

# INVESTCORP CAYMAN ISLANDS FUNDS AND INVESTMENT VEHICLES

## Data Privacy Statement

Version: January 2020

The Investcorp group has created this data privacy statement in respect of its Cayman Islands investment funds, feeder funds and investment vehicles (“**we**”, “**us**” and “**our**” and together with our affiliates “**Investcorp**”) to demonstrate our commitment to privacy. Your right to privacy and data security is a primary concern.

This privacy statement only applies to the following persons: (a) individuals who have invested in a Cayman Islands investment fund, feeder fund or investment vehicle (“**Individual Investors**”); and (b) partners, directors, significant shareholders, founders, trustees, beneficiaries and authorized signatories of institutional investors (collectively “**Authorised Persons**”) of legal persons invested in a Cayman Islands investment fund, feeder fund or investment vehicle (such legal persons, “**Institutional Investors**”). Individual Investors and Authorized Persons are collectively referred to as “**you**”.

Personal data may be provided to us directly by you as an individual. Where you are an entity, you may provide us with personal data on individuals connected to you and this privacy statement will be relevant for those individuals and you should transmit this privacy statement to such individuals or otherwise advise them of its contents.

Investcorp is responsible for ensuring that we use your personal data in compliance with applicable data protection law. Please find below further information regarding the data you provide to us and your rights in relation to the provision of such data.

### 1. Information gathering and usage

#### Why personal data is used

We intend to give you as much control as reasonably possible over your personal data (information that can be used to identify you, such as your name, email address, telephone numbers, postal address, credit card information, etc.). There are times when we may need to collect and process personal data from you or third parties (this includes information from publicly available sources, information from transfer agents, administrators, financial intermediaries, platforms, professional advisers, and information obtained from sanctions checking and background screening) in order to provide you with the services that you have requested from us. Set out below is a list of the types of personal data we might collect from you and the purposes for which we would use it.

- **Client onboarding, account opening, and maintenance:** We collect information in relation to know your client (“**KYC**”) compliance checks prior to opening your account or effecting your investments to enable us to identify and verify the identity of prospective clients in accordance with bank and anti-money laundering regulations. We also conduct KYC checks from time to time to ensure the information we hold on you is up-to-date. This may include your name, title, date of birth, passport copy, social security number, driving license (or other government identification documents), address, email, phone number, nationality, citizenship, marital status, tax details, board information (i.e., directorships), income, salary, source of funds, academic record (including degrees and schooling), licenses, and professional memberships.

- **Providing services to you:** We collect information to enable us to market and deliver existing and new services to you, process your transactions, make deposits/other payments to your account, make wire transfers to you, provide you with investor reports about your portfolio of investments, issue you with share certificates, etc. This may include bank details, account balance, transaction history, investing preferences, investment history, risk tolerance, and wire transfer instructions.
- **Personalize our products and services:** We collect online identifying information through the use of cookies (please refer to our cookie policy) and analytics tools to allow us to tailor our website in accordance with your preferences. This may include information on your location to show the version of the site most relevant to your location, your usage of our website (e.g., user movement including page scrolling, clicks, text entered, etc.) to help us identify usability issues and improve the service delivered to you, and information on your device to ensure we show you the best version of the site suited to your device.
- **Compliance with legal or regulatory obligations:** We collect information in relation to compliance with our legal and regulatory reporting obligations. This may include executed share purchase agreements, transaction histories, certifications related to FATCA/CRS or other requirements, etc.

We may collect personal information from you when we need this information in order to provide a service to you. In such instances, failure to provide your personal data may mean that we are not able to accept you as an investor and/or may be unable to process, or release your investment in an Investcorp product; or perform our contractual obligations to you in accordance with the relevant contract entered into between you and Investcorp. This may result in Investcorp terminating its relationship with you.

Where we process your personal information for direct marketing purposes, please be aware that you may object to our processing your personal data in this way at any time. If you do so, we will log your objection, stop processing your data for direct marketing purposes, and we will not contact you again.

We do not perform any regular automated-decision activities, including profiling activities, where your personal data is processed by automated means, except as described above in relation to the use of cookies.

We will only process your personal data if and to the extent applicable law provides a lawful basis for us to do so and in particular:

- i. if you have consented to us doing so;
- ii. if we need it to perform the contract we have entered into with you;
- iii. if we need it to comply with a legal obligation; or
- iv. if we (or a third party) have a legitimate interest which is not overridden by your interests or fundamental rights and freedoms. Such legitimate interests will be the provision of services by us, administrative or operational processes within Investcorp, complying with audit requirements, seeking professional advice (including legal advice), promotion of special events, and direct marketing. We will only process your personal data in pursuance of our legitimate interests where we have considered that the processing is necessary and, on

balance, our legitimate interests are not overridden by your legitimate interests, rights or freedoms.

### **With whom personal data may be shared**

- **Within Investcorp.** We may share the personal data that you provide to us to other entities in the Investcorp group to the extent necessary for the purpose of providing services to you.
- **To third parties.** We may share the personal data that you provide to us to our service providers for the purpose of providing services to you. This may include the provision of your personal data to IT service providers, fund and other administrators, marketing advisors, legal and other professional advisors and other service providers we may deal with from time to time. We may also provide your personal data to any successor, or potential successor, to all or part of our business (or otherwise as necessary in connection with an investment into or transaction related to our business). We are also regulated in various jurisdictions and have reporting obligations and other regulatory requirements that may require us to disclose your personal data to those regulators (for example, to carry out anti-money laundering checks and related actions including sharing your personal data with police, law enforcement, tax or regulatory authorities, or other government agencies where we have a legal obligation, including screening transactions, reporting suspicious activity and complying with production and court orders; to report tax related information to tax authorities, including the automatic exchange of tax information; to investigate and resolve complaints and manage contentious regulatory matters, investigations and litigation; and to monitor electronic communications for investigation and fraud prevention purposes, crime detection, prevention and investigation). Furthermore, in order to carry out our business activities, we are often required by our counterparties who perform their own KYC procedures to provide certain information to them relating to Investcorp's beneficial owners or the beneficial owners of the investments arranged by Investcorp.

We will not otherwise use, share, disseminate, publish or disclose your personal data (except as may be required in response to litigation, investigations or other legally required disclosures).

## **2. Where we store your personal data**

We may transfer your personal data to, or store it in, a destination outside of the Cayman Islands. This is because Investcorp is a global business, with operations located in various jurisdictions, which uses service providers based in a number of locations worldwide. In some cases, your personal data will be stored in or transferred to jurisdictions outside of the Cayman Islands and the European Economic Area ("**EEA**") (a "**third country**"), where data protection laws are not as stringent as the applicable laws under the Cayman Islands and the EEA regime.

Where Investcorp transfers your personal data to a third country it is required to do so in a manner consistent with legal requirements. This may be done in one of the following ways:

- the country to which we send your personal data might be approved by the European Commission as offering an adequate level of protection for personal data;
- if the recipient is located in the US, it might be a certified member of the EU-US Privacy Shield scheme; or
- in other circumstances the law may permit us to otherwise transfer your personal data outside the Cayman Islands.

In addition to the requirements summarised above, all transfers of personal data between Investcorp entities are carried out in accordance with the Investcorp Global Data Transfer Agreement.

### Period for which we store your personal data

Investcorp will retain your personal data for as long as is necessary to provide our services to you, to fulfil the purposes described in this privacy statement and/or our business purposes, or as required by law, regulation or internal policy. We are obliged to retain certain information to ensure accuracy, to help maintain quality of service, and for legal, regulatory, fraud prevention, and legitimate business purposes. In general, Investcorp (or our service providers) will hold personal data for a period of seven years from the date on which you redeem all of your interests or holdings in an Investcorp product or for as long as required for Investcorp to perform the services or comply with applicable legal/regulatory obligations.

### 3. Your rights

We rely on you to provide accurate, complete and current personal data to us.

- **Access.** You may contact us at any time in order to request access to the personal information we hold about you. We will confirm whether we are processing your personal data, provide details of the categories of personal data concerned and the reasons for our processing. We can also provide you with a copy of your personal information on request.
- **Rectification.** If the information we hold appears to be inaccurate we will not use it, and not allow others to use it, until it is verified. You can ask us to correct or complete your personal data by contacting us at any time. To the extent possible, we will inform anyone who has received your personal data of any corrections we make to it.
- **Restriction.** In certain circumstances, it may be possible to require us to limit the way in which we process your personal information (i.e., require us to continue to store your personal data, but not otherwise process it without your consent). Such circumstances include:
  - i. where you think the data we hold about you is inaccurate, processing can be restricted while it is being rectified;
  - ii. where you object to our processing, (which is being carried out on the grounds that it is necessary in the public interest or for our legitimate interests) processing can be restricted while we determine whether such grounds override your interests;
  - iii. where processing is unlawful but you oppose the erasure and request restriction of your data instead; and
  - iv. where we no longer need the personal data but you require the data in order to establish, exercise or defend a legal claim, our processing can be restricted.
- **Erasure.** You may ask to have the information on your account deleted or removed. We will try to do so promptly, and, to the extent possible, we will inform anyone who has received your personal information of your request. However, we must keep track of certain transaction information, such as past purchases and similar information, for legal compliance purposes, so we may not be able to fully delete your information in certain circumstances.
- **Receiving/transferring your personal data.** You may also ask us to send you the personal data we hold on you in an electronic, structured and user-friendly format, or you may ask us to send this data to another entity.

- **Object.** Where we are processing your personal information without your consent to pursue our legitimate interests, you may object to us processing your personal data. In particular, where we are using your personal data to contact you for marketing purposes, you may object to such processing at any time.
- **Automated decision-making.** You have the right to be informed of any automated decision-making, including profiling, used in connection with your personal data, and we will provide information about the logic we apply, as well as the significance and consequences of such processing.
- **Complaints.** You may contact us at any time where you believe that we are in breach of data protection law or where you wish to make a complaint about data processing. Furthermore, you have the right to lodge a complaint with the Cayman Islands Ombudsman where you believe that we have not resolved an issue you have raised with us.

For any of the requests listed above, please contact us. We will make reasonable efforts to respond promptly and at the latest within one month. In exceptional cases, we may extend this period to two months and we will tell you why. We may request proof of identification to verify your request. Our response to such requests may be limited to information under our direct control.

You will not have to pay a fee to access your personal data (or to exercise any of your other rights). However, if your request for access is excessive or unjustified, we may charge a reasonable fee.

#### **4. Security**

##### **Security measures**

We limit access to personal data that we collect about you to our employees and third-party agents, who we reasonably believe need to have access to your information to provide you with the information or services you request from us. We have security measures in place to help protect against the loss, misuse and alteration of the information under our control. While we cannot guarantee that loss, misuse or alteration to data will not occur, we ensure that our systems adhere to market security standard so as to help safeguard against such occurrences.

Where information is provided to us via our website, in certain areas the information passed between your browser and our system is encrypted with secure sockets layer (“SSL”) technology to create a protected connection between you and our Site to ensure confidentiality. However, no method of transmission over the Internet, or method of electronic storage is 100% secure. We will use commercially acceptable means to protect your personal data, but we cannot guarantee its absolute security. If you have any questions about our security, you can email us.

##### **Opting Out**

If you do not wish to receive certain communications from us you may opt out by: (1) declining the service offered or (2) informing us that you no longer wish to receive such communications. We will comply with such requests unless such communications from us are required by law or do not require your consent under applicable laws. Your opting out may restrict our ability to provide you with the full extent of our services.

##### **Contact Details**

The name and contact details of the Investcorp entity or entities that hold your personal data are set out in the subscription documents that you signed when investing in an Investcorp product.

If you would like to get in touch with us with regards to your personal data, please contact us at:

Investcorp Holdings BSC  
PO Box 5340

Manama

Kingdom of Bahrain

Email: [compliance@investcorp.com](mailto:compliance@investcorp.com)

**Changes in this Privacy Statement**

Any changes we make to this privacy statement in the future will be posted on this page. We reserve the right to modify this privacy statement at any time. If we make material changes to this policy, we will notify you by email, or by means of a notice on our website home page.