

# PRIVACY NOTICE

## Introduction

Your privacy is very important to us. This notice (this “**Privacy Notice**”) is provided by Falcon Money Management LLP (the “**Sub-Investment Adviser**”) and Falcon Money Management Limited (the “**Investment Manager**”, and collectively with the Sub-Investment Manager and their respective affiliates, the “**Manager Group**”) and Falcon Money Management Funds, Ltd. (the “**Cayman Fund**) and Falcon Money Management Funds RAIF-SICAV (the “**Luxembourg Fund**”), and together with the Cayman Fund, the “**Funds**” and each, a “**Fund**”, and together with the Manager Group, “**we**” or “**us**”), and sets forth the policies of the Manager Group and the Funds for the collection, use, storage, sharing, disclosure (collectively, “**processing**”) and protection of personal data relating to current, prospective and former investors in the Cayman Fund and/or the Luxembourg Fund, as applicable.

This Privacy Notice is being provided in accordance with the requirements of data privacy laws, including the EU General Data Protection Regulation 2016/679 (“**GDPR**”), the UK General Data Protection Regulation (“**UK GDPR**”) tailored by the Data Protection Act 2018 (GDPR and UK GDPR are together referred to as “**GDPR**” in this Notice), the US Gramm-Leach-Bliley Act of 1999, as amended, or any other law relating to privacy or the processing of personal data and any statutory instrument, order, rule or regulation implemented thereunder, each as applicable to the Manager Group and the Funds (collectively, “**Data Protection Law**”).

References to “**you**” or an “**investor**” in this Privacy Notice mean any investor who is an individual, or any individual connected with an investor who is a legal person (each such individual, a “**data subject**”), as applicable.

Capitalised terms used herein but not defined herein shall have the meanings assigned to them in the confidential offering memorandum of the Cayman Fund and the offering document of the Luxembourg Fund, as each may be supplemented, updated or modified from time to time (collectively, the “**Memorandum**”).

## What data privacy principles does the Firm (“**Falcon Money Management**”) adhere to?

- The Firm will process all personal data in a lawful, fair and transparent manner;
- The Firm will only collect personal data where it is necessary;
  - For the Firm to provide a service to you;
  - For you to provide a service to the Firm;
  - For the Firm to keep you informed of its products and services; or
  - For the Firm to comply with its legal and regulatory obligations.
- The personal data collected by the Firm will be adequate, relevant and limited to what is necessary in relation to the specific purpose for which your data will be processed;
- The Firm will take all reasonable steps to ensure that personal data is accurate and, where necessary, kept up-to-date;
- The Firm will maintain personal data in a form that permits identification no longer than is necessary for the purposes for which the personal data has been collected for processing, in accordance with the Firm’s record retention requirements as mandated by the Financial Conduct Authority;
- The Firm will hold and process personal data in a manner that ensures appropriate security;
- The Firm will only share personal data where it is necessary to provide the agreed service or where it is necessary for the Firm to comply with its legal and regulatory requirements.
- The Firm will only utilise a service provider based outside of the UK for the processing of personal data where this is strictly necessary to facilitate our services to you. In all cases, we will ensure service providers are fully compliant with GDPR, or deemed equivalent, ahead of transferring any personal data.

## **The types of personal data we may collect and use**

As a client, contact or employee of the Firm, we will require some personal information in order to verify your identity and have the applicable relationship with you. Some of this information may be required to satisfy legal obligations (e.g. to comply with obligations arising under the money laundering regulations whereas other information may be required in connection with the provision of services to you).

The categories of personal data we may collect include names, residential addresses or other contact details, signature, nationality, tax identification number, date of birth, place of birth, photographs, copies of identification documents, bank account details, information about assets or net worth, credit history, source of funds details or other sensitive information, such as certain special categories of data contained in the relevant materials or documents of the investors in the Funds, their ultimate beneficial owner, managers, agents, authorised representatives, or designated contact persons, directors or employees

## **How we collect personal data**

We may collect personal data about you through: (i) information provided directly to us by you, or another person on your behalf; (ii) information that we obtain in relation to any transactions between you and us; and (iii) recording and monitoring of telephone conversations and electronic communications with you as described below.

We also may receive your personal information from third parties or other sources, such as our affiliates, the Fund Administrator, intermediaries subscribing in the Funds on your behalf, publicly accessible databases or registers, tax authorities, governmental agencies and supervisory authorities, credit agencies, fraud prevention and detection agencies, or other publicly accessible sources, such as the Internet.

## **Where does the Firm store my personal data?**

The Firm has comprehensive policies and procedures in place to ensure your personal data is kept safe and secure, with these including data encryption, firewalls, intrusion detection, 24/7 physical protection of the facilities where your data is stored (i.e. Microsoft's UK data centres), background checks for personnel that access physical facilities and security procedures across all service operations.

## **Using your personal data: the legal basis and purposes**

We may process your personal data for the purposes of administering the relationship between you and us (including communications and reporting), direct marketing of our products and services, monitoring and analysing our activities, and complying with applicable legal or regulatory requirements (including anti-money laundering, fraud prevention, tax reporting, sanctions compliance, or responding to requests for information from supervisory authorities with competent jurisdiction over our business).

Your personal data will be processed in accordance with Data Protection Law and may be processed with your consent, upon your instruction, or for any of the purposes set out herein, including where we or a third-party consider there to be any other lawful purpose to do so.

Where personal data is required to satisfy a statutory obligation (including compliance with applicable anti-money laundering or sanctions requirements) or a contractual requirement, failure to provide such information may result in your subscription in the applicable Fund being rejected or compulsorily redeemed. Where there is suspicion of unlawful activity, failure to provide personal data may result in the submission of a report to the relevant law enforcement agency or supervisory authority.

## **How we may share your personal data**

We may disclose information about you to our affiliates or third parties, including the relevant Fund's administrator, brokers, custodians, executing brokers and trading counterparties, for our everyday business purposes, such as to facilitate transactions, maintain your account(s) or respond to court orders and legal investigations. It may also be necessary, under anti-money laundering and similar laws, to disclose information about each Fund's investors in order to accept subscriptions from them or to facilitate the establishment of trading relationships for the relevant Fund with executing brokers or other trading counterparties. We will also release information about you if you direct us to do so.

We may share your information with our affiliates for direct marketing purposes, such as offers of products and services to you by us or our affiliates. You may prevent this type of sharing by contacting us at [info@falconmm.com](mailto:info@falconmm.com). If you are a *new* investor, we can begin sharing your information with our affiliates for direct marketing purposes 30 days from the date we sent this Privacy Notice. When you are *no longer* our investor, we may continue to share your information with our affiliates for such purposes. We may also disclose information about your transactions and experiences with us to our affiliates for their everyday business purposes.

We may disclose information you provide to us to companies that perform marketing services on our behalf, such as any placement agent retained by a Fund.

## **Monitoring of communications**

We may record and monitor telephone conversations and electronic communications with you for the purposes of: (i) ascertaining the details of instructions given, the terms on which any transaction was executed or any other relevant circumstances; (ii) ensuring compliance with our regulatory obligations; and/or (iii) detecting and preventing the commission of financial crime.

## **Retention periods and security measures**

We will not retain personal data for longer than is necessary in relation to the purpose for which it is collected, subject to Data Protection Law. Personal data will be retained for the duration of your investment in the Cayman Fund or the Luxembourg Fund, as applicable, and for a minimum period of five to ten years after a redemption of an investment from the Cayman Fund or the Luxembourg Fund, as applicable, or liquidation of a Fund. We may retain personal data for a longer period for the purpose of marketing our products and services or compliance with applicable law. From time to time, we will review the purpose for which personal data has been collected and decide whether to retain it or to delete if it no longer serves any purpose to us.

To protect your personal information from unauthorised access and use, we apply organisational and technical security measures in accordance with Data Protection Law. These measures include computer safeguards and secured files and buildings. We will notify you of any material personal data breaches affecting you in accordance with the requirements of Data Protection Law.

## **International transfers**

Because of the international nature of a fund management business, personal data may be transferred to countries outside the UK and EEA ("Third Countries"), such as to jurisdictions where we conduct business or have a service provider, including countries that may not have the same level of data protection as that afforded by the Data Protection Law. In such cases, as appropriate, we will seek to implement measures to ensure an adequate level of protection for your personal data; we will process personal data (or procure that it be processed) in the Third Countries in accordance with the requirements of the Data Protection Law, which may include having appropriate contractual undertakings in legal agreements with service providers who process personal data on our behalf in such Third Countries.

## **Your rights under Data Protection Law**

You have certain rights under GDPR in relation to our processing of your personal data and these are, generally: (i) the right to request access to your personal data; (ii) the right to request rectification of your personal data; (iii) the right to request erasure of your personal data (the “right to be forgotten”); (iv) the right to restrict our processing or use of personal data; (v) the right to object to our processing or use where we have considered this to be necessary for our legitimate interests (such as in the case of direct marketing activities); (vi) where relevant, the right to request the portability; (vii) where your consent to processing has been obtained, the right to withdraw your consent at any time; and (viii) the right to lodge a complaint with a supervisory authority. You should note that your right to be forgotten that applies in certain circumstances under GDPR is not likely to be available in respect of the personal data we hold, given the purpose for which we collect such data, as described above.

You may contact us at any time to limit our sharing of your personal information. If you limit sharing for an account you hold jointly with someone else, your choices will apply to everyone on your account. US state laws may give you additional rights to limit sharing.

### **Complaining to supervisory authorities**

A complaint in respect of the Luxembourg Fund may be lodged with the [Commission Nationale pour la Protection des Données](#) (National Commission for Data Protection) in Luxembourg.

A complaint in respect of the Investment Manager may be made the [Office of the Data Protection Commissioner](#) in Malta.

A complaint in respect of the Sub-Investment Manager may be made to the [Information Commissioner’s Office](#) in the United Kingdom.

### **Will I be notified of changes to this policy?**

The Firm may, from time to time, review and update this policy. The Firm will maintain the latest version of this policy on its website, and where the changes are deemed material, it will make you are aware of these.

### **Who to contact about this Privacy Notice**

Please contact our Compliance Officer on [info@falconmm.com](mailto:info@falconmm.com) or by writing to the following address – 17 Hanover Square, London, W1S 1BN, United Kingdom - for any questions about this Privacy Notice or requests with regards to the personal data we hold.

For more specific information or requests in relation to the processing of personal data by the relevant Fund’s administrator, brokers, custodian or any other service provider of the relevant Fund you may also contact the relevant service provider directly at the address specified in the relevant Memorandum or by visiting their websites.

Updated: October 2022