

Notice of European Union Data Protection terms

– to Customers and Suppliers

October 2023 version

- 1 Identity and contact details
- 2 Categories of Personal Data
- 3 Purpose
- 4 Legal basis
- 5 Transfer of data to third party
- 6 Retention
- 7 Automated decisions
- 8 Rights of the data subject

With this privacy notice (hereinafter the “Notice”), **Clearstream Fund Centre S.A. in Luxembourg** (hereinafter “We”, “CFCL” or “Us”) informs you how We process your personal data.

We are responsible for the personal information we collect from you. This obligation includes Regulation (EU) 2016/679 of 27 April 2016 (“GDPR (General Data Protection Regulation)”) and all other national and supranational laws (collectively “Data Protection Laws”).

We collect process personal data about natural persons, who are employees or any other individual of our customers and suppliers – including your internal and external employees, former employees, your commercial representatives, contact person(s), subscriber(s), agent(s), visitor(s), prospect(s), senior management, board member(s), trustee(s), nominee(s), agent(s), representative(s) and/or beneficial owner(s) related to the customer, underlying investors and registered holders of financial instruments or any other individual concerned (hereafter “Data Subject(s)”).

This data protection notice provides information about what information we collect, how and why we process it, and with whom we share it. This notice applies to all aforementioned natural persons, regardless their place of residence and the type of service or product, offered by Us.

We collect and process certain information about you in order to conclude and execute contract(s) with you, as well as to maintain Our contractual relationship with you or your employer. Unless you provide Us with such information, we may not be able to enter into, execute or fulfil any contract relationship. We may have obtained the personal data set out in the section below from (not public accessible) sources such as the contract and communication(s) during our contract performance.

The current data protection notice should be read along with the general terms and conditions, which are notified to you at the beginning of the business relationship, and which describe the product and service we offer.

This data protection notice is also valid after termination of the contract with you.

1 Identity and contact details

We are: Clearstream Fund Centre S.A., 42, Avenue J.F. Kennedy, L-1518 Luxemburg, phone +352-(0)-2 43-0, e-mail: info@clearstream.com. (hereafter “CFCL”).

The contact details of Our Data Protection Officer are as follows, Data Protection Officer, Clearstream Fund Center S.A., 42, Avenue J.F. Kennedy, L-1855 Luxemburg, dataprotection-cfcl@clearstream.com.

2 Categories of Personal Data

We collect, store and process personal data that we receive from you or others during the course of our business relationship – personal data may be the following information:

- Business contact details, full name, email, address, phone number, fax number, account numbers, birthdate, nationality, citizenship, profession, the position within the company, the role with regard to the CFCL system, the signature, identity number, passport number, identity card with photo, proof of address, tax identifiers, tax status, tax certificates, source of wealth, source of funds, bank account data, contract master data, customer history, billing and payment data, IBAN and BIC codes, PEP status, sanctions status, income, related parties, power of attorney status, recording such as video or telephone recordings, client communications and information regarding the dealing in shares (subscription, conversion, redemption and transfer).
- As part of Our compliance with legal obligations such as AML/KYC, We may be required to process special categories of personal data as defined by the GDPR, including personal data relating to political opinions as well as criminal convictions and offences.
- We may process any other information pertaining to the aforementioned data subjects that has been disclosed or becomes known to CFCL in the context of Our business relationship.

3 Purpose

We collect, process, store and share your personal information for the following purposes:

- for the purposes of the provisions of the services and product to you and/or your employer.
- for the acceptance of your company as a participant in CFCL services and the CFCL system, the day-to-day operations, communication and notification with CFCL, identification of the authorised signatories/signature authorities, and the payment of the fees and costs.
- to evaluate and comply with any anti-money laundering and other customer due diligence and risk mitigation rules and regulations and tax requirements (including, without limitation, with respect to

compliance with the U.S. Foreign Account Tax Compliance Act ("FATCA") and the OECD common reporting standard ("CRS") or any other legislation, regulation or guidance enacted in any jurisdiction that seeks to implement a similar tax reporting or withholding tax regime if relevant).

- for the compliance by CFCL with its legal and regulatory obligations vis-à-vis national or foreign administrative, governmental, supervisory, judicial or tax authorities.
- for the purposes of customer/supplier relationship management, enterprise resource planning, order processing and acknowledgement, business accounting and tolls and import management.
- for the establishment, exercise, and defence of CFCL's rights in the context of local or foreign judicial proceedings, including discovery proceedings.
- to perform market and customer analyses in order to improve CFCL's products and services.
- for the purposes of providing marketing information.

4 Legal basis

We collect, process, store and share personal information based on the following legal basis:

a) for the fulfilment of contractual obligations (Art. 6 para.1b GDPR)

- to fulfilment our contractual obligations
- to execute the order routing according to the contract
- to execute distribution services according to the contract
- to perform any pre-contractual and contractual measures

b) in the context of balance of interest (Art. 6 para. 1f GDPR)

- to the provision of the proof, in the event of a dispute, of a transaction or any commercial communication as well as in connection with any proposed purchase, merger or acquisition of any part of the Data Controller' business, to courts, regulators and authorities having jurisdiction over CFCL, its affiliates or any other third parties engaged by CFCL or its affiliates.
- to the purpose of fraud prevention / risk management / audit and investigations.
- to the extent the Customer is or becomes prospect or customer of other affiliate(s), for specific sharing of Customer data between the relevant entities, such data being limited to the Customer's AML, CTF and KYC data, as required by applicable laws, regulations, and internal policies; and exercising the business of the Data Controller in accordance with reasonable market standards.

c) based on your consent (Art. 6 para. 1a GDPR)

- the legality of the processing is given by your consent to the use of personal data for specific purposes (e.g. use of email address for marketing/promotional measures). You can revoke your given consent at any time with effect for the future.

d) due to legal requirements (Art. 6 para. 1c GDPR)

- Clearstream requires personal data to be able to comply with Our legal and regulatory obligations and to perform the relevant services.
- to ensure compliance local and foreign laws and regulations and/or any order of a local or foreign court, government, supervisory, regulatory or tax authority.
- to comply with the legal obligations imposed on Us, such as (for compliance with requirements of any market infrastructure required to be used in the provision of CFCL's services or products to the Customer,

by operation of any act, and performance of anti-money laundering (“AML”), countering the financing of terrorism (“CFT”) and know-your-customer (“KYC”) duties to ensure regulatory compliance.

- for compliance with requirements of any market infrastructure required to be used in the provision of CFC’s services or products to the Customer, by operation of any act, and performance of anti-money laundering (“AML”), countering the financing of terrorism (“CFT”) and know-your-customer (“KYC”) duties to ensure regulatory compliance.
- Accordingly, if personal data that is required is not provided, CFCL may not be able to provide its services to the Customer.

5 Transfer of data to third parties

Your data will only be made available within CFCL and to Deutsche Börse group entities who are supporting the fulfilments of our contractual and legal obligations. We may share and disclose Personal Data:

- to service providers involved in the context of the performance of the services by CFCL, such as IT service providers (e.g. for purposes of IT hosting, operation and support etc).
- to professional advisors of CFCL, such as its auditors or lawyers or consultants.
- to other third parties involved in the context of the compliance with its legal and regulatory duties or rights towards national or foreign administrative, governmental, supervisory, judicial or tax authorities.
- to any third party that acquires, or is interested in acquiring or securitizing, all or part of the Data Controller’ assets or shares, or that succeeds to it in carrying on all or a part of its businesses, or services provided to it, whether by merger, acquisition, reorganization or otherwise as well as any other third party supporting the activities of Clearstream.
- in connection with any group restructuring/reorganisation or transfer of business and/or services.

The Recipients may, under their own responsibility, disclose the Personal Data to their agents and/or delegates (chain-outsourcing) (the “Sub-Recipients”), which shall process the personal data for the sole purposes of assisting the Recipients in providing their services to CFCL and/or assisting the Recipients in fulfilling their own legal obligations.

Sometimes the recipients to whom we transfer your personal data are located in countries in which applicable laws do not offer the same level of data protection as the laws of your home country. In such cases, we take measures to implement appropriate and suitable safeguards for the protection of your personal data. Any transfer of Personal Data that you provide to Us to EU service providers (e.g. for purposes of IT hosting, operation and support), is based on prior signed data processing agreements according to GDPR requirements.

6 Data retention

We process and store your personal data as long as this is necessary for the fulfilment of our contractual and legal obligation, it should be noted that our business relationship is a continuing obligation, which is laid down for several years. CFCL and those third parties to whom personal data is transferred will retain that data as long as necessary for the purposes set out above and/or required by applicable laws. In particular, we will hold certain personal Data and for a period consistent with its data retention policy (generally 10 years) after the termination of the relationship between the Customer and CFCL and in any event no longer than necessary with regard to the purpose of the data processing or as required by law and regulation. These include the following purposes:

- Fulfilment of commercial and fiscal obligations. The specified deadlines for storage and documentation are up to 10 years after termination of the contract.
- Storing evidence within the statutory limitation periods. These limitation periods may be up to 10 years for commercial contracts.
- As a supervised entity in Luxembourg, storing evidence-related documents, information and data to comply with anti-money laundering and terrorism financing requirements (12th November 2004 law, as amended). Customer documents, information and data are therefore kept up to 10 years after termination of the contractual relationship.

7 Automated decisions

We do not make any automated decisions solely on automatic processing, including profiling, which would produce legal effects concerning you or similarly significantly affect you.

8 Rights of the data subject

In accordance with the conditions laid down by the Data Protection Laws, each Data Subject has a right to:

- access his/her personal data.
- correct his/her personal data where it is inaccurate or incomplete.
- object to the processing of his/her personal data.
- restrict the use of his/her personal data.
- ask for erasure of his/her personal data.
- ask for personal data portability.

To the extent Our processing of the Personal Data is based on individual's consent, he/she also has the right to withdraw the consent, without affecting the lawfulness of Our processing based on his/her consent before its withdrawal. To exercise rights of the individual, each data subject can contact Us.

Such rights may be exercised by email or letter addressed to the appointed data protection officer ("DPO") of Clearstream via email at: dataprotection-cfcl@clearstream.com or via post at: Data Protection Officer - Clearstream Fund Center S.A., 42, Avenue J.F. Kennedy, L-1855 Luxembourg.

Please note that you as an Individual have the right to lodge a complaint to the Commission Nationale pour la Protection des Données (the "CNPD") at the following address: 15, Boulevard du Jazz, L-4370 Belvaux, Grand Duchy of Luxembourg; or with any competent data protection supervisory authority of their EU Member State of residence.