

## **ARCHE ASSOCIES SA PERSONAL DATA PROTECTION**

Arche Associes SA respects your privacy and attaches great importance to the protection of your personal data.

This notice aims to gather in one document the rules and principles adopted by AWM concerning your personal data and stemming from our Security Policy (SP), our Information System Security Policy (ISSP), our IT Charter, as well as the principles of good governance applied in terms of compliance and conformity within our company.

Beyond our acknowledged discretion, we actually apply a policy aimed at protecting your personal data (hereinafter "Personal Data") in accordance with the regulations applicable within the European Union and in particular Regulation (EU) 2016/679 (the "General Data Protection Regulation").

The purpose of this notice is to inform you about the way we process your Personal Data, in our capacity as data controller.

### **1. Categories of Personal Data processed by Arche Associes SA**

We collect and use your Personal Data in order to offer you a quality service tailored to your needs, and always in relation to the mission you have entrusted to us.

Depending on the type of contract, we may collect different types of Personal Data about you and in particular the following categories:

- Identification and contact information (e.g. name, first name, place and date of birth, photo, identity card and passport, driving licence, nationality, postal and e-mail address, telephone number, fax number, gender, age or signature);
- Family situation (e.g. marital status, marital regime, number of children, special legal regime applicable, identity of your ascendants and descendants, number of persons attached to your household, number and age of children);

- Economic, financial and tax information (e.g. tax number, tax status, country of residence, income and other resources, bank details, card number, transaction data including information on transfers, investor profile, value of your assets, credit in place, etc.);
- Your investment profile: we are legally obliged to determine your risk profile as an investor before offering you our management contract or advice. To this end, we assess your objectives, the duration of your investments, your financial situation, your capacity to bear losses, your propensity to take risks and your knowledge and experience in financial matters.
- Training and employment information (e.g. level of education, employment, name of employer, remuneration); and
- Video (e.g. CCTV images, for security purposes), we record telephone conversations.
- Data resulting from our interactions with you;
- Data required to combat money laundering and the financing of terrorism.

Unless required by law, we never process Personal Data relating to your racial or ethnic origin, political opinions, religion, philosophical beliefs or trade union membership, genetic data, or concerning your sex life or sexual orientation

## 2. Sources of the Personal Data we hold

Most of the Personal Data we hold and use is collected directly from you.

In some cases, we may collect Personal Data about you through third parties. This may be the case, for example, when information about you and your contact details is provided to us by one of our customers or partners if you are, for example:

- Legal representatives, corporate officers and authorized persons of a legal entity, prospects, guarantors, agents;
- Beneficial owners and shareholders of a legal entity;
- Beneficiaries of life insurance;
- Principals or beneficiaries in transactions initiated or not initiated by you; or
- Employees of our partners.

Additional information, obtained for legal verification purposes or to enrich our information base may come from the following sources:

- Publications/databases made accessible by official authorities (Official Journal) ;
- Partner companies (customers or suppliers);
- Third parties such as anti-fraud organisations, in compliance with data protection regulations;
- Websites/social media pages containing information that you have made public; and
- Databases made public by third parties.

### 3. Security measures

Personal Data are stored either in digital or paper format.

The following measures have been put in place to ensure the security of your Personal Data:

- The paper media are kept in private safes and only authorised persons have access to these safes. These safes are located in offices where access is secured by badges.
- Data stored on digital media is stored in specific locations on the network. Depending on the sensitivity of the information, restricted access locations have been defined and reserved for only those persons authorized to access the data. The disks are in Tier 4 (highly secure) data centres, and a series of measures are taken to protect both physical and logical access.

### 4. Why and on what basis do we use your Personal Data?

#### ❖ For the establishment and execution of contracts between us

We use your Personal Data to conclude and execute our contracts and in particular:

- To help you through the different processes;
- Within the framework of customer relationship management in particular:
  - execution of products and services;
  - evaluation of your needs and knowledge, for example in terms of financial investments, knowledge, or securities;
  - wealth management;

#### ❖ To respect the law and enforce regulations

We use your Personal Data in order to comply with the various legal and regulatory obligations imposed on us, such as:

- The keeping of our accounts;
- The fight against money laundering and the financing of terrorism;
- Monitoring compliance with international sanctions and embargoes;
- The fight against tax fraud and compliance with tax control and reporting obligations;
- Monitoring and reporting of risks to which we may be exposed;
- Responding to official requests from duly authorised public or judicial authorities.

#### ❖ To serve our legitimate interests

We use your Personal Data to implement and develop our products or services, optimise our risk management and defend our interests in court, including for the purposes of:

- Providing you with information about our products and services of a similar nature;
- Fraud prevention;
- Proof of transactions or operations;
- IT management, including infrastructure management (e.g. trading platforms) and business continuity, including personal security;
- Recording of telephone calls;
- Where applicable, in the context of a reorganisation, transfer, disposal, merger or acquisition of business at the level of Arche Associes and/or the group of companies to which Arche Associes belongs.

#### ❖ To respect your choice, we ask for your consent for certain specific treatments

Consent is required to process your data, for example:

- In order to provide you with information about our products and services;
- if we process your data for purposes other than those described in part 4 of this document, we will inform you and, if necessary, seek your consent.

In such a case, you have the right to withdraw your consent at any time, without this affecting the legality of the processing based on the consent prior to withdrawal. We will cease processing any Personal Data for the purposes for which consent has been withdrawn.

#### 5. No automated individual decision making or profiling

No individual decisions are made automatically, nor are they based on profiling.

#### 6. With whom do we share your personal data?

Your Personal Data is shared only for the purpose of fulfilling our mission or as required by law, so we only share your Personal Data with the following individuals and entities:

- Our employees or those of the Arche Group. Our company and the Arche Group may exchange data in order to ensure optimal management of its services, to maximise synergies and in particular in the context of risk assessment and customer acceptance, to gain a global view of its customers or in the context of the fight against fraud and money laundering.

- Independent agents, intermediaries acting on your behalf if necessary
- Service providers and subcontractors performing services on our behalf, within the limit strictly necessary for the performance of the services concerned by this subcontracting;
- Banking partners, other financial and commercial institutions;
- Financial authorities, judicial authorities or national regulators, state agencies, public bodies upon request and to the extent permitted by regulation;
- Certain regulated professions such as lawyers, notaries, auditors; and
- The parties involved in a reorganization, transfer, assignment, merger or acquisition of a business at the level of Arche Associes and/or the group of companies to which Arche Associes belongs.

**We do not sell or rent your Personal Data to third parties for financial consideration.**

## **7. Do we transfer Personal Data outside the European Union?**

Where necessary for the purposes listed above, we may transfer Personal Data to entities or organisations inside and outside the European Economic Area (EEA).

This concerns in particular:

- The National Bank of Canada located in Canada when it is chosen as custodian bank (The European Commission has recognised the adequacy of Canada's level of protection for processing subject to the Canadian Personal Information Protection and Electronic Documentation Act), or any other custodian bank of your choice which may, if necessary, be located outside the EEA;
- Any other entity or organisation referred to in Part 6 hereof that is located in a country or territory outside the EEA.

In the absence of an adequacy decision issued by the European Commission, such transfers will be based on appropriate safeguards such as standard contractual clauses adopted by the European Commission for transfers between two controllers (Commission Decision of 15 June 2001 (2001/497/EC); Commission Decision of 24 December 2004 (2004/915/EC) amending Decision 2001/497/EC), or between a controller and a processor (Commission Decision of 5 February 2010 (2010/87/EU)). You can obtain a copy of these appropriate safeguards by sending us a request in accordance with Part 10 below.

## **8. Do I have an obligation to provide Personal Data?**

The Personal Data necessary for the execution of the contract with the Investor and which are necessary for the Company to comply with its legal obligations are mandatory information.

Without the provision of such Personal Data, the conclusion or further performance of the contract with the Investor may not be possible.

## **9. How long do we keep your Personal Data?**

Your Personal Data will be kept for as long as necessary to fulfil the specific purposes for which it was collected, subject to the maximum amount required by law to meet our legal obligations.

Customer Personal Data is normally retained for a period of 10 years after the termination of the contractual relationship. Prospects' Personal Data are kept for a period of 2 years after the last contact.

Under certain circumstances, Personal Data may need to be retained for a longer period (e.g. in the context of litigation).

## **10. What are your rights and how can you exercise them?**

In accordance with the applicable regulations, you have the following rights:

- Right of access: you can obtain information on the processing of your Personal Data, and a copy of them.
- Right of rectification: if you consider that your Personal Data is inaccurate or incorrect, you may request that it be corrected and amended accordingly. In order to keep your Personal Data perfectly up to date, please inform us of any changes (moving house, renewal of identity card, etc.).
- Right to be forgotten: you may request the deletion of your Personal Data within the limits of legal obligations.
- Right to limit processing: you may request the limitation of the processing of your Personal Data.
- Right to object: you may object to the processing of your Personal Data on grounds relating to your particular situation. You have the absolute right to object to the processing of your Personal Data for commercial prospecting purposes.
- Right to the portability of your Personal Data, when this right is applicable, you have the right to retrieve the Personal Data that you have provided us with or, where technically possible, to transfer it to a third party.

- Right to set guidelines for the storage, deletion or disclosure of your Personal Data, applicable after your death.
- Right to withdraw your consent: if you have given your consent to the processing of your Personal Data, you have the right to withdraw your consent at any time.

**You may exercise the rights listed above by writing to :**

Data protection  
Arche Associates SA  
37 A, avenue J.F. Kennedy  
L-1855 Luxembourg

Or by sending an email to:

[Arche-DPO@arche-associates.com](mailto:Arche-DPO@arche-associates.com)

Please include a photocopy/scan of your ID so that we can have proof of your identity.

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In accordance with applicable regulations, in the event that you are not satisfied with the way we process your Personal Data, you can also address a complaint to the Luxembourg Data Protection Authority, the National Commission for Data Protection (CNPD) or any other appropriate authority.

## **11. How can you follow the changes applied to this Privacy Notice?**

In a context of constant technological evolution, we may have to modify this notice, and we invite you to check the latest version online.