

## INVESTCORP CREDIT MANAGEMENT EU LIMITED

### Data Privacy Statement

Version: November 1<sup>st</sup>, 2018

Investcorp Credit Management EU Limited (“ICMEU”, “we”, “us”, and “our”) has created this privacy statement to demonstrate our commitment to privacy. Your right to privacy and data security is a primary concern. This privacy statement sets out the basis on which any information we collect from you, or that is provided to us, will be processed by us.

Please find below further information regarding the data you provide 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 in order to provide you with the services that you have requested from us. Set out below is a non-exhaustive 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 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, provide you with investor reports about your portfolio of investments, 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

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(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 tax reporting requirements, etc.
- **Visitors to our offices:** If you visit our offices we will collect information about you (such as your name and contact details, details of your appointment and the relevant Investcorp team members you are meeting, and the time and date of your visit) to enable us to verify your identity and record the fact of your visit for security and health and safety purposes.

We shall 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 provide services you requested.

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, and direct marketing.

#### **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 to our business. We are also regulated in various jurisdictions

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and have reporting obligations and other regulatory requirements that may require us to disclose your personal data to those regulators. 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.

- **Security.** Investcorp will also process your personal data for the purpose of ensuring office security and for health and safety purposes.

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 jurisdiction of the entity to which you provided it. 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 European Economic Area ("EEA") (a third country), where data protection laws are not as stringent as the applicable laws under the EEA regime.

Where we have to transfer your personal data to third countries, we will use appropriate approved safeguards.

For further information please do not hesitate to contact us using the details below.

## **Period for which we store your personal data**

We will store your personal data for only so long as is necessary to fulfil the purposes described above and in accordance with data retention periods prescribed by applicable laws and regulations.

## **Links to third-party websites**

Our website may contain links to other websites of interest. However, once you have used these links to leave our website, you should note that we do not have any control over that other website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such websites and such websites are not governed by this privacy statement. You should exercise caution and look at the privacy statement applicable to the website in question.

## **Message boards/forums**

This website may make forums and message boards available to you. Please remember that any information that is disclosed in these areas becomes public information. You should exercise caution when deciding to disclose your personal data.

## **Electronic newsletters**

We may from time to time offer various free electronic newsletters. We do not spam, sell or rent email addresses. You may remove your address from our mailing lists by sending us an email.

## **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

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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 or data processing. Furthermore, if you are located in the EEA, you have the right to lodge a complaint with the relevant data protection supervisory authority in the country where you are based or any place in the EEA where you believe the infringement has occurred (or where you believe that we have not resolved an issue you have raised with us).

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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. 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.

#### **Children's privacy protection**

Investcorp does not target and its websites are not intended for children under the age of 16. Investcorp will not knowingly collect personal data from children, and will delete such data upon discovery. Where Investcorp requires personal data pertaining to children for the purpose of providing a service, the consent of an adult with parental responsibility for that child will be required.

#### **5. 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.

#### **6. CONTACT DETAILS**

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

Investcorp Credit Management EU Limited  
Investcorp House, 48 Grosvenor Street,  
London W1K 3HW  
Tel: +44 (0) 20 7629 6600  
Email: [compliance@investcorp.com](mailto:compliance@investcorp.com)

#### **7. 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, so please check back periodically to see any updates or changes to our privacy statement.

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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.