

# Data Protection Regulation

**This document was translated from German into English language for information purpose only. The German version is legally binding**

Compliance with the data protection laws (in particular the basic data protection regulation of the EU [DSGVO]) and thus the protection and confidentiality of your personal data is an important concern for our company. This data protection declaration informs you about how our company collects and deals with personal data in our role as data controller and in particular about your rights with regard to the personal data.

## 1. General

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 accordance with the country-specific data protection regulations applicable to our company. By means of this data protection declaration, our company would like to inform the public about the type, scope and purpose of the personal data we have collected, used and processed. Furthermore, data subjects will be informed of their rights by means of this data protection declaration.

## 2. Definitions

The data protection declaration of our company is based on the terms used by the European Directive and Regulation Giver when issuing the Basic Data Protection Regulation. Our data protection declaration 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.

In this data protection declaration we use the following terms, among others:

### 2.1. Personal data

Personal data are all information relating to an identified or identifiable natural person (hereinafter "data subject"). Identifiable is a natural person who can be identified directly or indirectly, in particular by attribution to an identifier such as a name, an identification number, location data, an online identifier or to one or more special features that express the physical, physiological, genetic, psychological, economic, cultural or social identity of that natural person..

### 2.2. Person concerned

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

### 2.3. Processing

Processing means any operation or series of operations carried out with or without the aid of automated procedures in relation to personal data, such as the collection, collection, organisation, sorting, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or any other form of provision, reconciliation or linking, restriction, erasure or destruction.

#### 2.4. Limitation of processing

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

#### 2.5. Profiling

Profiling is any automated processing of personal data consisting in 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 the performance of work, economic situation, health, personal preferences, interests, reliability, behaviour, location or relocation of that natural person..

#### 2.6. Recipient

Recipient is a natural or legal person, authority, institution or other body to which personal data is disclosed, regardless of whether it is a third party or not. However, authorities which may receive personal data under EU law or the law of the EEA/EU Member States within the framework of a specific investigation mandate shall not be regarded as recipients..

#### 2.7. Third party

A third party is a natural or legal person, authority, institution or other body other than the data subject, the data processor, the data processor and the persons authorised to process the personal data under the direct responsibility of the data processor or the data processor..

#### 2.8. Consent

Consent is any voluntary statement of intent made by the data subject in an informed and unequivocal manner in the form of a statement or other clear affirmative act to which the data subject indicates his or her consent to the processing of personal data concerning him or her..

### **3. Name and address of the person responsible**

The data controller or controller is the natural or legal person, public authority, institution or other body which alone or jointly with others decides on the purposes and means of processing personal data. Responsible person in the sense of the basic data protection regulation is:

*Accuro Fund Solutions AG  
Hintergass 19  
9490 Vaduz  
Fürstentum Liechtenstein  
Phone: +423 233 47 07  
E-Mail: [complaint@accuro.org](mailto:complaint@accuro.org)*

If you have any questions regarding individual data processing, please contact us using the above contact options.

### **4. Scope of data processing**

#### 4.1. Categories of processed data and origin

We collect and process personal data that we receive in the context of our business relationship with our customers. In principle, as little personal data as possible is processed. The

processed data can differ depending on the group of persons. Personal data may be collected or (further) processed in every phase of the business relationship, from the initiation of the business relationship to the termination of the business relationship.

In addition to customer data, we may also process personal data from other third parties involved in the business relationship.

By personal data we mean the following categories of data:

- Personal details
- Authentication data and authentication data
- Information from the fulfilment of our legal obligations
- Other master data
- Data from the fulfilment of contractual obligations
- information on the financial situation and professional background
- Documentation data
- Marketing data
- Technical data
- Information from your electronic dealings with our company
- data from publicly available sources

We process personal data from the following sources:

- Personal data that we receive from you by means of submitted contracts, forms, correspondence or other documents
- personal data which arise or are transmitted as a result of the use of products or services
- Personal data transmitted to us by third parties, public authorities (e.g. UN and EU sanctions lists) or other companies (e.g. for the execution of orders or for the performance of contracts) as permitted
- Personal data - to the extent necessary for the provision of our services - which we have legitimately obtained from publicly accessible sources or other sources, such as databases for checking and monitoring business relationships (e.g. judicial, official or administrative measures, memberships and offices)

#### 4.2. Legal bases 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:

4.2.1 For the performance of a contract or for the implementation of pre-contractual measures If the processing of personal data is necessary for the fulfilment of a contract (e.g. the provision of financial services) to which the data subject is a party, the processing is based on Art. 6 para. 1 lit. b DSGVO. The same applies to such processing procedures which are necessary for the implementation of pre-contractual measures, for example in the case of enquiries about our service

4.2.2 In order to fulfil legal obligations, if our company is subject to a legal obligation which makes the processing of personal data necessary, for example to fulfil tax, regulatory or money laundering obligations, the processing is based on Art. 6 Para. 1 lit. c DSGVO.

#### 4.2.3 Protection of justified 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 aforementioned legal bases are based on this legal basis if processing is necessary to protect a legitimate interest of our company or a third party, provided that your interests, fundamental rights and freedoms do not prevail. Such legitimate interests include in particular the following processing activities:

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

In addition, we collect personal data from publicly available sources for the purpose of customer acquisition and the prevention of money laundering..

#### 4.2.4 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..

### 4.3. Use and storage of your personal data

#### 4.3.1 Transfer of data

Access to your data can be gained both inside and outside our company. Only departments or employees within the company may process your data if they need it to fulfil our contractual, legal and supervisory obligations and to safeguard legitimate interests.

the company's business areas and services are wholly or partly outsourced to Group companies (e.g. Group-wide coordination tasks in various areas, such as custodial duties, risk management or the maintenance of customer relationships) or service providers outside our Group or provide these services (such as payment transactions, subscription and redemption of fund units, printing and dispatch of documents, IT systems and other support functions), this is done in accordance with the applicable statutory provisions. All group companies as well as external service providers or vicarious agents to whom personal data is transmitted are contractually obliged to protect data protection, to process your data only within the scope of the provision of services and to comply with data protection directives and legal requirements. Contract processors can be companies in the categories banking services,

distribution agreements, IT services, logistics, printing services, telecommunications, debt collection, consulting and sales and marketing.

#### 4.3.2 Data erasure and storage

We process and store your personal data for the duration of the entire business relationship, i.e. from the first 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 storage is determined on the basis of statutory storage and documentation obligations. Some of these retention periods are ten or more years.

#### 4.3.3 Automated decision making including profiling

Our decisions are not based on an exclusively automated processing of personal data. In particular, we do not use automated decision making to establish and implement the business relationship. Nor do we use profiling measures.

## 5. Rights and obligations

### 5.1. Available data protection rights

#### 5.1.1. Right to confirmation

You have the right to request confirmation as to whether personal data concerning you will be processed. If you would like to make use of this right of confirmation, you can contact us at any time.

#### 5.1.2 Right to information

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

- the processing purposes
- the categories of personal data to be processed
- the recipients or categories of recipients to whom the personal data have been or are still being disclosed, in particular recipients in third countries or 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 deletion of personal data concerning him or of a restriction on processing by the data controller or of a right of objection to such processing
- 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 automated decision making including profiling in accordance with Article 22 para. 1 and 4 DSGVO and - at least in these cases - meaningful information on the logic involved and the scope and intended effects of such processing for the person concerned

You also have a right to 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 obtain information on the appropriate guarantees in connection with the transmission.

If you would like to make use of this right to information, you can contact us at any time..

#### 5.1.3 Right to correction

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

If you would like to make use of this right of correction, you can contact us at any time.

#### 5.1.4 Right to correction

You have the right to have your personal data deleted immediately, provided that one of the following reasons applies and insofar as processing is not necessary:

- the personal data have been collected or otherwise processed for such purposes for which they are no longer necessary
- they have revoked their consent on which the processing was based pursuant to Article 6(1)(a) DSBER or Article 9(2)(a) DSBER 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 overriding legitimate grounds for processing, or you object to the processing pursuant to Art. 21 para. 2 DSGVO
- the personal data have been processed unlawfully
- The deletion of personal data is required to fulfil a legal obligation under EU law or the law of the EEA/EU Member States to which the data controller is subject.

If one of the above-mentioned reasons applies and you wish to have your personal data stored at our company deleted, you can contact us at any time. We will arrange for the request for deletion to be complied with without delay.

#### 5.1.5 Right to limitation of processing

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

- The accuracy of the personal data is disputed for a period of time that enables the person responsible to verify the accuracy of the personal data.
- the processing is unlawful, but you refuse to delete the personal data and instead request that the use of the personal data be restricted
- The data controller no longer needs the personal data for the purposes of processing, but you do need the personal data to assert, exercise or defend legal claims.
- you have lodged an objection to the processing pursuant to Art. 21 para. 1 DSBER and it has not yet been determined whether the legitimate reasons of the data 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 us at any time. We will arrange for processing to be restricted.

Recipients to whom personal data have been disclosed shall be notified of the correction or deletion of the data or of any restriction on processing. This obligation to notify does not apply if this proves to be impossible or involves a disproportionate effort.

#### 5.1.6 Right of revocation

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 issued before the DSGVO was valid, i.e. before 25 May 2018. Please note that the revocation will only take effect in the future. Processing that took place before the revocation is not affected by this. If you would like to exercise your right to revoke your consent, you can contact us at any time.

#### 5.1.6 Right to Data Transferability

You have the right to receive the personal data concerning you that you have provided in a structured, common and machine-readable format. You also have the right to have this data transmitted to another controller by the controller to whom the personal data have been made available, provided that the processing is based on the consent pursuant to Art. 6 para. 1 lit. a DSGVO or Art. 9 para. 2 lit. a DSGVO or on a contract pursuant to Art. 6 para. 1 lit. b DSGVO and the processing is carried out using automated procedures, provided that the processing is not necessary for the performance of a task in the public interest or in the exercise of public authority which was transferred to the controller.

You can contact us at any time to assert your right to data transferability..

#### 5.1.6 Right of objection

You have the right to object at any time to the processing of personal data concerning you on the basis of Art. 6 para. 1 letter f DSGVO for reasons arising from your particular situation. This also applies to profiling based on these provisions.

Our company will no longer process personal data in the event of an objection, unless we can prove compelling grounds for processing that outweigh the interests, rights and freedoms of the data subject or the processing serves to assert, exercise or defend legal claims.

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

## 5.2 Exercise of rights

Requests for information are accepted in writing, together with a legible copy of a valid official ID (e.g. passport, identity card, driving licence). You can send us your request to the address given in point 3.

You can exercise other rights, such as the right of correction, the right to cancellation, the right to limitation of processing and - if applicable - the right to transferability of data, by sending us a corresponding message.

## **6. Right of appeal to the supervisory authority**

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

If you need the contact details of a supervisory authority in another EU or EEA member state, you can contact us.

## **7. Obligation to provide personal data**

We inform you that the provision of personal data is partly prescribed by law (e.g. tax regulations, money laundering prevention, etc.) or may also result from contractual regulations (e.g. information on the contractual partner). Sometimes it may be necessary for a contract to be concluded that you provide us with personal data, 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 personal data would mean that the contract could not be concluded..

You are not obliged to give your consent to the processing of 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 us to contact our company quickly by electronic means and to communicate directly 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 transmitted by you will be stored automatically. Such personal data transmitted on a voluntary basis will be stored for the purpose of processing or contacting you. This personal data will not be passed on to third parties.

## **9. Data security**

We use the widely used X.509 (ISO/IEC 9594-8) public-key certificate in conjunction with the highest level of encryption supported by your browser. You can tell whether a single page of our website is transmitted in encrypted form by the closed display of the key or lock symbol in the address bar of your browser.

In addition, we apply further suitable technical and organisational security measures to protect your data against accidental or intentional manipulation, partial or complete loss, destruction or unauthorised access by third parties. Our security measures are continuously improved in line with technological developments.