

Data protection policy

Compliance with the data protection laws, namely the Liechtenstein Data Protection Act of 14 March 2002 in the currently valid version and Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (Basic Data Protection Regulation), and thus the protection and confidentiality of your personal data, is a matter of great importance to BENDURA FUND MANAGEMENT ALPHA AG (BFMA). We process the personal data of our customers, business or contractual partners, interested parties, contact persons, suppliers, applicants, employees and visitors to our website (www.bendurafunds-alpha.li) in accordance with the data protection regulations and ensure that these are enforced within our company. This data protection policy informs you about how our company collects and handles personal data in our role as the responsible party, and it explains in particular what rights you are entitled to with regard to personal data.

1. General information

The processing of personal data, such as the name, address, e-mail address or telephone number of a data subject, is always carried out in accordance with the basic data protection regulation and in compliance with the country-specific data protection regulations applicable to our company. By means of this data protection policy, our company wishes to inform the public about the type, scope and purpose of the personal data we collect, use and process. Furthermore, this data protection policy informs affected persons about the rights to which they are entitled.

2. Definitions

The data protection policy of our company is based on the terms that were used by the European guideline and regulation authorities when the basic data protection regulation was issued. Our data protection policy should be easy to read and understand both for the public and for our customers and business partners. To ensure this, we would like to explain the terms used in advance.

We use the following terms, among others, in this data protection policy:

2.1 Personal data

Personal data means any information relating to an identified or identifiable natural person (hereinafter referred to as 'data subject'). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

2.2 Person concerned

Data subject means any identified or identifiable natural person whose personal data are processed by the controller.

2.3 Processing

Processing is any operation or set of operations, performed upon personal data, whether or not by automatic means, such as collection, recording, organisation, organisation, filing, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

2.4 Restriction of processing

Restriction of processing is the marking of stored personal data with the aim of limiting their future processing.

2.5 Profiling

Profiling is any automated processing of personal data consisting of the use of such personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects relating to that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, conduct, location or change of location.

2.6 Responsible

Controller is a natural or legal person, public authority, agency or other body which alone or jointly with others determines the purposes and means of the processing of personal data.

2.7 Recipient

The recipient is a natural or legal person, public authority, agency or other body to whom personal data are disclosed, whether or not it is a third party. However, authorities which may receive personal data in the course of a specific investigation, in accordance with Union or national law, shall not be considered as recipients.

2.8 Third party

Third party means any natural or legal person, public authority, agency or body other than the data subject, the controller, the processor and the persons who, under the direct authority of the controller or the processor, are authorized to process the personal data.

2.9 Contractor

Processor is a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

2.10 Consent

Consent shall mean any freely given specific and informed expression of the data subject's will in an informed and unequivocal manner, in the form of a declaration or other unequivocal affirmative act by which the data subject signifies his or her consent to the processing of personal data relating to him or her.

3. Name and address

Controller or data controller shall mean the natural or legal person, public authority, agency or any other body which alone or jointly with others determines the purposes and means of the processing of personal data.

3.1 The body responsible is:

BENDURA FUND MANAGEMENT ALPHA AG
Schaaner Strasse 27
FL-9487 Gamprin-Bendern
Principality of Liechtenstein
Phone: +423 388 1000
Fax: +423 388 1001
Email: info@bendurafunds-alpha.li

3.2 You can reach our data protection officer at

BENDURA FUND MANAGEMENT ALPHA AG
Schaaner Strasse 27
FL-9487 Gamprin-Bendern
Principality of Liechtenstein
Phone: +423 388 1000
Fax: +423 388 1001
Email: datenschutz@bendurafunds-alpha.li

Should you have any questions regarding individual data processing, please contact the data protection officer mentioned above.

4. Framework of data processing

4.1 Categories of data processed and origin

We collect and process personal data which we have received from you or from publicly accessible sources (e.g. commercial register, company register, and media) within the scope of our business relationship. In principle, as little personal data as possible is processed. Depending on the groups of persons, the processed data may differ. Personal data may be collected or (further) processed at any stage of the business relationship, from the initiation of the business relationship to its termination.

In addition to customer data, we may also process personal data of other third parties involved in the business relationship or of persons who use our website (see our data protection notice on the website www.bendurafunds-alpha.li).

By personal data we mean the following categories of data:

- Personal data (e.g. name, address, contact details, date and place of birth, nationality)
- Legitimation data (e.g. identity card data)
- Authentication data (e.g. signature specimen)
- Other master data

- Data from the fulfilment of contractual obligations (e.g. turnover data)
- Information about the financial situation and professional background (e.g. creditworthiness data, scoring or rating data)
- Documentation data (e.g. minutes of meetings)
- Marketing data (e.g. advertising and sales data)
- Technical data
- Information from your electronic communication with our company (e.g. cookies)
- Data from publicly available sources
- processing results generated by ourselves
- Data to meet legal and regulatory requirements

We process personal data from the following sources:

- personal data which we receive from you by means of submitted contracts, forms, your correspondence or other documents
- Personal data that is collected or transmitted as a result of the use of products or services (e.g. BFMA website)
- Personal data that is permissibly transmitted to us by third parties, by public authorities (e.g. sanction lists of the UNO and the EU) or by other companies (e.g. for the execution of orders or the fulfilment of contracts)
- personal data - insofar as necessary for the provision of our services - which we have permissibly obtained from publicly accessible sources or other sources, such as databases for the verification and monitoring of business relationships (e.g. judicial, official or administrative measures, memberships and offices)

4.2 Access / usage data for the BFMA website

Every time a user accesses our website and every time a file is retrieved, access data on this process is stored in the form of log files. The following data is recorded during an ongoing connection for communication between your internet browser and our web server:

- Date and time of the request
- Name of the requested file
- Page from which the file was requested
- Access status (file transferred, file not found, etc.)
- the web browser and operating system used
- complete IP address of the requesting computer
- data volume transferred

For reasons of technical security, in particular to ward off attempts to attack our web server, this data is stored by us for a short period. It is not possible for us to draw conclusions about individual persons based on this data. We use this personal data exclusively for statistical and anonymised evaluations.

We do not collect or store any other personal data in connection with the visit of our website.

4.3 Legal basis and purposes for the processing of personal data

We process personal data in accordance with the provisions of the DSGVO on the following legal basis and for the following purposes:

4.3.1 For the performance of a contract or for the implementation of pre-contractual measures

If the processing of personal data is necessary for the performance of a contract (such as the provision of financial services) to which the data subject is a party, the processing is based on Art. 6 para. 1 letter b FADP. The same applies to such processing operations that are necessary for the performance of pre-contractual measures, for example in cases of enquiries about our services.

4.3.2 To meet legal obligations

If our company is subject to a legal obligation which makes it necessary to process personal data, for example to fulfil tax, supervisory or money laundering obligations, the processing is based on Art. 6 Para. 1 letter c DSGVO.

4.3.3 To safeguard legitimate interests

Similarly, processing operations may be based on Art. 6 para. 1 lit. f DSGVO. Processing operations which are not covered by any of the above legal bases are based on this legal basis if the processing is necessary to safeguard a legitimate interest of our company or of a third party, unless the interests, fundamental rights and freedoms of you outweigh the processing. Such legitimate interests include in particular the following processing activities:

- fraud prevention
- Direct advertising
- Transfer of data within a group of companies for internal administrative purposes
- Ensuring network and information security
- Prevention of possible criminal offences

We also collect personal data from publicly available sources for the purpose of customer acquisition and money laundering prevention.

4.3.4 Based on your consent

Art. 6 para. 1 lit. a DSGVO serves our company as a legal basis for processing operations for which we obtain consent for a specific processing purpose.

4.4 Use and storage of your personal data

4.4.1 Information disclosure

Access to your data may be granted to both internal and external parties. Within the company, only departments or employees may process your data if they need it to fulfil our contractual, legal and supervisory obligations and to safeguard legitimate interests.

If business areas and services of the company are outsourced in whole or in part to Group companies (e.g. Group-wide coordination tasks in various areas such as due diligence, risk management or customer relationship management) or service providers outside our Group, or if these service providers provide such services (e.g. payment transactions, subscription and redemption of fund units, printing and mailing of documents, IT systems and other support functions), this is done in accordance with the applicable legal provisions. All Group companies as well as external service providers or agents to whom personal data is transferred are contractually obliged to maintain data protection, to process your data only within the scope of providing the service and to comply with data protection directives and legal requirements. Processors may be companies in the categories of banking services, distribution agreements, IT services, logistics, printing services, telecommunications, debt collection, consulting and advisory services, and sales and marketing.

4.4.2 Data deletion and storage

We process and store your personal data for the duration of the entire business relationship, i.e. from the initial initiation to the termination of the contract. After termination of a contract and thus with the discontinuation of the purpose of storage, the duration of the storage is determined by legal storage and documentation obligations. These retention periods are sometimes 10 years or more.

4.4.3 Automated decision making including profiling

As a matter of principle, our decisions are not based on exclusively automated processing of personal data. In particular, we generally do not use automated decision making to establish and carry out the business relationship. Nor do we use profiling measures.

5. Rights and responsibilities

5.1 Available data protection rights

5.1.1 Right to confirmation

You have the right to obtain confirmation as to whether personal data concerning you are being processed. If you wish to exercise this right of confirmation, you can contact the data protection officer at any time.

5.1.2 Right to information

You have the right to receive free information about your personal data stored and a copy of this information at any time. This right of information includes the following information:

- the processing purposes
- the categories of personal data processed

- the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular to recipients in third countries or to international organisations
- if possible, the planned duration for which the personal data will be stored or, if this is not possible, the criteria for determining this duration
- the existence of a right of rectification or erasure of personal data relating to them or of a right of objection to their processing by the controller
- the existence of a right of appeal to a supervisory authority
- if the personal data are not collected from the data subject: all available information on the origin of the data
- the existence of an automated decision-making process including profiling in accordance with Article 22 Paragraphs 1 and 4 FADP and - at least in these cases - meaningful information on the logic involved and the scope and intended effects of such processing on the data subject

Furthermore, you have the right of information as to whether personal data has been transferred to a third country or to an international organisation. If this is the case, you also have the right to be informed about the appropriate guarantees in connection with the transfer.

If you would like to make use of this right of information, you can contact the data protection officer at any time.

5.1.3 Right of rectification

You have the right to demand the immediate correction of incorrect personal data concerning you. You also have the right to request the completion of incomplete personal data, including by means of a supplementary declaration, taking into account the purposes of the processing.

If you wish to exercise this right of correction, you can contact the data protection officer at any time.

5.1.4 Right of cancellation

You have the right to have the personal data concerning you deleted immediately if one of the following reasons applies and provided that the processing is not necessary:

- The personal data have been collected or otherwise processed for purposes for which they are no longer necessary
- You have withdrawn the consent on which the processing was based pursuant to Art. 6 para. 1 letter a DSGVO or Art. 9 para. 2 letter a DSGVO and there is no other legal basis for the processing
- You object to the processing pursuant to Art. 21 Para. 1 DSGVO and there are no legitimate reasons for processing that take precedence, or you object to the processing pursuant to Art. 21 Para. 2 DSGVO
- The personal data were processed unlawfully
- The deletion of personal data is necessary to comply with a legal obligation under Union law or the law of the Member States to which the controller is subject

If one of the above-mentioned reasons applies and you wish to have personal data stored by our company deleted, you can contact the data protection officer at any time. He will ensure that the request for deletion is complied with immediately.

5.1.5 Right to limit processing

You have the right to request that the processing be restricted if one of the following conditions is met:

- the accuracy of personal data is contested, for a period of time that allows the controller to verify the accuracy of the personal data
- The processing is unlawful, but you object to the deletion of the personal data and instead demand the restriction of the use of the personal data
- the controller no longer needs the personal data for the purposes of the processing, but you need the personal data for the purpose of asserting, exercising or defending legal claims
- You have lodged an objection to the processing pursuant to Art. 21 para. 1 DPA and it is not yet clear whether the legitimate reasons of the controller outweigh those of the data subject

If one of the above conditions is met and you wish to request the restriction of personal data stored by our company, you can contact the data protection officer at any time. The data protection officer will arrange for the restriction of the processing.

The rectification or erasure of data or a restriction on processing shall be notified to the recipients to whom personal data have been disclosed. This obligation to notify does not apply if this proves impossible or would involve a disproportionate effort.

5.1.6 Right of withdrawal

You have the right to revoke your consent to the processing of personal data at any time. This also applies to the revocation of declarations of consent that were issued before the DSGVO came into force, i.e. before 25 May 2018. Please note that the revocation is only effective for the future. Processing that took place before the revocation is not affected. If you wish to exercise your right to revoke your consent, you can contact our data protection officer at any time.

5.1.7 Right to data transferability

You have the right to receive the personal data concerning you which has been provided to you in a structured, common and machine-readable format. You also have the right to have this data communicated to another controller by the controller to whom the personal data has been made available, provided that the processing is based on the consent pursuant to Art. 6 para. 1 letter a DPA or Art. 9 para. 2 letter a DPA or on a contract pursuant to Art. 6 para. 1 letter b DPA and the processing is carried out with the aid of automated procedures, unless the 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.

To assert your right to data transferability, you can contact our data protection officer at any time.

5.1.8 Right of objection

You have the right to object at any time, for reasons arising from your particular situation, to the processing of personal data relating to you, which is carried out on the basis of Art. 6, para. 1, letter f, DSGVO, in accordance with Art. 21 DSGVO. This also applies to profiling based on these provisions.

In the event of an objection, our company no longer processes the personal data, unless we can prove compelling reasons for processing that are worthy of protection, which outweigh the interests, rights and freedoms of the person concerned, or the processing serves the assertion, exercise or defence of legal claims.

If our company processes personal data for the purpose of direct marketing, you have the right to object at any time to the processing of personal data for the purpose of such marketing. If you object to our company processing your personal data for direct marketing purposes, we will no longer process the personal data for these purposes.

5.2 Exercise of rights

We accept requests for information in writing, together with a legible copy of a valid official identification document (e.g. passport, identity card, driver's license). You can send your request to the data protection officer of our company.

You can exercise other rights, such as the right of rectification, the right of cancellation, the right to limit processing and - where applicable - the right to data transferability, by sending us a message to this effect. Please address this notification to the Data Protection Officer.

6. Right of appeal to the supervisory authority

You have the right to submit a complaint to a supervisory authority in an EU or EEA member state, in particular at your place of residence, place of work or place of suspected violation of the provisions of the DSGVO. The supervisory authority responsible for our company is the Liechtenstein Data Protection Authority, Städtle 38, P.O. Box 684, 9490 Vaduz.

If you need the contact details of a supervisory authority in another EU or EEA Member State, you can contact the Data Protection Officer.

7. Obligation to provide personal data

We would like to inform you that the provision of personal data is partly required by law (e.g. tax regulations, prevention of money laundering, etc.) or may also result from contractual regulations (e.g. information on the contractual partner). Sometimes it may be necessary to provide us with personal data in order to conclude a contract, which must subsequently be processed by us. For example, you are obliged to provide us with personal data if our company concludes a contract with you. Failure to provide us with personal data would mean that the contract could not be concluded.

You are not obliged to give your consent to data processing with regard to those data which are not relevant for the performance of the contract or which are not required by law and/or regulation.

8. Contact form and contact via e-mail

Our company's website contains information that enables rapid electronic contact with our company and direct communication with us, which also includes a general address for so-called electronic mail (e-mail address). If you contact our company by e-mail or via a contact form, the personal data you provide will be stored automatically. Such personal data transmitted on a voluntary basis is stored for the purpose of processing or contacting you. This personal data will not be passed on to third parties.

9. Notes on the use of cookies and analysis tools

When calling up our website, the user is informed about the use of cookies for analysis purposes and his consent to the processing of the personal data used in this context is obtained. In this context, reference is also made to this data protection policy.

9.1 Why are cookies used?

All of our company's websites use cookies for statistical purposes and to improve the user experience. By using this website, you consent to the use of cookies for these purposes.

9.2 What are cookies?

Cookies are text files that are stored on your electronic device to track your use of electronic services and your preference settings as you navigate between web pages and, where applicable, to store settings between your visits. Cookies help electronic service developers to compile statistical information about the frequency of visits to certain areas of the website and help them to make electronic services more useful and user-friendly. A cookie contains a characteristic string of characters that allows the browser to be uniquely identified when you return to the website.

Please note that most Internet browsers automatically accept cookies. You can configure your browser so that no cookies are stored on your electronic device, cookies can only be accepted from certain websites or a message is always displayed before you receive a new cookie. If cookies are deactivated for our website, it is possible that not all functions of the website can be used to their full extent.

10. Analysis Tools

10.1 Use of analysis tools

We use analysis tools. In this context, pseudonymised data is created and cookies are used to analyse how users use our electronic services. The information generated by the cookies regarding your use of the website (e.g. host name of the electronic device used to access the website (IP address), browser type/version, operating system used, as well as date/time of the server request) may be transferred to third party servers for analysis purposes.

10.2 Google Analytics

The website of our company uses Google Analytics, a web analysis service of Google Inc. ("Google"). Google Analytics uses "cookies", which are text files placed on your computer, to help the website analyze how users use the site. The information generated by the cookie about your use of this website is usually transferred to a Google server in the USA and stored there. However, in the event that IP

anonymisation is activated on this website, your IP address will be shortened by Google within member states of the European Union or in other signatory states to the Agreement on the European Economic Area before this happens. Only in exceptional cases will the full IP address be transferred to a Google server in the USA and shortened there. On behalf of the operator of this website, Google will use this information for the purpose of evaluating your use of the website, compiling reports on website activity and providing other services relating to website activity and internet usage. The IP address transmitted by your browser within the scope of Google Analytics may be combined with other data from Google. You may refuse the use of cookies by selecting the appropriate settings on your browser, however please note that if you do this you may not be able to use the full functionality of this website. You can also prevent the collection of the data generated by the cookie and related to your use of the website (including your IP address) to Google and the processing of this data by Google by downloading and installing the browser plugin available at <https://tools.google.com/dlpage/gaoptout?hl=de>.

You can find more information on this at <http://tools.google.com/dlpage/gaoptout?hl=de> or at <https://support.google.com/analytics/answer/6004245?hl=de> (general information on Google Analytics and data protection). We would like to point out that on this website Google Analytics has been extended by the code "gat._anonymizeIp();" in order to guarantee an anonymized collection of IP addresses (so-called IP-Masking).

11. Data security and data transmission from our website

We use appropriate technical and organizational security measures to protect your data against accidental or intentional manipulation, partial or complete loss, destruction or against unauthorized access by third parties. Our security measures are continuously improved in line with technological developments.

We currently do not offer transport encryption for our website. Within the framework of the complaint and contact forms, the collected form data is therefore transmitted to us unencrypted in terms of content.

We recommend that you keep your Internet browser up to date, so that a secure transmission of your data in transit is ensured.

12. Up-to-dateness and amendment of this data protection policy

This data protection policy is currently valid and has the **status of 29 May 2018**.

Due to the further development of our website and offers above or due to changed legal or official requirements, it may become necessary to change this data protection policy. The current data protection policy can be called up and printed out at any time on the website www.bendurafunds-alpha.li.