

**DATA CONTROLLER****KJK Management S.A.** ("KJK")

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Compliance Manager

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E-mail: [compliancelux@kjkcapital.com](mailto:compliancelux@kjkcapital.com)**Introduction**

KJK Management S.A. ("KJK") is committed to safeguarding the privacy of our clients, potential clients, suppliers, counterparties and business partners. We process personal data in compliance with the legislation applicable at any given time. Personal data are information and evaluations that can be linked to individuals, such as name, address, telephone number and e-mail address. Data that can (only) be linked to enterprises are not classified as personal data.

This privacy notice describes which personal data we receive and collect when you use the services of KJK, how these are used, as well as what we do to protect the personal data.

By using the services of KJK, you consent to us processing personal data in accordance with this privacy notice and in compliance with the legislation applicable at any given time.

**Which personal data do we collect in a client relationship*****Establishment of client relationship***

We collect various personal data upon the establishment of a client relationship, that is either personal or a corporate client relationship, in order to comply with our obligations under the securities legislation and anti-money laundering legislation.

For personal clients, we will collect and retain the following data that can be linked to individuals:

Type of personal data	Basis for processing
Name of client	GDPR Article 6 (1) (b) necessary for the performance of a contract to which the data subject is a party
Contact details	GDPR Article 6 (1) (b) necessary for the performance of a contract to which the data subject is a party
Date and place of birth	GDPR Article 6 (1) (b) necessary for the performance of a contract to which the data subject is a party

Social security number or corresponding tax identification number (TIN)	GDPR Article 6 (1) (c) necessary for compliance with a legal obligation to which KJK is subject
ID card/passport number	GDPR Article 6 (1) (c) necessary for compliance with a legal obligation to which KJK is subject
Income / origin of funds	GDPR Article 6 (1) (c) necessary for compliance with a legal obligation to which KJK is subject
Citizenship	GDPR Article 6 (1) (c) necessary for compliance with a legal obligation to which KJK is subject
Tax domicile	GDPR Article 6 (1) (c) necessary for compliance with a legal obligation to which KJK is subject
Bank account details and, if applicable, securities account details	GDPR Article 6 (1) (b) necessary for the performance of a contract to which the data subject is a party
Political exposure details	GDPR Article 6 (1) (c) necessary for compliance with a legal obligation to which KJK is subject
The persons' profession or position within an organization	GDPR Article 6 (1) (b) necessary for the performance of a contract to which the data subject is a party

For corporate clients, we collect the following data that can be linked to individuals:

Type of personal data	Basis for processing
Name, position, ID card/passport number and contact details of individuals authorised to transact on behalf of the corporate client	GDPR Article 6 (1) (b) necessary for the performance of a contract to which the data subject is a party
Date and place of birth of representative	GDPR Article 6 (1) (b) necessary for the performance of a contract to which the data subject is a party
Name, contact details and social security number or corresponding tax identification number (TIN) of beneficial owners	GDPR Article 6 (1) (b) necessary for the performance of a contract to which the data subject is a party
Political exposure details on individuals authorised to trade on behalf of the client and on beneficial owners	GDPR Article 6 (1) (c) necessary for compliance with a legal obligation to which KJK is subject

If you do not wish to provide us with information that is necessary for compliance with a legal obligation to which KJK is subject, the implication is that we will be unable to conclude an agreement with, or provideservices to, you.

### Which personal data we collect in other relationships

#### *Potential clients*

For potential clients we collect the following data that can be linked to individuals:

Type of personal data	Basis for processing
Name of potential client	GDPR Article 6 (1) (f) based on legitimize interest

Contact details	GDPR Article 6 (1) (a) based on legitimate interest
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***Suppliers, counterparties, business partners***

For suppliers, counterparties and business partners we may collect the following data that can be linked to individuals:

Type of personal data	Basis for processing
Name, position, ID card/passport number and contact details of individuals authorised to transact on behalf of the corporate client	GDPR Article 6 (1) (b) necessary for the performance of a contract to which the data subject is a party  GDPR Article 6 (1) (c) necessary for compliance with a legal obligation to which KJK is subject
Date and place of birth of representative	GDPR Article 6 (1) (c) necessary for compliance with a legal obligation to which KJK is subject
Name, contact details and social security number or corresponding tax identification number (TIN) of beneficial owners	GDPR Article 6 (1) (b) necessary for the performance of a contract to which the data subject is a party  GDPR Article 6 (1) (c) necessary for compliance with a legal obligation to which KJK is subject
Political exposure details on individuals authorised to trade on behalf of the client and on beneficial owners	GDPR Article 6 (1) (c) necessary for compliance with a legal obligation to which KJK is subject

**How we gather data**

Data related to clients is collected from the client in paper and/or electronic form as well as during physical meetings with the client. KJK may also collect client data from reliable sources and public registries within the limits permitted by law.

Data related to suppliers, counterparties and business partners is collected from the suppliers and/or counterparties and/or business partners in paper and/or electronic form as well as during physical meetings with the suppliers and/or business partners. KJK may also collect data from reliable sources and public registries within the limits permitted by law.

Data related to potential clients is collected from the potential client themselves or from public sources within the limits permitted by law.

**How we use the data**

***The purposes of, and basis for, personal data processing***

The principal purposes of personal data processing are administration and compliance with the obligations assumed by KJK for the execution of assignments for, and performance of agreements with, our clients, suppliers, counterparties and business partners. The basis for personal data processing is statutory

obligations, as well as such processing being necessary for the performance of agreements, or the provision of services. We will otherwise process personal data to the extent it is required or permitted under applicable legislation, or to the extent the client, the supplier, the counterparty or business party has consented to such processing.

Apart from this, personal data are processed for, inter alia, the following purposes:

- Control and documentation
- Disputes
- Requests from authorities

#### ***Control and Documentation***

The securities legislation and anti-money laundering legislation require KJK to process and keep information. In addition, the authorities require investment firms to carry out comprehensive checks to ensure that their own business operations are conducted in compliance with applicable statutory requirements.

We are required to report any suspicious transactions to the authorities and will, in such situations, hand over related details.

#### ***Disputes***

In the event of disputes between KJK and our clients, potential clients, suppliers, counterparties or business partners, it will be necessary for us to review retained correspondence in order to determine the course of events. The dialogue with the client, potential client, supplier, counterparty or business partner may be invoked as evidence in connection with proceedings before administrative appeal bodies or the courts of law.

#### ***Requests from the authorities***

KJK may, from time to time, receive requests from financial regulatory authorities, tax authorities and the police/public prosecutors ordering us to disclose, pursuant to statute, all relationship documentation. In such circumstances KJK will be required to disclose stored personal data.

#### **Marketing, product and client analysis**

KJK uses personal data to provide you with information on services and products that may be of interest to you. Personal data is processed in the context of facilitating marketing, product and client analysis. This processing forms the basis for marketing, product and business development. We have a legitimate interest to send our clients information on similar services and products from KJK that may be of interest to them. Providing information on services and products to potential clients is based on consent. You may during the establishment of the client relationship or subsequent thereto have consented to receiving electronic communications from us. KJK will in such case send you communications based on the consent you gave at the time.

KJK uses telephone, e-mail and other digital channels of communication in its client marketing. Such marketing takes place in compliance with the legislation applicable at any given time. If you do not wish to receive such communications, you may decline such communications at any given time.

#### **How the data are safeguarded**

##### ***Procedures***

All personal data are processed in compliance with the General Data Protection Regulation (GDPR) (EU) 2016/679 and in accordance with strict procedures in order to ensure that confidentiality, availability and integrity requirements are met.

### *How long the data are kept*

Personal data will only be stored as long as KJK has a legitimate need for, and a lawful right to, keep these, but at least as long as necessary for compliance with the statutory storage obligations of KJK. Key storage obligations are:

Statute	Data	Minimum storage period
Anti-Money Laundering Legislation	Documentation required to be kept under the Anti-Money Laundering Legislations, implemented from EU directives, including data relating to client checks	Minimum of 5 years after discontinuation of the client relationship or completion of the transaction
Bookkeeping Legislations	Accounting materials required to be kept	5 years after the end of the financial year

### **Disclosure to third parties**

The data will only be disclosed to third parties when KJK is legally obliged to do so, for example:

- Upon reporting of suspicious transactions or when disclosure is ordered by government authorities.
- Disclosure is necessary to receive and execute transactions and to perform their settlements.
- Disclosure to companies servicing KJK and necessary to perform our agreement with, or to provide our services to, you, as well as if such disclosure is necessary to comply with control and/or reporting requirements laid down by statute.
- Disclosure is necessary to attend to KJK's interests in any dispute.
- The data subject consents to disclosure.

KJK's service providers will either process personal data in the EU/EEA or in approved third countries with the same strict personal data legislation or subject to mechanisms that attend to data protection considerations in accordance with applicable regulations, for example the EU Standard Contractual Clauses. If KJK transfers personal data abroad, it will do so in compliance with Luxembourg law and the applicable mechanisms.

### **Your privacy rights**

You have the right to request access to any personal data we have stored in relation to you. You also have the right to request that any incorrect data be corrected and/or erased. The request for correction must be made in writing and data must be sufficiently identified. KJK will correct, without undue delay, the incorrect, unnecessary, defective or obsolete personal data it detects. You also have the right to require the controller to limit the processing of your personal information, for example when you wait the controller to respond to a request for correction or deletion of your data. In connection with such a request, the customer must identify the specific situation on which he or she objected to the processing. The controller may refuse to file a request for objection under the law. In addition, you have the right to request processing limitations under certain circumstances. You have as well the right to data portability (transfer of your personal data to another controller), if this is technically feasible. In cases where the processing is based on your consent, you have the right to withdraw your consent to such processing at any time. We also give you the opportunity to opt out of future marketing whenever we send you marketing material. There may be situations where our confidentiality or other obligations under applicable law may prohibit us from disclosing or deleting your personal data or otherwise prevent you from exercising your rights.

Any requests should be sent to us in writing or deliver in person on the addresses mentioned above in **Data Controller**. Request are in principle free of charge. The Data Controller shall deliver the requested data to you or arrange an opportunity for you to review the data in person.



You also have the right to file a complaint with the competent Data Protection Authority, which may be the supervisory authority in your country of residence or place of work if you believe that our personal data processing violates applicable legislation.

The relevant authority for KJK is the Luxembourg National Commission for Data Protection  
15, Boulevard du Jazz, L-4370 Belvaux, Luxembourg. <https://cnpd.public.lu/en.html>