

## UK/EEA DATA PROTECTION NOTICE

Financial Guaranty UK Limited, in the United Kingdom (“UK”) and the European Economic Area (“EEA”) (“FGUK”) (a “**Data Controller**”), collects and processes Personal Data (as defined by the privacy, security, data protection rules and regulations, including those regarding the processing, privacy and use of personal data that apply to the Data Controllers in the UK, and the EEA, (“**Data Protection Law**”). This UK/EEA Data Protection Notice (this “**Notice**”) summarizes its policies with respect to personal data that they receive and process of the following data subjects who are natural persons resident in the UK/EEA including: (i) current, prospective and former customers, clients and investors, (ii) the principals, beneficial owners and beneficiaries of current, prospective and former customers, clients and investors, (iii) principals, other employees and others associated with funds and portfolio companies with which they may consider and/or undertake investments, and (iv) representatives of customers, clients, investors and other businesses who they interact with (“**Data Subjects**”).

This Notice is provided by the relevant Data Controller only to the extent that it is regarded as a data “controller” of the Data Subjects’ personal data under Data Protection Laws. In such circumstances, the Data Controller is an independent data controller under the Data Protection Laws. Please read the following carefully to understand the Data Controller’s views and practices regarding Data Subjects’ personal data and how they will treat it.

### **Personal Data Collected**

The Data Controller receives personal data from a number of sources including: (i) from Data Subjects directly; (ii) as part of Data Subject’s completing the Subscription Agreement on behalf of themselves or as representatives of other Data Subjects; (iii) from third parties working with the Data Controller’s such as placement agents, fund managers and other intermediaries; (iv) from information Data Controller’s have gathered from prior transactions; (v) from publicly available information; (vi) from a Data Subject’s bank in connection with investor information and from professional advisers; (vii) through Data Controller’s website and from online data sources and information providers, and (viii) through information provided in correspondence and other forms.

The information Data Subjects provide to us may include:

- **Contact information** such as name, title, address, business and/or personal telephone number, business and/or personal email addresses.
- **Verification information** such as passport, driving licence, utility bill, credit or bank card statement, wire transfer information, and country of residence, country of origin/nationality, country of domicile/tax residency, tax reference number, date of birth, occupation, investor status, and other applicable legal and regulatory information.
- **Finance-related information** such as the amount invested and details of the investment made, the name of the organisation for which the Data Subject works and/or is a controlling person.
- **Work contact information**, such as name, name of the business the Data Subject works for and/or is a controlling person for, business address, business telephone number, and business email

address as well as preference related and work related information (e.g. role title, dietary requirements).

- **Investment experience information**, such as capital account or other information about investments, risk tolerance and transaction history or investment experience.
- **Marketing information**, such as information about marketing and communication preferences.

The Data Controller does not anticipate that they will collect any “special category” personal data, e.g. any information that reveals or contains racial or ethnic origin, political opinions, religious and philosophical beliefs, trade union membership, genetic data, biometric data, health data, sex life and sexual orientation. It may be collected incidentally. Where any such information is provided this will generally be because a Data Subject has volunteered such information and/or documents gathered for certain regulatory or legal purposes, e.g. for AML/KYC checks, reveal such information.

The Data Controller will endeavour to keep personal data it stores about the Data Subjects reasonably accurate and up to date by enabling Data Subjects to correct it by request. The Data Subjects should notify us if any of their personal data changes or if they become aware of any inaccuracies in the personal data they hold.

### Purposes and Lawful Basis for Processing Personal Data

Under certain data protection laws, Data Controllers can only use personal data where there is a lawful basis. With respect to the processing of personal data in the context of this Notice, this is generally because:

1. it is necessary for the performance of a contract with the Data Subject or the entity they represent or to take steps before entering into a contract, e.g. Subscription Agreement (“**Contract**”); or
2. it is in our legitimate interests or those of a third party, and those interests are not overridden by the interests or fundamental rights and freedoms of the Data Subject (“**Legitimate Interests**”); or
3. where Data Controllers need to comply with a legal or regulatory requirement (“**Legal/Regulatory Obligations**”).

The specific purposes and lawful basis that the Data Controller relies upon in each instance are as set out below:

Purposes	Personal Data	Lawful Basis
To undertake pre-investment steps, including, but not limited to: (i) determining eligibility to invest in the Fund; (ii) required due diligence; and (iii) ascertaining investment preferences.	Contact information Verification information Finance-related information Work contact information Investment experience information Interaction information	In order to perform our obligations under our <b>Contract</b> (with you or with the entity you represent). Or To comply with <b>Legal/Regulatory Obligations</b> Or In all other cases, where it is in the Data Controller’s <b>Legitimate Interests</b> in establishing preferred investment strategies and to

		provide a tailored service to Data Subjects.
To process the application, to accept Data Subjects and or the organisations they represent as a member of the fund and to process transactions in the fund and to carry out their obligations arising from the subscription agreement (and related investment documents) entered into by or on behalf of Data Subjects.	Contact information Verification information Finance-related information Work contact information Investment experience information Interaction information	In order to perform our obligations under our <b>Contract</b> (with you or with the entity you represent).
To provide services to and manage the affairs of the investments of the funds and relationships with Data Subjects (including the acquisition and disposal of investments, the arranging of any financing, and arranging for the preparation and auditing of accounts, statements or reports and similar), for periodic investor reporting, and for other administrative purposes including to maintain records and correspondence relating to Data Subjects' participation in the fund as well as for corporate governance.	Contact information Verification information Finance-related information Work contact information Investment experience information Interaction information	In order to perform our obligations under our <b>Contract</b> (with you or with the entity you represent). Or In all other cases, where it is in the Data Controller's <b>Legitimate Interests</b> so that they provide a comprehensive, efficient and tailored service to Data Subjects.
To complete anti-money laundering checks and other checks as are required by law (including counter-terrorist financing law (such as carrying out customer due diligence) and tax law (including reporting under any tax reporting regime), which, if not conducted, means that they will be unable to carry out their obligations arising under the subscription agreement or any other agreement (including but not limited to limited partnership agreements, subscription agreements and investment management agreements)) and/or detect crime.	Contact information Verification information	To comply with <b>Legal/Regulatory Obligations</b> Or In all other cases, where it is in the Data Controller's <b>legitimate interests</b> to protect and enhance the business and operations, including (i) to comply with applicable regulations and guidance as well as internal policies and procedures; and (ii) to respond to requests from legal, regulatory, judicial, administrative, governmental and other official bodies.

<p>To communicate with Data Subjects, for business development and marketing activities and to send informational and/or marketing messages to Data Subjects, whether current or past, about their investment.</p>	<p>Contact information Work contact information Marketing information</p>	<p>Where it is in the Data Controller’s <b>Legitimate Interests</b> to promote FGUK and/or other services of the Data Controllers and provide a comprehensive, efficient and tailored service to Data Subjects.</p>
<p>To disclose information to parties such as other FGUK entities, administrator, and other entities as outlined below under “Disclosures of Personal data”.</p>	<p>Contact information Work contact information</p>	<p>To comply with <b>Legal/Regulatory Obligations</b> Or, in all other cases, where it is in the <b>Legitimate Interests</b> of the Data Controller or other applicable party in conducting their business and providing their services in a comprehensive, efficient and effective manner.</p>
<p>To protect its rights and/or to comply with judicial or regulatory proceedings, a court order or other legal process</p>	<p>Contact information Verification information Finance-related information Work contact information Investment experience information Interaction information</p>	<p>To comply with <b>Legal/Regulatory Obligations</b> Or, in all other cases, where it is in the <b>Legitimate Interests</b> of the Data Controller or other applicable party in conducting and protecting their business, including to initiate and defend claims, to prevent and detect crime, fraud and other abuses, to investigate and attend enquiries and to enforce legal rights.</p>

The Data Controller does not anticipate that they will make any decision with respect to Data Subjects’ personal data using fully automated means. They will notify you in writing if this position changes. The Data Subjects’ acknowledge that where provision of personal data is necessary to ensure compliance with legal obligations or to perform the Subscription Agreement, failure to provide relevant personal data for the abovementioned purposes may prevent maintenance of the Investment and/or may prevent execution of the Subscription Agreement.

**Disclosure of Personal data**

The Data Controller does not disclose any personal data about Data Subjects to any third parties, except:

- as reasonably necessary or appropriate in connection with the promotion and/or management of the funds, including to processors who are only permitted to use it to perform services on their behalf;
- as required by law or any applicable regulatory authority;

- in case of sale or merger or similar to potential purchasers, and their applicable third party service providers;
- to protect the rights, property, or safety of their business, its clients, investors or others; or
- as otherwise set out in this Notice.

In these cases, the Data Controller may share Data Subjects' personal data with certain third parties, including legal advisers; accountants; third party service providers or agents; administrators; placement agents; financial service providers, banks, broker-dealers, credit providers; IT service providers (such as cloud services providers and software-as-a-service providers); parties undertaking anti-money laundering checks; companies engaged to dispose of or store data including personal data; adverse parties who have a legal right to receive such information and their counsel, experts; portfolio companies and their advisors; supervisory, tax, or other authorities and regulators in various jurisdictions; transfer agents, brokerage firms and or other such advisors, and relevant affiliates or third party service providers of each of the above (each a "**Data Recipient**").

The Data Recipients may, as the case may be, process the personal data as data processors (when processing the personal data upon instructions of a data controller) or as distinct data controllers (when processing the personal data for their own purposes, namely fulfilling their own legal obligations). The attention of Data Subjects is therefore also drawn to the relevant privacy notices of Data Recipients of data controllers for further details of their further processing.

### **Personal Data Retention**

The Data Controller will endeavor not to keep personal data in a form that allows a Data Subject to be identified for any longer than is reasonably necessary for achieving the permitted purposes. At the end of the applicable retention period, they may destroy, erase from their systems, or anonymize personal data as part of such efforts. To determine the appropriate retention period for personal data, they consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of the Data Subject's personal data, the purposes for which they process Data Subject's personal data and whether they can achieve those purposes through other means, and the applicable legal and/or regulatory requirements. Once the relationship with the Data Subject has come to an end, they will retain the personal data for a period of time that enables us to maintain business records for analysis or audit purposes, comply with record retention requirements under applicable laws, defend or bring existing legal claims, deal with any complaints about their services. They will delete the personal data when it is no longer required for these purposes, or if deletion is technically not possible, they will put in place measures to prevent that personal data from being used in any way.

### **Storage & Transfer of Personal Data**

The Data Controller may process personal data in, and transfer personal data to, countries that may not guarantee the same level of protection for personal data as the country in which Data Subjects reside, including but not limited to USA, UK and Ireland. Where the Recipients are located outside the EEA or the UK in a country which does not ensure an adequate level of protection for Personal Data, the Data

Controller will enter into legally binding transfer agreements with the relevant Data Recipients in the form of the EU Commission's or the UK's approved model clauses, as applicable. If you require further information about this you can request it using the details set out in the 'Questions' section below.

### **Rights in relation to Personal Data**

Depending on the applicable legislation, Data Subjects may have certain rights in relation to their personal data, these may include, where certain conditions are met:

- the right to request **access** to the personal data they hold about them;
- the right to have inaccurate information about them **rectified** (amended or updated);
- the right to **object** to processing of personal data about them;
- the right to **withdraw** consent at any time (where relevant);
- the right to have personal data about them **erased** or to restrict processing in certain limited situations;
- the right to data **portability** and to request the transmission of personal data about them to another organization;
- the right to **object** to automated decision making that materially impacts them, direct marketing, and processing for research or statistical purposes; and
- the right to lodge **complaints** with applicable data supervisory authorities.

Data Subjects should use the contact information below to obtain more information and/or to make a formal request.

The Data Controller will use reasonable efforts to keep the personal data stored about Data Subjects accurate and up to date by enabling clients and investors to correct it by request. Data Subjects should notify the Compliance Department if any of their personal data changes or if they become aware of any inaccuracies in the personal data the Data Controller holds about them.

### **Changes to this Notice**

The Data Controller reserves the right to modify this Notice at any time and without prior notice.

### **Questions**

If Data Subjects have any questions in relation to this Notice, please contact us at [notices@financialguarantyuk.com](mailto:notices@financialguarantyuk.com).