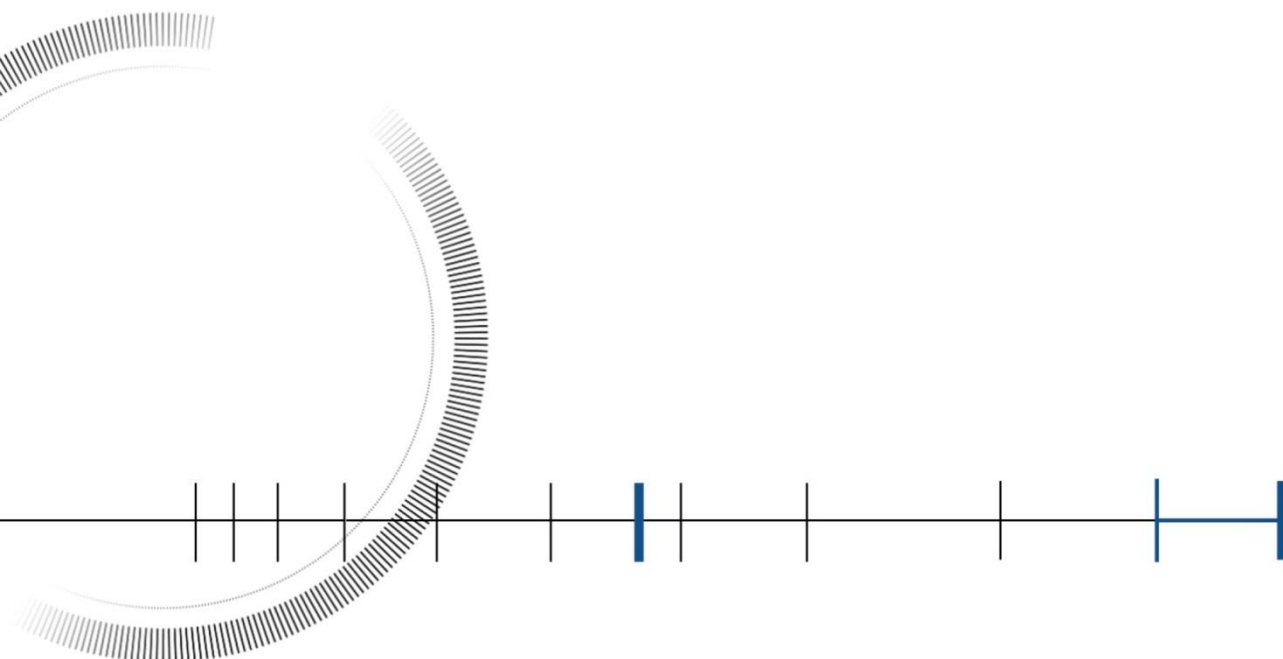


# General Data Protection Regulation Policy

25/05/2018



This notice is signed by OFI Asset Management and the subsidiary: OFI Lux

## 1. Who is your data controller and who can you contact?

We process the personal information and data concerning you and/or concerning anyone associated with you (the associated person(s) and you, hereinafter jointly referred to as the "**Data Subject(s)**"). Specifically, we carry out this processing in the context of existing business relations and/or relations with potential customers, including your use of our websites (hereinafter jointly referred to as the "**Business Relationship**"). We are able to do so in our capacity either as data controller or joint data controller (hereinafter referred to as the "**Data Controller**").

An "**Associated Person**" is an individual or an entity about which you or a third party provide us with information and/or of which we become aware in another way in connection with our Business Relationship. An Associated Person may be (i) the administrator, director or employee of a company; (ii) the trustee, principal or settlor of a trust; (iii) the holder on a fiduciary basis or economic beneficiary of an account; (iv) the holder of substantial interests in an account; (v) the holder of control; (vi) the beneficiary of a specific payment; or (vii) any representative or agent (e.g. person benefiting from a power of attorney or right to be informed about an account).

In this context, please contact all your Associated Persons and send them this privacy notice (hereinafter the "**Privacy Notice**") along with the information it contains.

For any queries regarding this Privacy Notice, your Data Controller or, more generally the processing of your personal data (or those of Associated Persons), you may contact your relationship manager at the OFI Group or our Data Controller at the following address:

OFI Group:  
20-22 rue Vernier  
75017 Paris  
France

## 2. How do we process your personal data?

We are subject to certain obligations relating to confidentiality and/or secrecy, for example arising from data protection, contracts, business secrecy or bank secrecy. The personal data that we process is also subject to said obligations.

This Privacy Notice describes the way we process (that is, collect, use, retain, transfer, handle or process in any other way, operations categorised, hereinafter referred to collectively as "**Processing**" or "**Processing Activities**") personal data. This Privacy Notice does not replace our contractual terms and conditions, which apply to it. All our processing activities are listed in the OFI Group record of processing activities, in accordance with the regulatory obligation under the General Data Protection Regulation.

We may carry out our Processing Activities directly or indirectly, by calling on third parties who process personal data on our behalf (hereinafter the "**Data Processors**"). We are Data Controllers only in the context of this Privacy Notice.

### 3. Which personal data do we process?

"Personal data" includes any information making it possible to directly identify (e.g. first name, surname) or indirectly identify (e.g. passport number or combination of data) an individual.

The personal data of Data Subjects that we process may include:

- identification data, e.g. name, address, telephone number, e-mail address, work contact details;
- personal details, e.g. date of birth, country of birth;
- work information, e.g. job and work history, position, power of representation;
- identifiers issued by public bodies, e.g. passport, identity card, tax identification number, national insurance number, social security number;
- financial information, e.g. financial and credit history, bank details;
- data relating to trades/investments, e.g. current and past investments, investment profile, investment preferences and amount invested, number and value of shares held, role in a trade (seller/buyer of shares), breakdown of trades;
- information transmitted, e.g. by cookies and similar technologies on websites and in e-mails.

#### 4. What are the Purposes and legal bases of our personal data processing?

We collect and process personal data with the purposes (hereinafter the "**Purposes**") and according to the legal bases set out in this document.

Generally, we base our Processing on (i) performance of a contract to which you are party or which concerns an Associated Person (including in order to carry out pre-contractual measures at your request or at the request of an Associated Person); (ii) our obligation to comply with statutory or regulatory provisions; and (iii) the pursuit of our legitimate interests.

More specifically, we collect and process the personal data necessary to perform a contract to which you are party and/or which concerns an Associated Person, which notably includes the following Processing Activities (which may also be founded on other legal bases):

- the processing of requests for subscription to or conversion or surrender of funds managed by the OFI Group;
- the investment services which are supplied to you and/or to an Associated Person, or the start of a Business Relationship with us, including all the formalities regarding your identification;
- any other corresponding service supplied by a service provider of the Data Controller(s) and Data Processors in the context of the Business Relationship;
- the management, administration and distribution of investment funds, including all secondary services associated with these activities, or investment services, along with the management of the current relationship concerning the assets held in these investment funds.

We also collect and process personal data in connection with fulfilment of the statutory and regulatory obligations to which we are subject, including in order to:

- provide documentation about an offering of products and services to the Data Subjects;
- comply with the legislation on markets in terms of financial instruments;
- carry out any other form of cooperation with the relevant authorities, the supervisory authorities, the police authorities and any other public authorities (e.g. in the area of Anti-Money Laundering and combating the financing of terrorism ("**AML-CTF**"), or report, with a view to preventing and detecting tax fraud offences (e.g. communication of name, address, date of birth, tax identification number (TIN), account number or account balance, to the tax authorities under the Common Reporting Standard (CRS) or the Foreign Account Tax Compliance Act ("**FATCA**") or any other applicable tax provision aimed at preventing tax evasion and fraud);
- prevent fraud, subornation, corruption and the supply of financial services and other services to persons subject to permanent economic or commercial sanctions, in accordance with our AML-CTF procedures, and retain the AML-CTF reports and other reports required for detection purposes;
- record conversations with the Data Subjects (e.g. telephone and electronic communications), notably with a view to documenting instructions or detecting potential or real fraud and other infringements.

Moreover, we may process personal data for the purposes relating to the legitimate interests which we pursue, without this list being exhaustive, in order to:

- evaluate certain characteristics of Data Subjects, based on personal data processed automatically;
- develop our Business Relationship with you;

- improve our internal commercial organisation and our operational activities, particularly in terms of risk management;
- use this information within the OFI Group for market research purposes or for advertising purposes, subject to the Data Subjects not having objected to the use of their personal data for promotional purposes;
- ensure the establishment, exercise and/or defence of real or potential rights in the context of legal claims, investigations or similar proceedings;
- record conversations with Data Subjects (e.g. telephone or electronic communications) in order to verify instructions, ensure application or protection of our interests or rights, evaluate, analyse and improve the quality of our services, train our employees and manage risk.

If one or more of our personal data Processing Activities mean that you need to give your prior consent, we will ask you for this consent in good time.

Providing personal data may be compulsory, e.g. in connection with fulfilment of the statutory and regulatory obligations to which we are subject. Please note that failure to provide this information may prevent us from continuing a Business Relationship with you and/or providing you with services.

## **5. Do we use profiling or automated decision-making?**

We may evaluate certain characteristics of Data Subjects based on personal data processed automatically (profiling) so that, in particular, we can send them customised offers and advice or information about our products and services or about those of our affiliates and business partners. We may also use technologies enabling us to identify the level of risk associated with a Data Subject.

However, we do not generally use automated decision-making in connection with the Business Relationship and/or Data Subjects. If we need to do so, we will comply with the applicable statutory and regulatory requirements.

## **6. What sources do we use to collect your personal data?**

To achieve our Purposes, we collect and receive personal data:

- directly from the Data Subjects, e.g. when they contact us or through (pre-)contractual documentation which is sent to us directly; and/or
- indirectly via external sources, in particular publicly accessible sources (e.g. United Nations (UN) or European Union (EU) sanctions lists), information available through subscription services (e.g. Bloomberg) or information supplied by third parties.

## 7. Do we share your personal data with third parties?

If necessary or useful to achieve our Purposes, we reserve the right to disclose personal data or to make personal data accessible to the following recipients, provided this is legally or otherwise authorised or required:

- public/government authorities, courts, relevant authorities (e.g. financial supervisory authorities) or financial market actors (e.g. third-party or central depositories, brokers, stock markets and registers);
- OFI Group entities or third-party Data Processors who process personal data on our behalf and/or to whom we entrust some of our activities (outsourcing);
- auditors or legal advisers.

We undertake not to transfer personal data to any third parties other than those listed above, except in those instances notified occasionally to the Data Subjects and in the case of a current obligation applicable to them, or a decision of a court or of a government, supervisory or regulatory body, in particular, of the tax authorities.

## 8. Is personal data transferred outside our jurisdiction of incorporation?

In the context of the Business Relationship, we may disclose, transfer and/or store personal data overseas (hereinafter an "**International Transfer**") (i) in connection with the conclusion or performance of contracts relating, directly or indirectly, to the Business Relationship, e.g. a contract with you or with third parties in your interests; (ii) when communication is necessary to protect an overriding public interest; or (iii) in exceptional cases duly provided for in the applicable laws (e.g. communication of certain stock market trades to international business registers).

International Transfers may include a transfer to jurisdictions which (i) guarantee an appropriate level of protection of the rights and freedoms of Data Subjects regarding the Processing Activities; (ii) benefit from decisions establishing the appropriate nature of their level of data protection (e.g. adequacy decisions issuing from the European Commission or from the Swiss Federal Data Protection and Information Commissioner); or (iii) do not benefit from such adequacy decisions and do not offer an appropriate level of data protection. In this last instance, we will ensure that appropriate guarantees are furnished, e.g. by means of standard contractual clauses on data protection drawn up by the European Commission.

If you would like further information about International Transfers or appropriate guarantees, you can contact our Data Protection Officer (see section 1 above).

## **9. What are your data protection rights?**

Subject to the applicable local legislation on data protection, you have the right:

- to request access to the personal data we hold and to receive a copy of it;
- where applicable, to request correction or erasure of inaccurate personal data;
- to request the erasure of personal data when its Processing is no longer necessary to achieve the Purposes, or is not or is no longer lawful for other reasons, subject however, to the applicable data retention periods (see section 10 below);
- to request restriction of the Processing of personal data of which the accuracy is contested, if the Processing is unlawful or if the Data Subjects have objected to Processing;
- to object to the Processing of personal data, in which case we will no longer process the personal data, unless we have overriding legitimate reasons for doing so (e.g. the establishment, exercise or defence of legal claims);
- to receive personal data in a structured, commonly used and machine-readable format (right to data portability);
- to obtain a copy of the appropriate or suitable guarantees which we may have implemented in order to transfer personal data outside the European Union or Switzerland, or to have access to these;
- to file a complaint with our Data Protection Officer (see section 1 above) in connection with the Processing of personal data and, in the absence of satisfactory settlement of the issue, to file a complaint in connection with the Processing of said data with the relevant data protection authority.

Even if a Data Subject objects to the Processing of personal data, we are authorised to continue this Processing if it is (i) legally mandatory; (ii) necessary to perform the contract to which the Data Subject is party; (iii) necessary to execute a mission completed in the public interest; or (iv) necessary for the legitimate purposes that we seek to achieve, including the establishment, exercise or defence of legal claims. We will not, however, use the Data Subject's personal data for direct marketing purposes if they ask us to refrain from doing so.

Subject to the restrictions provided for in this document and/or the applicable local provisions on data protection, you may exercise the above rights, at no expense, by contacting our Data Protection Officer.

## **10. How long is your personal data retained or archived?**

In principle, we retain personal data for as long as we need in order to achieve the Purposes. Similarly, we will delete or anonymise personal data (or will take equivalent measures) when they are no longer necessary to achieve the Purposes, subject however (i) to statutory or regulatory requirements applicable to the retention of Personal Data for a longer period; or (ii) in order to establish, exercise and/or defend real or potential claims in the context of legal action, investigations or similar procedures, including legal holds which we may require in order to protect relevant information.