



Sicav

## PRIVACY POLICY

### Introduction

This is the privacy policy of 8a+ SICAV, an undertaking for collective investment in transferable securities (UCITS) established as an investment company with variable capital (*Société d'Investissement à Capital Variable*: SICAV) (“8a+” or “Company”).

In accordance with the applicable Luxembourg data protection law and, as of 25 May 2018, the Regulation (EU) 2016/679 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 (“Data Protection Law”), the Company acting as data controller (the “Data Controller”) collects, stores and processes, by electronic or other means, the data supplied by natural persons at the time of the investment / start of the business relationship and on an ongoing basis and complying with its legal obligations.

This policy is structured in the following manner to aid your understanding:

- What information do we hold on you?
- How is your data collected?
- How do we use your information?
- Who do we share your information with?
- Information on transfers outside the EEA
- How long do we retain your information?
- What are your rights in relation to your information?
- Contact point in relation to this policy

The data processed include but is not limited to the name, address, e-mail address, bank and financial data, transaction history of each investor, data concerning personal characteristics (“Personal Data”).

In case the investor is a legal person, the Company may collect, store and process Personal Data concerning “Controlling Persons” who are natural persons exercising control over the entity investing in Shares of the Company.

For the purposes of Personal Data processing 8a+ identifies the following Data Subject categories:

- Investors (existing and potential) and their representatives (Investors).
- Operational contacts (Contacts) – representatives of our services providers, counterparties and suppliers
- Persons who have contacted us to file a complaint (Complainants)
- Persons who have accessed our website (Browsers)

We have therefore split this privacy notice into those categories for clarity and readability. You may belong to more than one category.

## Investors

### **What information do we hold on you?**

We collect your name, role, firm name, email address, telephone number, business address, your MiFID classification and investments in 8a+ shares.

### **How is your data collected?**

We register your details whenever you express interest in our products and/or our company.

### **How do we use your information?**

Personal Data supplied by the investor is processed in order to enter into and execute the subscription in the Company, for the legitimate interests of the Data Controller and to comply with the legal obligations imposed on the Data Controller.

In particular, the Personal Data supplied by the investor is processed for the purposes of (i) subscribing in the Company, (ii) maintaining the Shares register; (iii) processing investments and withdrawals of and payments of dividends to the investor; (iv) account administration, (v) opening, closing and blocking of accounts in the name of the Shareholders, (vi) sending legal information or notices to the Shareholders, and (vii) complying with applicable anti-money laundering rules and other legal obligations, such as maintaining controls in respect of CRS/FATCA obligations.

The provision of Personal Data necessary for these purposes is mandatory and the related processing does not require your consent.

Personal Data is not used for marketing purposes.

### **Who do we share your information with?**

The Personal Data may also be processed by the Data Controller's data processors (the "Data Processors") which, in the context of the above mentioned purposes, refer to the Management Company, the Administrative, Registrar and Transfer Agent, Depositary, Domiciliation and Listing Agent, the Authorized Independent Auditor and the legal advisors and any Global Distributor or Distributor. The Data Processors may, under their own responsibility and only under prior authorization of the Data Controller, disclose the Personal Data to their agents and/or delegates (the "Sub-Data Processors"), which shall process the Personal Data for the sole purposes of assisting the Data Processors in providing their services to the Data Controller and/or assisting the Data Processors in fulfilling their own legal obligations and in compliance with the same level of protection of Personal Data as applied to the Data Processors.

Data Processors and Sub-Data Processors may, as the case may be, process the Personal Data as Data Processors (when processing the Personal Data upon instructions of the data Controller), or as distinct data controllers (when processing the Personal Data for their own purposes, namely fulfilling their own legal obligations).

The Personal Data may also be transferred to third-parties such as governmental or regulatory agencies, including tax authorities, in accordance with applicable laws and regulations. In particular, Personal Data may be disclosed to the Luxembourg tax authorities which in turn may, acting as data controller, disclose the same to foreign tax.



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Investors agree that the Company, will report any relevant information in relation to their investments in the Company to the Luxembourg tax authorities which will exchange this information on an automatic basis with the competent authorities as agreed in the FATCA Law, CRS Law or similar laws and regulations in Luxembourg or at EU level.

**ATTENTION:** Please be aware that if you subscribed 8a+ Sicav sub-funds through a distributor (that usually acts through the so called “nominee accounts”) we do not process your Personal Data. In that case, the Data Controller is the distributor itself. For more information please contact the distributor; the contact details are included in the offering documentation.

## Contacts

### **What information do we hold on you?**

We collect your name, role, firm name, email address, telephone number and business address.

### **How is your data collected?**

If your firm has entered into a business relationship with us, whether as service provider, counterparty or supplier, we will collect your name, firm name, business address and other contact details.

### **How do we use your information?**

*Processing for the purpose of providing services:*

We process your data, relying on the "legitimate interest ground". 8a+'s legitimate business interest, and purpose of our processing of your data, is maintaining the business relationship, contact you on behalf of your organization in order to query, develop or otherwise in connection with the actual or possible services provided by your organization, discuss possible transactions with your organization and contact you in connection with the same and account any transaction or business relationship.

### **Who do we share your information with?**

We process your data using computer servers located in the EU. We will share your contact details with our service providers, if we deem this necessary or appropriate in order to settle or account any transaction or relationship, and/or any government, regulatory authority or court if deem this necessary or appropriate.

## Complainants

### **What information do we hold on you?**

We collect your name, date and place of birth, Tax ID, investments in 8a+, role, firm name, email address, telephone number and business address, bank account details, and any information relating to your complaint and the resolution thereof.



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### **How is your data collected?**

If you, your firm or your client has filed a complaint, we will collect the necessary information to contact you, investigate and resolve the complaint

### **How do we use your information?**

*Processing for the purpose of providing services:*

We process your data, relying on the "legitimate interest ground". 8a+'s legitimate business interest, and purpose of our processing of your data, is investigating your complaint and contacting you or your representative in order to discuss a mutually acceptable solution if 8a+ deems the complaint valid.

### **Who do we share your information with?**

We process your data using computer servers located in the EU. We will share your contact details with our service providers, if we deem this necessary or appropriate in order to settle or account any transaction and/or any government, regulatory authority or court if deem this necessary or appropriate.

## **Browsers**

### **What information do we hold on you?**

We log your IP address and the pages you have viewed.

### **How is your data collected?**

If you accessed our website, our systems will collect your IP address for services you have used and pages you have visited. We will also collect details on the device you used to connect, such as operating system, geographic location, browser type and language, access times and referring website addresses.

### **How do we use your information?**

*Processing for the purpose of providing services:*

We process your data, relying on the "legitimate interest ground". Logs of page views and interaction with our web product are maintained to help us to provide you with a more personalized user experience in relation to the provision of services to you, and develop our website and product offering to you.

### **Who do we share your information with?**

We process your data using computer servers located in the EU and cloud hosting providers in the the US (see below).

## **Transfers outside the EEA**

### **Investors**

Personal Data collected, may be processed and stored on a cross-border basis within entities located in member states and/or outside EU having equivalent data protection requirements.



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By subscribing for shares of the Company, investors agree to the aforementioned processing of their personal data and in particular, the disclosure of their personal data to, and the processing of their personal data by, the parties referred to above including affiliates situated in countries outside of the EU.

### **Browsers**

We partner with companies who analyse how our Browsers navigate and use our website. These companies operate in the US and appropriate data protection is covered by their EU Privacy Shield certification.

### **What are your rights in relation to our use of your information?**

The investor may, at its discretion, refuse to communicate the Personal Data to the Company. In this case, however, the Company may reject its request for subscription or holding of Shares in the Company or proceed with the compulsory redemption of all Shares already held, as the case may be, under the terms and conditions set forth in the Articles and in the Prospectus.

In accordance with the conditions laid down by the Data Protection Law, the investor acknowledges its right to:

- access its Personal Data;
- correct its Personal Data where it is inaccurate or incomplete;
- object to certain uses of your Personal Data (which includes direct marketing and processing based on legitimate interests and processing for purposes of scientific or historical research and statistics) on grounds relating to your particular situation;
- request the deletion of your information, or restrict its use, in certain circumstances (for example you can request that we erase your information where the information is no longer necessary for the purpose for which it was collected, unless certain exceptions apply);
- withdraw any consents you have provided in respect of our use of your information;
- request the return of information you have provided to us, to use for your own purposes (often called your right to data portability) where the processing is based on your consent or for the performance of a contract, and the processing is carried out by automated means;
- lodge a complaint with the Information Commissioner's Office (<https://cnpd.public.lu/en/particuliers/faire-valoir/formulaire-plainte.html>) or other authority that has jurisdiction.

More information about these rights can be found at [www.cnpd.lu](http://www.cnpd.lu).

If you have any questions about these rights, or you would like to exercise any of them, please contact us at the following e-mail addresses:

- [info@ottoapiusicav.eu](mailto:info@ottoapiusicav.eu)



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### **How long do we retain your data?**

Personal Data of Investors and Complainants will be processed for the entire duration of the contractual relationships established, and also subsequently, for the accomplishment of all legal obligations and in any case for a period of time not exceeding 10 years from the termination of the contractual relationship or later in the cases expressly required by law.

Personal Data of Contact and Browsers are stored for varying lengths depending on the nature and purpose for which it was collected. 8a+ will review your personal data periodically to ensure it is still necessary to be retained for the purpose for which it was collected.

### **Do we use cookies?**

Yes (cookies are small files that a site or its service provider transfers to your computers hard drive through your web browser (if you allow) that enables the sites or service providers systems to recognize your browser and capture and remember certain information.

We use cookies to help us understand and save your preferences for future visits, keep track of advertisements and compile aggregate data about site traffic and site interaction so that we can offer better site experiences and tools in the future. We may contract with third-party service providers to assist us in better understanding our site visitors. These service providers are not permitted to use the information collected on our behalf except to help us conduct and improve our business.

If you prefer, you can choose to have your computer warn you each time a cookie is being sent, or you can choose to turn off all cookies via your browser settings. Like most websites, if you turn your cookies off, some of our services may not function properly. We use third party vendors, including Google. Some of these third party vendors, including Google, use anonymous cookies to serve ads based on a user's prior visits to our website. Users may opt out of Google's use of cookies by visiting the Google advertising opt-out page.

### **How to contact us**

If you have any questions regarding this policy, please email [info@ottoapiusicav.eu](mailto:info@ottoapiusicav.eu)

### **Changes to this policy**

We keep this privacy notice under regular review and we will place any updates on this webpage. We will inform you of any material changes to the privacy notice. This privacy notice was last updated on June 21<sup>st</sup>, 2018.