

Privacy Notice

1. General notes and mandatory information

All terms used within this Privacy Notice shall be understood as defined by the General Data Protection Regulation (**GDPR**). This includes, but is not limited to, terms such as "personal data", "processing", "data subject", "data controller" and "data processor".

Fundcraft ("**we**", "**us**", or "**our**") take the protection of the Personal Data of our users ("**you**" or "**your**" or "**the Data Subject**") very seriously. This Privacy Notice describes :

- the types of information we collect through our website (the "**Website**")
- the types of information we collect while providing services (the "**Services**")

and how we use and protect that information, as well as how and for what purpose we do this.

We treat your Personal Data as confidential and in accordance with the statutory data protection regulations.

If you use this Website are are subject to our Services, certain types of Personal Data might be collected, such as :

- **Personal Data:** This includes information that can be used to identify you, such as your name, email address, phone number, and postal address. We only collect this information when :
 - You use our Website and voluntarily provide it to us, such as when you subscribe to our newsletter, contact us through a form, or submit an application.
 - You are subject to our Services and voluntarily and directly provide it to us, such as when you subscribe for an investment in a Fund, or are onboarded as a client, a counterparty or an investor (non exhaustive list).

It has to be noted that this Privacy Notice applies when we act as Data Controller. In the scenario where we act as Data Processor only, for example when Personal Data are transmitted to us by an intermediary acting on behalf of the Data Subject for the purpose of our Services, the privacy notice of such intermediary applies for the Data Subject.

- **Non-Personal Data:** This includes information that does not identify you personally, such as :
 - For the use of the Website : your browser type, operating system, IP address, and the pages you visit on our Website. We collect this information automatically when you use the Website.
 - For the use of our Services : your commitment, your category of investor.

We take reasonable steps to protect your information from unauthorized access, use, disclosure, alteration, or destruction. However, data transmitted via the internet (e.g., via email communication) may be subject to security breaches. Complete protection of your data from third-party access is not possible.

1.1. Parties responsible

for the Website

The party responsible for processing data on this website is:

fundcraft HoldCo S.à r.l.
12, Rue des Mérovingiens,
L- 8070 Bertrange
Luxembourg

The responsible party is considered as Data Controller, being the natural or legal person alone or jointly with others deciding on the purpose and means of processing Personal Data.

for the Services

The parties responsible for processing data for Services are:

fundcraft Services S.à r.l.
12, Rue des Mérovingiens,
L- 8070 Bertrange
Luxembourg

And when applicable :

fundcraft Management S.à r.l.
12, Rue des Mérovingiens,
L- 8070 Bertrange
Luxembourg

The responsible parties may be considered as Data Controller, or as the case may be Data Processor, as they may be i) the natural or legal person alone or jointly with others deciding on the purpose and means of processing Personal Data and/or ii) the natural or legal person processing data on the instruction of a Data Controller.

1.2. Purpose of the processing of Personal Data

Website

We process your Personal Data as a user of this Website only to the extent necessary to provide a functional website as well as our contents and services. Your Personal Data will only be processed with your consent for the specific purpose unless data processing is permitted by law without prior consent. The purposes of the processing are as follows:

- Provision of our public website <https://fundcraft.lu/>, its functions and content
- Answering contact requests and communication with website visitors
- Marketing (with express written consent - “opt-in”)

Services

We process your Personal Data as a user of our Services only to the extent necessary to provide you with the contractually agreed or regulatory required Services. Your Personal Data will only be processed with your consent for the specific purpose unless data processing is permitted by law without prior consent.

1.3. Legal basis for the processing of Personal Data

The General Data Protection Regulation n. (EU) 2016/679 (the “**GDPR**”) is a European Union regulation on information privacy in the European Union and the European Economic Area.

As per Art. 6 of GDPR, the following legal basis serve for the processing of your Personal Data, as appropriate :

- the data subject has given consent to the processing of his or her Personal Data for one or more specific purposes;
- processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- processing is necessary for compliance with a legal obligation to which the controller is subject;
- processing is necessary in order to protect the vital interests of the data subject or of another natural person;
- processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

- processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of Personal Data, in particular where the data subject is a child.

1.4. Data deletion and storage duration

Your Personal Data will be deleted or blocked as soon as the purpose for which it was stored no longer applies. Storage may also take place if this is required by law or other legal provisions binding us. Blockage or deletion of the data is carried out when a storage period prescribed by the aforementioned legal provisions expires, unless there is a need for further storage of the data for the conclusion or fulfillment of a contract.

1.5. Rules on the provision of the data and consequences of non-provision

The provision of your Personal Data for the use of our Website is not required by law or contract. You are not obliged to provide us with your Personal Data. However, if you do not consent to the processing of your data for certain purposes, e.g., by setting certain cookies, you may not be able to use all functions of this Website.

1.6. Automated decision making

There is no automated decision-making process taking place in connection with your use of the Website or with regard to the Services.

1.7. Your rights as a Data Subject

Revoking your consent to data processing

You have the right to revoke a previously granted consent at any time. For this purpose, an informal notification by email to us is sufficient. The legality of the data processing conducted before the revocation remains unaffected by the revocation.

Right to file complaints with regulatory authorities

You have the right to lodge a complaint with the Office of the Data Protection Commissioner in Luxembourg (<https://cnpd.public.lu/en.html>) or a Supervisory Authority in the EU member state

of your usual residence or place of work or of the place of any alleged breach of data protection legislation.

Right to data portability

You have the right to request that your Personal Data processed by us be delivered to you or to a third party in a common, machine-readable format. If you request the transfer of the data to another party, this will only be carried out to the extent that it is technically feasible.

Information, blocking, deletion

Within the applicable legal provisions, you have the right to obtain information about your stored Personal Data, its origin and recipients, the purpose of the data processing and, if applicable, a right to correct, block or delete this data. For this purpose, as well as for further questions on the subject of Personal Data, contact us by using the contact details given in section 8

Right of objection (Art. 21 GDPR)

You also have the right to object to the processing of your Personal Data under certain conditions. This only applies, if the processing is carried out on the basis of Art. 6 (1e) or (1f), GDPR. Then, we no longer process the Personal Data unless we can prove compelling reasons for processing worthy of protection that outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

In order to exercise this right of objection, you may also contact us, via the contact options mentioned under 8., by informing us of your intention and providing your email address.

2. Data protection person appointed responsible

We have a dedicated person appointed in a function and role similar to the one of a data protection officer, who oversees compliance with GDPR. You have the right to make a complaint at any time. If you wish to make use of this right or you have any questions about this Privacy Notice or how we process your Personal Data, please contact us at dataprotection@fundcraft.lu.

3. Data Processing

3.1. Contact form

If you send us inquiries via our contact form, your details from the form, including the contact data you provide there, will be stored by us for the purpose of processing the inquiry and in the event of follow-up questions. We will not disclose this data without your consent.

The processing of the data entered in the contact form is exclusively based on your consent (Art. 6 (1a) GDPR). You can revoke this consent at any time via informal notification by email.

The legality of the data processing operations carried out up to the time of revocation remains unaffected by the revocation.

The data you enter in the contact form will remain with us until you request us to delete it, revoke your consent for storage, or the purpose for which the data was stored no longer applies (e.g., after your request has been processed). Mandatory legal provisions – in particular in relation to retention periods – remain unaffected.

3.2. Personio

Certain Personal Data of third parties will be collected as part of their job application process.

Personio SE & Co. KG, Seidlstraße 3, 80335 Munich, Germany (HRA 115934), is a human resource and applicant management software solution (<https://www.personio.com/legal-notice/>). We collect Personal Data with Personio as part of our application process.

If you apply for a position at fundcraft electronically, i.e. via e-mail or using our online form, we will collect and process your Personal Data for the purpose of the application process and preparation of contracts.

By submitting an application via our website, you are expressing your interest in potential employment opportunities with us. In this context, you transmit Personal Data, which we will use and store exclusively for the purpose of your job search / application process.

In particular, the following data is collected during this process:

- name (first and last names)
- e-mail address
- phone number
- LinkedIn profile (optional) together with all information disclosed there
- channel through which you found us

Furthermore, you can choose to upload documents such as a cover letter, your CV and reference letters. These may contain additional Personal Data such as date of birth, address, etc.

Only authorized HR staff and/or staff involved in the application process have access to the data collected during this process.

The Personal Data is stored, as a rule, exclusively for the purpose of filling the vacancy for which you have applied.

Your data will be stored for a period of 30 days after the application process has been concluded. This is usually done to fulfill legal requirements and/or defending ourselves against any claims arising from legal provisions. After this period, we are obliged to delete or anonymize your data. In case of anonymization, the data will only be available to us in the form of so-called metadata, without any direct personal reference, for statistical analysis (e.g. gender distribution among applicants, number of applications received within specified period of time etc.).

Should you be offered and accept a position with us during the application process, we will store the Personal Data collected as part of the application process for at least the duration of your employment.

Disclosure of data to third parties

Data transmitted as part of your application will be transferred using TLS encryption and stored in a database. This database is operated by Personio GmbH. In this context, Personio is our Data Processor under article 28 of the GDPR. In this case, the processing is based on an agreement for the processing of orders between us as Data Controller and Personio GmbH.

3.3. Cookies

Cookies are small text files stored on your computer and saved by your browser. Cookies do not harm your computer and do not contain any viruses. Cookies can help make websites more user-friendly, efficient, and secure.

Most of the cookies we use are so-called “session cookies”. They are automatically deleted after your visit. Other cookies remain in your device’s memory until you delete them. These cookies make it possible to recognize your browser when you next visit the website.

3.4. Direct contact

Direct contacts are contacts made by the Data Subject without intermediary via a communication channel such as phone, physical mail or email.

When you contact us via mail, we gather the information provided in your correspondence. Similarly, when you send us an email, we collect the data contained within the email body and any attachments. If you call us, we may record the call or take notes to capture the details of

your inquiry or request. This information is used to respond to your queries, provide customer support, and improve our Services. We ensure that all data collected through these methods is handled securely and in accordance with GDPR.

4. Server log files

We automatically collect and store information in so-called server log files, automatically transmitted to us by your browser. These are:

- Browser type, browser version and the name of your access provider
- Operating system used
- Referrer URL, name and URL of the retrieved file
- Hostname of the accessing computer
- Date and time of the server request
- IP address

This data will not be combined with data from other sources. The basis for data processing is Article 6 (1f) GDPR, allowing the processing of data to fulfill a contract or for measures preliminary to a contract.

4.1. SSL or TLS encryption

Our website uses SSL or TLS encryption for security reasons and for the protection of the transmission of confidential content, such as the inquiries you send to us as the site operator. You can recognize an encrypted connection in your browser's address line when the address starts with "https://" and the lock icon is displayed in your browser's address bar. If SSL or TLS encryption is activated, the data you transfer to us cannot be read by third parties.

5. Analytics

5.1. Google Analytics

This website uses Google Analytics, a web analytics service provided by Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA.

Google Analytics uses Cookies (as defined above). The information generated from Cookies about your usage of our website is transmitted to a Google server in the USA and stored there. Storing of Google Analytics cookies happens after explicit consent with our cookie notice, when visiting our website, based on von Art. 6 (1a) GDPR.

IP anonymization

We have activated the IP anonymization feature on this website. Your IP address will be shortened by Google within the European Union or other parties to the Agreement on the European Economic Area prior to transmission to the United States. Only in exceptional cases is the full IP address sent to a Google server in the United States and shortened there. Google will use this information on our behalf to evaluate your use of our website, to compile reports on website activity, and to provide other services regarding website activity and internet usage for us. The IP address transmitted by your browser as part of Google Analytics will not be merged with any other data held by Google.

Objection to the data collection

You can prevent the collection of your data by Google Analytics by reopening the cookie settings on our website (bottom left) and deselecting the performance cookies.

For more information about how Google Analytics handles user data, see Google's privacy policy: <https://support.google.com/analytics/answer/6004245?hl=en>

6. Information disclosure

The processing of your Personal Data by all our service providers is carried out on the basis of a data processing agreement in accordance with Art.i 28 GDPR.

7. Data transfer to recipients outside the European Union

If we process data in a third country (i.e., outside the European Union (EU) or the European Economic Area (EEA)) or the processing takes place in the context of the use of third-party services or the disclosure or transfer of data to other persons, entities or companies (e.g. Google), this will only be done in accordance with the requirements of the GDPR.

Subject to your express consent or a contractually or legally required transfer, we process or have the data processed only in third countries with a recognized level of data protection, contractual obligations based on the standard contractual clauses of the EU Commission, in the presence of certifications or the existence of binding internal data protection regulations (Art. 44 to 49 GDPR).

The data collected by the products listed within the scope of this declaration from US providers or their affiliated companies, such as Google, may be stored and processed by them in the USA, among other places. We have no influence on further data processing by the US service providers. For a data transfer to a third country, i.e. a country outside the EU or the EEA, appropriate guarantees for the protection of your Personal Data are generally required. After the European Court of Justice invalidated the Commission's Implementing Decision (EU) 2016/1250 of July 12, 2016, on the adequacy of the protection provided by the EU-US Privacy Shield ("**EU-US Privacy Shield**"), the EU-US Privacy Shield can no longer be used as a guarantee for an adequate level of protection in the USA according to EU standards. Thus, there is currently no level of data protection in the U.S. equivalent to that in the EU within the meaning of Art. 45 GDPR and we are also unable to provide appropriate safeguards under Art. 46 GDPR to compensate for this deficit. Thus, data transfer to the USA is only permissible here with your express consent pursuant to Art. 49 (1a) GDPR, which can be granted by you with the cookie notice by selecting optional categories. Possible risks of this data transfer are that access by state authorities, such as security authorities and/or intelligence services, cannot be ruled out and your data could be processed by them, possibly without you being informed separately and without enforceable rights and effective legal remedies being available to you, for reasons of national security, law enforcement or for other purposes in the public interest of the USA.

Otherwise, we will only share your data with third parties if:

1. you have expressly given your consent to this in accordance with Art. 6 (1a) GDPR,
2. the disclosure according to Art. 6 (1f) GDPR is necessary for the assertion, exercise or defense of legal claims and there is no reason to assume that you have an overriding interest worthy of protection in the non-disclosure of your data,
3. there is a legal obligation for the disclosure according to Art. 6 (1c) GDPR or
4. this is legally permissible and necessary for the processing of contractual relationships with you according to Art. 6 (1b) GDPR. The transfer to tax offices and social security institutions will only take place if there is a legal obligation to do so; the legal basis is Art. 6 (1c) GDPR. The transfer to service providers only takes place on the basis of a proper contract processing agreement in accordance with Art. 28 GDPR.

8. Communication channel

Email: dataprotection@fundcraft.lu

Website: <https://fundcraft.lu/>

9. Changes to this Privacy Notice

We may update this Privacy Notice from time to time. We will post any changes on the Website without systematic notification by email, except when appropriate.

In this regard, users of the site are encouraged to periodically review the privacy notice for any updates or changes.

Last update: July 11, 2024