always kept up to date with the performance of our services to you. If we send you marketing communications, we will either do so based on your consent or if it is in our legitimate interest.

We will not disclose your information to any outside parties for the purpose of allowing them to directly market to you.

**j) Internal business purposes and record keeping**

We may need to process your personal information for internal business and research purposes as well as for record keeping purposes. Such processing is in our own legitimate interests and is required in order to comply with our legal obligations. This may include any communications that we have with you in relation to the services and products we provide to you and our relationship with you. We will also keep records to ensure that you comply with your contractual obligations pursuant to the agreement governing our relationship with you.

**k) Corporate restructuring**

If we undergo a corporate restructuring or part, or if all our business is acquired by a third party, we may need or choose to use your personal information in association with that restructuring or acquisition. Such use may involve sharing your information as part of a due diligence enquiries or disclosures pursuant to legal agreements. It is our legitimate interest to use your information in this way, provided we comply with any legal obligation we have to you.

**l) Security**

If you enter our premises, we may record your image on our CCTV for security reasons. We may also take your details to keep a record of who has entered our premises on any given day. It is in our legitimate interest to do this to maintain a safe and secure working environment.

## **6. Disclosure of your personal information**

The Company will not disclose any of its clients' confidential information to a third party, except:

- (a) to the extent that it is required to do so pursuant to any applicable laws, rules or regulations;
- (b) if there is a duty to disclose;
- (c) if our legitimate business interests require disclosure; or
- (d) at your request or with your consent or to Persons described in this policy.



The Company will endeavour to make such disclosures on a 'need-to-know' basis, unless otherwise instructed by a regulatory authority. Under such circumstances, the Company will notify the third party regarding the confidential nature of any such information.

As part of using your personal data for the purposes set out above, the Company may disclose your personal information to the following:

- our associates and service providers, for business purposes, including third parties such as business service providers and specialist advisers who have been contracted to provide us with administrative, financial, legal, tax, compliance, insurance, research or other services;
- business introducers with whom we have a mutual business relationship;
- business parties, credit providers, courts, tribunals and regulatory authorities as agreed or authorised by law;
- banking institutions in relation to issues raised regarding subscriptions/redemptions to/from the fund(s) under the Company's management and/or for the purpose of commencing an investigation regarding related matters (e.g., source of funds and AML checks); and
- anyone authorised by you.

Generally, we require that organisations outside the Company who handle or obtain personal information to acknowledge the confidentiality of this information, undertake to respect any individual's right to privacy and comply with all relevant data protection laws and this Privacy Policy. Please note that the use of your personal information by external third parties who act as data controllers of your personal information is not covered by this Privacy Policy and is not subject to our privacy standards and procedures.

## 7. Information collected from your use of our website

The Company's website does not collect any of your personal data such as device and location information or cookies.

## 8. How we obtain your consent

If our use of your personal information requires your consent, such consent will be provided in accordance with the express written terms which govern our business relationship or any other contract we may have entered into with you or as set out in our communication with you from time to time.

If we rely on your consent as our legal basis for holding and processing your personal information, you have the right to withdraw that consent at any time by contacting us using the contact details set out in this Privacy Policy.

## 9. Storage of your personal information and retention period

Safeguarding the privacy of your information is of utmost importance to us, whether you interact with us personally, by phone, by mail, over the internet or any other electronic mean. We will hold personal information, for as long as we have a business relationship with you, in a combination of secure computer storage facilities and paper-based files and other records and we take the necessary measures to protect the personal information we hold from misuse, loss unauthorised access, modification or disclosure.

When we consider that personal information is no longer necessary for the purpose for which it was collected, we will remove any details that will identify you or we will securely destroy the records. However, we may need to maintain records for a significant period of time (after you cease being our client). For example, we are subject to certain anti-money laundering laws which require us to retain the following, for a period of five (5) years after our business relationship with you has ended:

- A copy of the documents we used in order to comply with our customer due diligence obligations;
- Supporting evidence and records of transactions with you and your relationship with us.



Also, the personal information we hold in the form of a recorded communication, by telephone, electronically, in person or otherwise, will be held in line with local regulatory requirements or longer if you have legitimate interests (such as handling a dispute with you).

We may keep your data for longer than the aforementioned retention periods if we cannot delete it for legal, regulatory or other lawful grounds.

## 10. Your rights regarding your personal information

Under certain circumstances, you have rights under data protection laws in relation to the personal information we hold about you.

- **Request access to your personal data**

If you ask us, we will confirm whether we are processing your personal information and, if so, what information we process and, if requested, provide you with a copy of that personal information (along with certain other details) within thirty (30) days from the date of your request. If you require additional copies, we may need to charge a reasonable administration fee.

- **Request correction of your personal data**

It is important to us that your personal information is up to date. We will take all reasonable steps to make sure that your personal information remains accurate, complete and up-to-date. If the personal information we hold about you is inaccurate or incomplete, you are entitled to have it rectified. If we have disclosed your personal information to others, we will let them know about the rectification, where possible. If you ask us, if possible and lawful to do so, we will also inform you with whom we have shared your personal information so that you can contact them directly.

You may inform us at any time that your personal details have changed by e-mailing us at [compliance@ixi.com](mailto:compliance@ixi.com). The Company will change your personal information in accordance with your instructions. To proceed with such requests, in some cases we may need supporting documents from you as proof, i.e. personal information that we are required to keep for regulatory or other legal purposes.

- **Request erasure of your personal data**

You can ask us to delete or remove your personal information in certain circumstances such as if we no longer need it or you withdraw your consent (if applicable) provided that we have no legal obligation to retain that data. Such request will be subject to any retention limits we are required to comply with in accordance with applicable laws and regulations and subject to section "Storage of Your Personal Information and Retention Period". If we have disclosed your personal information to others, we will let them know about the erasure where possible. If you ask us, if possible and lawful to do so, we will also inform you with whom we have shared your personal information so that you can contact them directly.

- **Request restriction of processing your personal data**

You can ask us to "block" or suppress the processing of your personal data in certain circumstances such as if you contest the accuracy of that personal information or object to us processing it. It will not stop us from storing your personal information. We will inform you before we decide not to agree with any requested restriction. If we have disclosed your personal information to others, we will inform you about the restriction if possible. If you ask us, if possible and lawful to do so, we will also tell you with whom we have shared your personal information so that you can contact them directly.

- **Object to processing of your personal data**

You can ask us to stop processing your personal information, and we will do so, if we are:

- i. Relying on our own or someone else's legitimate interests to process your personal information except if we can demonstrate compelling legal grounds for the processing;
- ii. Processing your personal information for direct marketing; or



- iii. Processing your personal information for research unless we reasonably believe such processing is necessary or prudent for the performance of a task carried out in the public interest (such as by a regulatory or enforcement agency).

- **Request transfer of your personal data**

Under the General Data Protection Regulation (679/2016), you have the right, in certain circumstances, to obtain personal information you have provided us with (in a structured, commonly used and machine-readable format) and to reuse it elsewhere or ask us to transfer this to a third party of your choice.

- **Right to withdraw consent**

If we have made a decision about you based solely on an automated process (e.g. through automatic profiling) that affects your ability to use the services or has another significant effect on you, you can request not to be subject to such a decision unless we can demonstrate to you that such decision is necessary for entering into, or the performance of, a contract between you and us. Even if a decision is necessary for entering into or performing a contract, you may contest the decision and require human intervention. We may not be able to offer our services or products to you, if we agree to such request (i.e., end our relationship with you).

## **11. Choice to opt-out submitting your personal information**

If you do not want us to use your personal information, you must inform the Company by sending an email to [compliance@ixi.com](mailto:compliance@ixi.com). If you decide to do so, we may not be able to continue to provide information, services and/or products requested by you and we will have no liability to you in this respect.

## **12. Legal Disclaimer**

The Company may disclose your personal identifiable information as required by rules and regulations and if the Company believes that disclosure is necessary to protect our rights or to comply with other proceedings, court order, legal process served or pursuant to governmental, intergovernmental or other regulatory bodies.

## **13. Changes to this Privacy Policy**

Our Privacy Policy is reviewed regularly to ensure that any new obligations and technologies, as well as any changes to our business operations and practices are taken into consideration, as well as that it remains abreast of the changing regulatory environment.

Any personal information we hold will be governed by our most recent Privacy policy.

If we decide to change our Privacy Policy, we will post those changes to this Privacy Policy and other places we deem appropriate so that you are aware of what information we collect, how we use it, and under what circumstances, if any, we disclose it.

## **14. If you have a query or complaint**

If you have a concern about any aspect of our privacy practices, you can submit a query or a complaint via e-mail at [compliance@ixi.com](mailto:compliance@ixi.com). This will be acted upon promptly.

If you are not satisfied with our response to your query or complaint, you have the right to submit a complaint to our supervisory authority, the Office of the Commissioner for Personal Data Protection (the "Commissioner"). You can find details about how to do this on the Commissioner's website at <http://www.dataprotection.gov.cy> or by calling them on +357 22818456.

## **15. How to contact us**

If you have any enquiries regarding this Privacy Policy, please e-mail us at [compliance@ixi.com](mailto:compliance@ixi.com).