

# Privacy Policy

## Momentum Global Funds (the “Company”)

### Introduction

The purpose of this document is to provide you with information on our use of your personal data in accordance with the data protection law applicable to the Grand-Duchy of Luxembourg, including the law of 2 August 2002 as amended by regulation EU 2016/679 of 27 April 2016 on the protection of natural persons relating to the processing and the free movement of personal data (referred to herein as the “Data Protection Laws” and “GDPR” respectively).

We take the privacy of your information seriously and we ask that you read this Policy carefully as it contains important information on:

- » the personal data we collect about you
- » what we do with your information,
- » who your information might be shared with,
- » how long we retain this information, and
- » what your legal rights are regarding your personal information.

This Policy may be amended from time to time to reflect changes in our practices regarding the processing of your personal information, or changes in applicable law.

We reserve the right to amend this Policy at any time without having to obtain your prior consent to such changes. This Policy will contain a record of the last amendment date. We urge you to read this Policy carefully, and to review it for any changes we might make from time to time.

In this document, “we”, “us” and “our” refer to the Company and its affiliates and delegates.

### Data Controller Details

Momentum Global Funds (Company Number B161934)

Data Controller Address:

6H route de Trèves,  
L-2633 Senningerberg  
Luxembourg

### Who this affects

If you are an individual investor, this will affect you directly. If you are an institutional investor, investment platform company or financial advisory firm that provides us with personal data on individuals connected to you for any reason in relation to an investment with us, this will be relevant for those individuals and you should transmit this document to such individuals or otherwise advise them of its content.

### Your personal data

By virtue of making an investment in the Company and your associated interactions with us (including the initial application, and including the recording of electronic communications or phone calls where applicable) or by virtue of you otherwise providing us with personal information on individuals connected with you as an investor (for example directors, trustees, employees, representatives, shareholders, investors, clients, beneficial owners or agents), you will provide us with certain personal information which constitutes personal data within the meaning of the Data Protection Laws. We may also obtain personal data on you from other public sources.

This includes information relating to you and/or any individuals connected with you as an investor in the Company namely (this list is not intended to be exhaustive): first name, second and other names, last name, previous name, gender, date of birth, place of birth, nationality, passport number, citizenship, address residence, address correspondence, identity card with photo, proof of address, bank account

data, IBAN and BIC codes, purpose of investment, source of wealth, profession, income, tax identifiers, tax status, tax certificates, power of attorney status, joint holders, related parties, beneficial owners, sanctions status, PEP status, previous contact details and addresses, telephone number, mobile number, email address, salutation, contact preferences, base currency preferences, language preferences, interested parties.

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

The Company, as the data controller, may collect, store and use your personal data for purposes including the following:

- i. maintaining the register of Shareholders,
- ii. processing subscriptions and redemptions of Shares
- iii. account and distribution fee administration,
- iv. performing controls in respect of late trading and market timing practices,
- v. complying with legal obligations such as the performance of the customer due diligence duties under the Luxembourg law of 12 November 2004 against money laundering and terrorism financing, as amended, the anti-money laundering identification,
- vi. the tax identification under applicable regulation such as the Foreign Account Tax Compliance provisions of the U.S. Hiring Incentives to Restore Employment Act enacted in March 2010 and the Luxembourg law of 18 December 2015 on the Common Reporting Standard (vi) providing or procuring the services, amongst others, relating to depositaries,
- vii. to provide you with and /or administer the products and services you request

Should we wish to use your personal data for other specific purposes (including, if applicable, any purpose that requires your consent), we will contact you.

### **Legal bases for using your information**

In addition to where we use your information to satisfy a legal obligation, if you make an enquiry, ask a question or request information on a service or product, or report a problem, we will rely on a lawful basis of processing, such as legitimate interest, performance of a contract, your consent freely given or our compliance with legal obligations, before we use your information.

### **Why we may transfer your personal data**

In the context of the above mentioned purposes, the Company may delegate the processing of the Personal Data, in compliance and within the limits of the applicable laws and regulations, to other third party service providers including, amongst others, entities such as the Management Company, the Investment Manager, the Distributor, the Administrator, the Depositary and Paying Agent, (the "Processors").

Subject to the Company's prior approval, the Processors may be authorised to sub-delegate the processing of the Personal Data to sub-processors ("Sub-Processors"), and the Company may authorise the transfer for such purpose of Personal Data, to parent companies, affiliates, foreign offices, Processors, Sub-Processors, or third party agents (the "Delegates"), which may or not be located in the European Economic Area.

It should be noted that the Company and its Processors and Sub-Processors may, subject to applicable data protection laws, disclose Personal Data to a regulatory, fiscal or judicial authority as required under local applicable laws and regulations.

### **Use of Platforms/Intermediaries**

The Company will only process your data in the way described if you have an investment directly recorded in the Company's shareholder register. If you invest in the Company via a platform or intermediary, then the Company will not hold your personal data. In this circumstance the platform or intermediary will be the Controller in relation to your data.

## The data protection measures we take

Because of the international nature of the Company's operations, we may need to transfer your Personal Data within the MMI Holdings Limited group of companies and to third parties outside the EU. In these cases we will ensure that such transfers take place in accordance with Data Protection Laws and Regulations.

We have implemented appropriate technical and organisational security measures designed to protect your Personal Data against accidental or unlawful destruction, loss, alteration, unauthorised disclosure, unauthorised access, and other unlawful or unauthorised forms of Processing, in accordance with applicable law.

You are responsible for ensuring that any Personal Data that you send to us is sent securely.

We shall notify you of any personal data breach affecting you that is likely to result in a high risk to your rights and freedoms.

## Your data protection rights

You have certain rights regarding our use of your personal data, examples summarised below:

1. The right to access the personal data that we hold about you.
2. The right to make us correct any inaccurate personal data we hold about you
3. The right to make us erase any personal data we hold about you. This right will only apply where for example:
  - » We no longer need to use the personal data to achieve the purpose we collected it for
  - » You withdraw your consent if we're using your personal data based on that consent
  - » Where you object to the way we use your data, and there is no overriding legitimate interest.
4. The right to restrict our processing of the personal data we hold about you. This right will only apply where for example:
  - » You dispute the accuracy of the personal data we hold
  - » You would like your data erased, but we require to hold it in order to stop its processing
  - » You have the right to require us to erase the personal data but would prefer that our processing is restricted instead
  - » Where we no longer need to use the personal data to achieve the purpose we collected it for, but you need the data for legal claims.
5. The right to object to our processing of personal data we hold about you (including for the purposes of sending marketing materials to you).
6. The right to receive personal data, which you have provided to us, in a structured, commonly used and machine-readable format. You also have the right to make us transfer this personal data to another organisation.
7. The right to withdraw your consent, where we're we are relying on it to use your personal data (for example, to provide you with marketing information about our services or products).

## Keeping your information

We will only keep your personal data for as long as we need to in order to fulfil the purposes for which it was collected, as set out in this Privacy Policy, and for as long as we are required to keep it by law and in order to fulfil our legal obligations and rights.

When determining the relevant retention periods, we will take into account factors including:

- » our contractual and business relationships with you;
- » legal obligations under applicable law to retain data for a certain period of time;
- » statute of limitations under applicable law(s);
- » the likelihood of disputes arising ;
- » guidelines issued by relevant supervisory authorities; and
- » additional internal safeguards/ restrictions we place on accessing your Personal Data.

## Getting in touch

Shareholders may exercise the above rights by letter addressed to the Company's registered office.

Shareholders or other data subjects should also be aware of the existence of the right to lodge a complaint with the National Commission for Data Protection.

1, avenue du Rock'n'Roll  
L-4361 Esch-sur-Alzette  
Luxembourg  
Tel.: (+352) 26 10 60-1  
<https://cnpd.public.lu/en.html>

Issue 1 - 25 May 2018