

## **DATA PROTECTION NOTICE**

**This document is important and requires your immediate attention. If you are in any doubt as to the action you should take, you should seek advice from your investment consultant, tax adviser and/or legal adviser as appropriate.**

Dear Shareholder,

This notice sets out how **Treligga plc** (“**Fund**”) will process personal information.

Where your details are provided to the Fund as a result of your investment, then the Fund, acting as a data controller (“**Data Controller**”), may itself, or through a third party service provider (“**Data Processor**”), process your personal information or that of your directors, officers, employees and/or beneficial owners. Such personal information will be held in confidence and processed in accordance with the Irish Data Protection Acts 1988 to 2003 and any other applicable legislation or regulations implementing Directive 95/46/EC, and with effect from 25 May 2018, the General Data Protection Regulation (Regulation (EU) 2016/679 of the European Parliament and the Council of 27 April 2016) (“**GDPR**”), including any amendments thereto.

When processing your personal information, there may also be times when Link Fund Administrators (Ireland) Limited (the “**Administrator**”), acting in its capacity as the Fund’s Administrator, will act as a Data Controller.

In connection with this processing, please note the following:

### **Purposes of Processing and Legal basis for processing**

Your personal data may be processed by the Fund or its Data Processors (or any of their affiliates, agents, employees, delegates or sub-contractors) for the following purposes:

- Legal Basis: Performance of the contract
  - to facilitate the opening of your account with the Fund the management and administration of your holdings in the Fund and any related account on an on-going basis (the “**Services**”) which are necessary for the performance of your contract with the Fund, including without limitation the processing of redemption, conversion, transfer and additional subscription requests and the payment of distributions; to update and maintain records and fee calculation;
  - to update and maintain records and fee calculation.
- Legal Basis: Compliance with a legal obligation to which the Fund is subject, including but not limited to
  - carrying out anti-money laundering checks;
  - prevention of fraud, money laundering, terrorist financing, bribery, corruption;

- prevention of the provision of financial and other services to persons who may be subject to economic or trade sanctions, on an on-going basis, in accordance with the Fund's procedures and the procedures of the Data Processors;
- reporting of tax related information to tax authorities.
- **Legal Basis: Pursuit of the Legitimate Interests of the Fund**
  - to improve the delivery of service (monitoring and recording of calls for quality, business analysis, training and related purposes);
  - to offer or market additional units of the Fund or other investment opportunities.

Where the pursuit of the legitimate interests of the Fund is indicated above to be the legal justification relied upon to process your personal data, a balancing test has been carried out to weigh the legitimate interests of the Fund against the potential risks posed to your interests, fundamental rights and freedoms as a data subject, and it has been determined that the risks posed to your interests, fundamental rights and freedoms as a data subject are extremely limited and are overridden by the right of the Fund to pursue its legitimate interests.

Where the Data Controller or its delegates sends you marketing information, you have a right not to receive such information, and you can request not to receive such information by informing the Fund using the contact information in this Data Protection Notice.

### **Retention period**

The Fund and its Data Processors will retain your personal information for as long as required for the Fund or its Data Processors to perform the Services or perform investigations in relation to the Services. The length of the retention period will be determined by such considerations as legal or regulatory obligations that require the Fund or its Data Processors to retain your personal information, and applicable statutory limitation periods, whichever are longer.

### **Recipients of Data**

The Fund may disclose your personal information as follows:

- to its service providers, including Data Processors, and their affiliates, and other third party service providers engaged by the Fund in order to process the data for the above mentioned purposes;
- to competent authorities (including tax authorities), courts and regulatory bodies as required by law or requested or to affiliates for internal investigations and reporting.

### **International Transfer of Data**

The disclosure of personal information to the Data Processors and third parties set out above may involve the transfer of data to jurisdictions outside the European Economic Area (**EEA**). Any such transfers are made in accordance with the requirements of Articles 44 to 49 of the GDPR. Where such transfers are made to countries that do not have an adequacy decision in place, appropriate safeguards

such as European Commission approved standard contractual clauses will be put in place, or your consent will be obtained prior to the transfer.

Please contact us using the contact information at the bottom of this notice for copies of any appropriate safeguards in place.

### **Data Subject Rights**

You have the following rights, in certain circumstances, in relation to your personal information:

- Right to access your personal information;
- Right to rectify your personal information;
- Right to restrict the use of your personal information (in certain specific circumstances);
- Right to request that your personal information is erased (in certain specific circumstances);
- Right to object to processing of your personal information (in certain specific circumstances);
- Right to data portability (in certain specific circumstances);
- Right to lodge a complaint with a supervisory authority in the EU Member State of your habitual residence or place of work or in the place of the alleged infringement if you consider that the processing of personal data relating to you carried out by the Fund or its Data Processors infringes the GDPR.

The provision of your personal information to the Fund is necessary in order to enter into the contract. You are not obliged to provide the Fund with your personal information, however where the Fund or its Data Processors require your personal information to perform the contract, or to comply with the Fund's legal obligations, failure to provide this information means that the Fund may not be able to accept you as an investor in the Fund.

### **How to contact us**

If you have any questions about our use of your personal information, please contact us by email at [DataProtection@kbassociates.ie](mailto:DataProtection@kbassociates.ie), by phone at +353 1 901 1671.

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