

# Privacy Notice

## Castle Private Equity AG (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 EU data protection regime introduced by the General Data Protection Regulation (Regulation 2016/679, the "**Data Protection Legislation**").

Unless the context otherwise requires or except as varied or otherwise specified herein, words and expressions used in this document shall bear the same meaning as in the articles of association, prospectus or similar constitutive document (as applicable) of the Company in issue at any time (the "**Company Documents**").

### Who this affects

If you are an individual investor or an individual that has subscribed for the Company's e-mail distribution list, this will affect you directly. If you are an institutional investor that provides us with personal data on individuals connected to you for any reason in relation to your 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 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 or potential 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 Legislation. We may also obtain personal data on you from other public sources.

This includes the following information relating to you and/or any individuals connected with you as an investor: name, residential address, email address, contact details, corporate contact information, signature, nationality, place of birth, date of birth, family status, occupation, tax identification, amount invested in the Company, credit history, correspondence records, passport number, bank account, source of funds, gross income, net wealth, details relating to your investment activity and experience and any such other information which we are required to record in respect in accordance with any applicable anti-money laundering and know-your-customer regulations.

### Purposes and legal basis of processing your personal data

The Company, as the data controller, may collect, store and use your personal data for lawful purposes disclosed below:

*Compliance with a legal obligation, regulation or the Company Documents*

(a) to reflect an Investor's ownership of the Company on an ongoing basis, including participation in the company's shareholder meetings, the payment of dividends or other proceeds, the administration of retrocession payments (if any), or for the distribution of reports;

(b) to distribute information relating to the Company to investors and interested parties as stipulated by regulations of the SIX Swiss Exchange;

(c) to discharge, either directly or through delegates such as the shareholder registry, its anti-money laundering, countenance of financing of terrorism and know-your-customer obligations by verifying the identity of Investors in the Company (and, if applicable its beneficial owners and managers) or for the prevention of fraud or for legal, regulatory or tax reporting purposes or in response to legal requests or

requests from regulatory, tax or other law enforcement authorities or its delegates;

(d) to administer the rights and obligations of the directors, including their remuneration;

(e) to provide required disclosures to regulatory authorities or in the Company's annual report, such as to Directors' curriculum vitae, remuneration and expenses disbursed, transactions in the Company's securities, etc.;

#### *Performance of a contract*

(f) for disclosure to target investments by the Company (directly or through any intermediate holding companies) in order to permit the target investment to perform anti-money laundering, countenance of financing of terrorism and know-your-customer analysis or for compliance with any applicable foreign regulatory and tax requirements;

(g) for disclosure to credit providers, its intermediate holding companies or its underlying Investments in order to evaluate the subscription profile of the relevant borrower, the borrowing facility amount or the suitability of collateral;

(h) for the discharge of the agreements with the general manager(s);

#### *Legitimate interests*

(i) for marketing purposes (that is, the provision of information to Data Subjects on products and services) or for quality control, business and statistical analysis or for tracking fees and costs or for customer service, training and related purposes (i.e. where this is necessary for the purposes of the legitimate interests of the Company or a third party and such legitimate interests are not overridden by the Data Subject's interests, fundamental rights or freedoms and provided that the Company is acting in a fair, transparent and accountable manner and has taken appropriate steps to prevent such activity having any unwarranted impact on the Data Subject, noting the right of the Data Subject to object to such uses, as discussed below);

(j) for recording, maintaining, storing and using recordings of communication that an

Investor makes to and receives from the Company and its delegates or duly appointed agents and any of their respective related, associated or affiliated companies for processing and verification of instructions, management and administration of the Investor's account(s) and any other matters related to investment in the Company;

(k) for disclosures to other third parties such as technology providers where necessary for the maintenance and operation of the Company's IT systems;

Additionally, the shareholder registry, investment manager, investment advisor, administrator, depository, distributor, auditor and other delegates of the Company may use Personal Data of Investors where this is necessary for compliance with a legal obligation to which they are subject (e.g. to comply with applicable law in the area of anti-money laundering and countenance of terrorist financing, where required for global tax reporting purposes or where mandated by a court order or regulatory sanction). The delegates in respect of this specific use of Personal Data act as a data controller.

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.

#### **Why and to whom we may transfer your personal data**

In certain circumstances we and/or our authorised delegates may be legally obliged to share your data and other financial information with respect to your interest in the Company with Swiss tax authorities and they, in turn, may exchange this information with foreign tax authorities including tax authorities located outside Switzerland and the European Economic Area (the "EEA").

We anticipate that, for the purposes and based on the legal grounds stated above, the following categories of affiliates and delegates (including their respective affiliates and sub-delegates) will, where applicable, process your personal data and this may include certain entities located outside Switzerland and the EEA:

- the shareholder registry
- the investment manager;
- the investment advisor;
- the administrator;
- the depositary and/or
- auditors to the Company

### **The data protection measures we take**

Please note that the Company may be legally or contractually required to disclose your personal data to certain counterparties, mentioned above, that are located outside Switzerland and the EEA and which may in certain circumstances be subject to lower data protection standards than the Company and its delegates. Any transmission of personal data by us or our duly authorised delegates outside Switzerland and the EEA shall be in accordance with the conditions in the Data Protection Legislation.

We will utilise standard model contract clauses approved by the European Commission and may rely on the European Commission's adequacy decisions about certain countries, as applicable, for any data transfers from Switzerland or the EEA to any third countries. We and our duly authorised delegates shall apply appropriate information security measures designed to protect data in our/our delegates' possession from unauthorised access by third parties or any form of computer corruption. For further details in this regard please see "Getting in touch" below.

We shall notify you of any personal data breach which we become aware of which affects you and is likely to result in a high risk to your rights and freedoms.

### **Your data protection rights**

You have the following rights regarding our use of your personal data, each subject to the provisions of the Data Protection Legislation:

- the right to access your data;
- the right to request the rectification of inaccurate personal data;
- the right to request the erasure of your personal data under certain circumstances, e.g. where your personal data is no longer necessary in relation to the purposes for

which they were collected or otherwise processed;

- the right to request restriction of the processing of your personal data under certain circumstances, e.g. where you contest the accuracy of your personal data;
- the right to object to the processing of your personal data under certain circumstances, e.g. where the processing is based on legitimate interests and you claim to have overriding interests;
- where your consent for the processing of your data is required pursuant to the Data Protection Legislation, the right to withdraw your consent at any time;
- the right to data portability where processing is carried out by automated means and based on either the performance of a contract or, where applicable, your consent;
- the right to receive information regarding any entities we disclose your data to;
- the right to lodge a complaint with the Data Protection Commission (our lead supervisory authority). You may also complain to your local supervisory authority within Switzerland or the EEA.

Please note that the abovementioned right for your data to be erased (the "right to be forgotten") is not likely to be applicable to most, if not all, of the personal data we hold, given the specific nature of the purposes for which we use the data, as described above.

### **Our retention of your personal data**

We or our duly authorised delegates may retain your personal data for a period of up to seven years following your disinvestment from the Company or the point where your business relationship with us has ceased. Thereafter, we and our duly authorised affiliates and delegates will refrain from collecting any further personal data on you and shall take appropriate steps to dispose of any records containing your personal data, to the extent this is operationally feasible and proportionate.

### **Failure to provide personal data**

The provision by you of personal data is required for us to accept your Subscription and manage and administer your holdings in the Company and so that we can comply with the

legal, regulatory and tax requirements referenced above. Where you fail to provide such personal data we will not be able to accept your Subscription or to the extent that we do accept your Subscription and the required personal data is not provided within the specified timeframe we may be required to discontinue our business relationship with you.

**Getting in touch**

Should you have any queries in respect of this Privacy Notice or wish to discuss your data

protection rights with us, please feel free to contact the Company at  
Castle Private Equity AG  
Schützenstrasse 6  
CH-8808 Pfäffikon  
Telephone: +41 55 415 9494  
Email: [lgt.cpe@lgt.com](mailto:lgt.cpe@lgt.com)