

# Data Protection Information



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With the following information, we would like to give an overview of how we will process your Personal Data and of your rights according to data protection laws and regulations. The details on what data will be processed and which method will be used depend significantly on the services applied for or agreed upon.

This information is kept up to date and made available at any time under:  
<https://www.credit-suisse.com/lu/en/legal/legal-fund-management.html>

## 1. Who is responsible for data processing and how can I contact them?

The Data controller (hereinafter referred to as **“we” “us”** or **“CSFM”**) is:

CREDIT SUISSE FUND MANAGEMENT S.A.  
5, rue Jean Monnet  
L-2180 Luxembourg  
Grand Duchy of Luxembourg  
Phone: +352 43 61 61-1

In case of any questions or requests concerning your Personal Data, you may contact either:

CREDIT SUISSE FUND MANAGEMENT S.A.  
Data Protection Representative  
5, rue Jean Monnet  
L-2180 Luxembourg  
Grand Duchy of Luxembourg  
Phone: +3520 46 00 11-1  
E-mail: [luxembourg.data-protection@credit-suisse.com](mailto:luxembourg.data-protection@credit-suisse.com)

or

CREDIT SUISSE SERVICES AG, LONDON BRANCH  
Credit Suisse Group Data Protection Officer  
Five Canada Square  
London E14 5AQ  
United Kingdom  
Phone: +44 20 7888 8888  
E-mail: [data.protection@credit-suisse.com](mailto:data.protection@credit-suisse.com)

## 2. What data and sources do we use?

In order to facilitate, enable and/or maintain our business relationship CSFM provides a broad range of services including fund management, portfolio and risk management, administration and marketing of undertakings for collective investments, alternative investment funds and other investment vehicles as well as various related services such as valuation services, trading and securities related services, accounting, transfer agency, reporting, tax, corporate and domiciliation and other administrative and support services and more generally all services necessary to meet the fiduciary duties of CSFM, including without limitation, facilities management, real estate administration, advice and support in relation to corporate actions, exercise of voting rights and all rights and privileges in relation to the securities constitutive of the assets of the funds as well as any services performed in relation to the funds' intermediate vehicles (our **“Services”**) to our clients and related parties (hereinafter our **„Clients”**). CSFM is also using delegates, suppliers or third party service providers (hereinafter the **„Service Providers”**) when performing the Services. When performing the Services, CSFM collects and otherwise processes Personal Data relating to you in your capacity as a director, officer, authorized signatory, employee, investor, beneficial owner and/or any other related person(s) (hereinafter each an **“Affected Person”**) of our Clients or Service Providers. Depending on the circumstances and the respective processing activity, CSFM may act as a data processor or a data controller in its own right.

We process **Personal Data** (also referred to as **“Data”**), as defined below, that we collect directly from the relevant data subject (being our Client, Service Provider or the Affected

Person, as defined above) in the context of our business relationship in various ways, including from the forms and any associated documentation that you complete when subscribing for an investment or make transactions with respect to the funds, in course of due diligence enquiries and on-boarding documentation or when you provide it to us in correspondence, which may include written, telephone or electronic communications.

We also process – insofar as necessary to provide our Services – Personal Data that we obtain from publicly accessible sources (e.g. commercial and association registers, press, internet), bankruptcy registers, tax authorities, including those that are based in and outside the EEA, governmental and competent regulatory authorities, credit agencies, fraud prevention and detection agencies and organizations and internal lists for prevention and detection of financial crime activities maintained by Credit Suisse globally or that is legitimately transferred to us by other Credit Suisse Group companies or other third parties (e.g. third party service providers, investment funds, their management companies and/or general partners and their relevant service providers and delegates such as the portfolio managers, distributors, etc.).

**Relevant Data** processed by us include, but is not limited to:

<b>Contact details</b>	Name, surname, gender, physical and electronic address data, phone numbers
<b>Other confidential data</b>	Date and place of birth, nationality, identification information and documentation (e.g. ID card details), taxpayer identification number (TIN), Bank account number, Client number (CIF) and authentication Data (e.g. sample signature), information on regulatory or financial situation (e.g. for due diligence purposes), PEP status, private, professional, marketing and sales data, phone recording
<b>Criminal records</b>	Data relating to criminal convictions and offences (including excerpts of criminal register)

The above categories of personal data are without prejudice to all specific or general personal data you have provided or will provide us with from time to time.

We may also incidentally process “special category data” targeted by article 9 of the GDPR when processing non-sensitive personal data (e.g. personal data revealing political opinion, racial or ethnic origin or religious beliefs may be disclosed in official identification documents such as passport we receive for the purpose of implementing our AML/ KYC obligations). If you do not want us to process this information, we therefore strongly suggest that you refrain from providing or making available such sensitive data, e.g. by removing this type of data from any document made available to us.

**“Processing”** means any operation or set of operations which is performed on Personal Data or on sets of Personal Data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

### 3. What do we process personal data for (Purpose of Processing) and on what legal basis?

We process Personal Data in accordance with the provisions of the EU General Data Protection Regulation (“**GDPR**”)<sup>1</sup>, on the following legal grounds:

- a. if processing of Personal Data is necessary for the performance of the contract(s) entered into with us or in order to take steps at your request prior to entering therein:

The purposes of Data processing depend primarily on the concrete Services (e.g. investment management, marketing, administration, reporting, tax, corporate, domiciliation services etc.) and can include advice and support.

<sup>1</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council 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, and repealing Directive 97/46/EC.

You may find other details about the purposes of Data processing in the relevant contractual documentation for those services.

- b. if processing of Personal Data is necessary for the purpose of compliance with a legal obligation to which CSFM is subject:

As a management company in the sense of the Law of December 17, 2010 on undertakings for collective investment (“Law of December 17, 2010”) and as alternative investment fund manager (“AIFM”) pursuant the Law of 12 July 2013 on alternative investment fund managers (hereinafter referred to as the “Law of 2013”), we are subject to various legal obligations, meaning statutory requirements (e.g. fund and company laws and regulations, laws and regulations on the financial sector; laws relating to fight against money laundering and terrorist financing, remuneration rules). Purposes of processing include inter alia assessment of various risks, identity checks (know-your-customer), anti-fraud and anti-money laundering and financing terrorism prevention and detection, fulfilling control and reporting obligations under fiscal laws, regulatory reporting (e.g. FATCA and CRS reporting).

- c. if processing of Personal Data is necessary **for the purposes of the legitimate interests pursued by CSFM, as the data controller, or a third party:**

We process Personal Data beyond the actual performance of the contract or legal obligations, for the purposes of the legitimate interests pursued by CSFM or a third party. For example, improving products and services, asserting legal claims and defense in legal disputes, guarantee of Credit Suisse security and operation, prevention and detection of frauds, risk management and reporting, compliance, internal supervision and internal audit, marketing of our products and services (to the extent it does not involve profiling). Whenever we intend to rely on legitimate interest as the legal basis for the processing of Personal Data, we will give due consideration to the Client’s/Service Provider’s and any Affected Person’s rights and freedoms.

- d. if processing of Personal Data is **based on your consent:**

If we have been granted consent to process Personal Data relating to you as Client, Service Provider or Affected Person for certain purposes (e.g. for marketing of our products and/or services that involves profiling), the related processing of Data is based on your consent as data subject. Consent given can be withdrawn at any time. Withdrawal of consent does not affect the legality of Data processed prior to withdrawal.

## 4. Who receives the personal data?

Within CSFM, every department or unit that requires Personal Data relating to the Client, the Service Provider and any Affected Person (as the case may be) in order for CSFM to achieve the purposes described in section 3 will have access to them.

The data recipients outside CSFM are hereinafter referred to as “**Data Recipients**”. More details about Data Recipients outside CSFM are outlined in the **Appendix “Data Recipients”**.

## 5. Will data be transferred to a third country?

CSFM may transfer Personal Data to Data Recipients located in third countries (countries outside the European Economic Area). Such transfer takes place so long as:

- A country has been recognized by the EU Commission as guaranteeing adequate level of data protection (in particular, Switzerland), or
- Appropriate safeguards have been implemented (e.g. entry into standard data protection clauses as adopted or approved by the EU Commission with the Data Recipient), or

- It is necessary for the performance of a contract between you and CSFM or implementation of the pre-contractual measures taken at your request or it is necessary for the performance of a contract concluded in your interest with CSFM even if the recipient country has not been recognized by the EU Commission as guaranteeing adequate level of data protection, or
- The Client has granted us an explicit consent, even if the recipient country has not been recognized by the EU Commission as guaranteeing adequate level of data protection.

## 6. For how long will my data be stored?

We will process Personal Data relating to the Client, the Service Provider and any Affected Person (as the case may be) for as long as is necessary for the purposes described in section 3.

If the Data is no longer required in order to fulfill contractual or statutory obligations, it is deleted, unless its further processing is required – for a limited time – for the following purposes:

- Fulfilling obligations to preserve records according to commercial and tax laws as well as financial sector laws and regulations. This includes in particular Luxembourg Commercial Code, as amended. In general, for this purpose we keep Personal Data relating to the Client, the Service Provider and any Affected Person (as the case may be) for a maximum period of 10 years upon termination of the business relationship;
- As a fund manager and being part of a worldwide bank, we can face legal holds<sup>2</sup>, which might require us to keep records for a longer period of time.

## 7. What data privacy rights do I have?

Every data subject has the right to access, the right to rectification, the right to erasure, the right to restrict processing, the right of object and if applicable – the right to data portability. Furthermore, there is also a right to lodge a complaint with an appropriate Data protection supervisory authority<sup>3</sup>.

### Information on Your Right of Objection

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#### 1. Right to Object to Data Processing for Direct Marketing Purposes

In individual cases, we process your Personal Data in order to conduct direct marketing. You have the right to object to the processing of your Personal Data for the purpose of this type of marketing at any time. This also applies to profiling, insofar as it is in direct connection with such direct marketing.

If you object to processing for the purpose of direct marketing, we will no longer process your Personal Data for this purpose.

#### 2. Individual Right of Objection

You shall have the right of objection, at any time, to processing of your Personal Data that is necessary for the purposes of the legitimate interests pursued by the data controller or by a third party. This also applies to profiling.

If you submit an objection, we will no longer process your Personal Data unless we can give evidence of mandatory, legitimate reasons for processing, which outweigh your interests, rights, and freedoms, or processing serves the enforcement, exercise, or defense of legal claims. Please note, that in such cases we might not be able to provide services and/or maintain a business relationship with you anymore.

<sup>2</sup> A legal hold is a process that an organization uses to preserve all forms of relevant information in case of pending or anticipated litigation, investigation and other legal proceedings.

<sup>3</sup> Luxembourg data protection authority: *the Commission Nationale pour la protection des données (CNPD)* (<https://cnpd.public.lu>).

## 8. Am I obliged to provide personal data?

In the context of our business relationship, you must provide all Personal Data that is required for accepting and maintaining the business relationship and for fulfilling the accompanying contractual obligations or that we are legally obliged to collect. Without this Data, we are, in principle, not in a position to execute a contract with you or to enter into or continue the business relationship you desire.

# Appendix – Data Recipients

## 1. **Introductory note**

The purpose of this document is to provide an overview of the disclosure of Personal Data relating to the Client, the Service Provider and any Affected Person (as the case may be) to recipients outside CSFM in Luxembourg or abroad (“**Data Recipients**”). This Appendix forms an integral part of the **Data Protection Information** issued by CSFM and may be updated from time to time.

Data Recipients may be qualified third parties intervening in the servicing of CSFM’s Clients (e.g. the Depository, paying agent, local representative) or appointed by CSFM as delegates (the “**Delegates**”), including fund administrators, transfer agents, registrars, distributors, portfolio managers, investment advisors (together the “**Third Party Service Providers**”).

## 2. **Data Recipients outside CSFM**

### 2.1 **Within Credit Suisse Group**

The Data Protection Information provided by CSFM includes information as to the purposes for which CSFM may process Personal Data relating to the Client, the Service Provider and any Affected Person. For the same or related purposes, in the context of the outsourcing of certain services and to ensure an efficient servicing of your needs, CSFM may disclose your Personal Data to Third Party Service Providers, which are Credit Suisse Group entities and which may support CSFM in the course of the Services. This also applies in the course of certain processing activities which are operated on the information technology (IT) platform of the Credit Suisse Group or which involve a monitoring of risks on a consolidated basis (e.g. compliance, anti-money laundering, internal supervision, reporting, governance and audit) or which are undertaken for other operational efficiency purposes (e.g. client relationship management tool, marketing activities).

### 2.2 **External recipients (Data Recipients outside the Credit Suisse Group)**

2.2.1. Third Party Service Providers are not necessarily part of the Credit Suisse Group and may be used by CSFM in the course of the Services, e.g. physical documents lifecycle management, payroll and expense management, production and preparation of reporting, IT hosting services, identification and risk assessment for AML/KYC services or other service providers involved in the fund’s management, administration and marketing (e.g. for valuation services, real estate services for the funds) as well as for ancillary support services for operational efficiency purposes. Third Party Service Providers are selected by CSFM with due care and are subject to a proper due diligence, ongoing monitoring and confidentiality obligations.

2.2.2. CSFM may also transfer Personal Data relating to the Client, the Service Provider and any Affected Person (as the case may be) to their own respective delegates, agents and service providers as well as to any other person(s) involved by the Client, the Service Provider and any Affected Person in their activities when such transfer is needed for the purposes of the Services performed by CSFM for the Client, the Service Provider and any Affected Person.

2.2.3. Under certain circumstances, CSFM may be obliged to disclose Personal Data to public institutions and/or market authorities in Luxembourg or abroad (e.g. bank and/or financial sector supervisory authorities and tax authorities, criminal prosecution authorities). The Data Recipients may be further required to disclose Personal Data to authorities or other third parties in accordance with applicable law or regulations

2.2.4. Under certain circumstances, CSFM may also disclose Personal Data to insurance companies, background screening service providers, building security and CCTV service providers, tax advisors and accountants, external legal counsels, public notaries, business consultants and other professional advisors, external auditors and technology providers.



**3.**

**Other recipients of Personal Data**

Other recipients of Personal Data can be any person(s) for which you have released us from any confidentiality obligation, as applicable, or any person(s) as communicated to you from time to time.

# Additional Data Protection Information Relating to the Branch of CREDIT SUISSE FUND MANAGEMENT S.A

## Preamble

The Data Protection Information issued by CSFM including the Appendix "Data Recipients" ("Data Protection Information") applies accordingly, with the deviations referred to below, to Personal Data processing operations relating to the Clients, Service Providers and other Affected Persons, as the case may be, conducted in the context of a business relationship between those persons and

Credit Suisse Fund Management S.A., Netherlands Branch  
Honthorststraat 19  
1071 DC Amsterdam  
The Netherlands  
hereinafter referred to as "the Netherlands Branch" or the "Branch" (of CSFM).

The variations set herein are as follows:

1. In the context of the marketing activities of the Branch and the branch client relationship, on the basis of the established service provisioning model whereby services are provided by CSFM through the Netherlands Branch, CSFM will act as data controller in relation to the Client's or any Affected Person's (as the case may be) Personal Data processed in the context of the marketing activities and the client relationship, including without limitation clients acceptance.
2. This additional information forms an integral part of the Data Protection Information.
3. All references to "legal" or "statutory" obligations included in the Data Protection Information and Appendix "Data Recipients" shall be deemed to include all legal, regulatory and/or statutory obligations to which the Branch is subject under the laws or regulations in the Netherlands.

## Additional information

The Branch will transfer, disclose or share Personal Data relating to the branch client relationship, the Clients, the Service Providers and any Affected Persons to/with CSFM on a need-to-know basis. For details regarding Data Recipients outside CSFM and the Branch, please see the Appendix "List of Data Recipients".

Personal Data will be processed by the Branch for as long as it necessary for the purposes described in section 3 of the Data Protection Information. In addition to the obligation to preserve records CSFM is subject to (as described in section 6 of the Data Protection Information), the Branch may be subject to the Data retention requirements applicable in the Netherlands, and the Branch need to comply with obligations to preserve records according to local civil, commercial and tax laws, as well as financial sector laws and regulations, the Dutch Civil Code and the State Taxes Act. In general, the Netherlands Branch keeps Client, Service Providers and Affected Person's Personal Data for a time period of maximum 7 years upon termination of the business relationship, or from the moment the underlying agreement has lost its actual value. Other deviating minimum and maximum retention periods can apply. The fact that legal holds can be faced which might trigger a requirement to keep records for a longer period of time, as explained in section 6 of the Data Protection Information, may also apply to the Branch as well.

In order to exercise the data subjects rights described in section 7 of the Data Protection Information, You may reach out to contact persons listed in the Data Protection Information.

In addition, You have a right to lodge a complaint with the Data Protection Authority in the Netherlands – the Autoriteit Persoonsgegevens, <https://www.autoriteitpersoonsgegevens.nl>.

## Important Information

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