

# HedgePole Group Privacy Notice

Dated 25 May 2018

At HedgePole Group, we respect your privacy and we are committed to protecting and safeguarding your Personal Data. We have developed policies and processes which are designed to provide for the security and integrity of your Personal Data. We are committed to Processing your Personal Data fairly and lawfully.

## **1. Scope and acceptance**

HedgePole Group (hereinafter referred to as "HedgePole") aim to protect the Personal Data on each individual outside our organization with whom we interact, including but not limited to visitors to our websites; clients and their personnel; vendors, service providers and other business contacts; visitors to our offices and registrants in our Sites (hereinafter referred to as "User").

This Privacy Notice describes the type of Personal Data HedgePole collects, the purpose for which HedgePole uses the information, the circumstances in which HedgePole may disclose the information and the security measures implemented to safeguard the information provided by the Users.

By using the HedgePole Sites, Users consent to this Privacy Notice.

HedgePole AG, its subsidiaries and its affiliates are identified in the section 9 are Data Controller and Processor of Personal Data.

Please note that this Privacy Notice only covers the Sites and does not regulate the privacy practices of third party websites which may be accessible through or linked to the Sites.

## **2. Collection of Personal Data**

HedgePole collects Personal Data about the User, including, but not limited to, name, username or similar identifier, email, phone number, address, industry role, business activities, organization name, IP addresses, cookies, activity logs and other similar information based on information provided by the User via email, phone through the registration process and other means such as, but not limited to, the use of the HedgePole Sites, the application or forms completed and various contact forms, fund documents or publicly available information.

Further, HedgePole may create records of interactions with User and details of User accounts with HedgePole or HedgePole accounts with User which may constitute Personal Data.

HedgePole may monitor the User's conduct on the HedgePole Sites for training, misunderstandings, possible abuse, any lawful reason or purpose.

HedgePole might also receive User Personal Data from third parties, for example, from User employer or previous employer, HedgePole clients, HedgePole service providers or relevant legal and regulatory authorities. This might also include information obtained for the purposes of HedgePole "know your client" procedures (which include anti-money laundering processes, counter-terrorist financing procedures, politically exposed persons checks, and sanctions checks), background reference checks or other due diligence procedures.

Such checks may be performed on User if User is connected with HedgePole clients, counterparties, service providers, has active HedgeData account or HedgePole is considering employing the User or otherwise establishing a business relationship.

### **3. Sensitive Personal Data**

HedgePole does not seek to collect or otherwise Process User Sensitive Personal Data, except where:

- the Processing is necessary for compliance with a legal or regulatory obligation (including anti-money laundering processes, counter-terrorist financing procedures, sanctions checks, politically exposed persons checks and Criminal Offences Data);
- the Processing is necessary for the detection or prevention of crime (including the prevention of fraud) to the extent permitted by applicable law or regulation;
- User has made such Sensitive Personal Data public;
- the Processing is necessary for the establishment, exercise or defense of legal rights; and
- the Processing is necessary for reasons of substantial public interest and occurs on the basis of an applicable law or regulation that is proportionate to the aim pursued and provides for suitable and specific measures to safeguard your fundamental rights and interests.

HedgePole will only Process Criminal Offences Data to the extent required or permitted by applicable law or regulation.

### **4. Processing Personal Data**

HedgePole will only Process Personal Data when the law allows to and where it is necessary for HedgePole legitimate interests, e.g. to run and administer our business, to discharge our legal obligations, to store and disclose information where necessary

HedgePole use Personal Data primarily in relation to services provided to HedgePole clients, managing its products and services related to those products, monitoring and keeping records of communication. This means that HedgePole Process Personal Data for purposes such as:

- where it is needed as part of a contractual obligation between HedgePole and User
- to onboard new business relationships;
- to manage relationship with User efficiently;
- to allow to effectively and efficiently manage and administer the operation of HedgePole business, including the price collection and reference data services; and
- for managing risks to which our business is exposed.

There may be other occasions where HedgePole may ask for User consent for the Processing of Personal Data, on such occasions HedgePole will only use such Personal Data for the purposes which HedgePole will explain at that time.

## **5. Storing Personal Data and data security**

HedgePole may store the User's Personal Data in secure operating environments, accessible to HedgePole employees and developers only and follow generally accepted industry standards to safeguard the data. In order to prevent unauthorized access and to keep User's Personal Data secure, HedgePole has in place appropriate physical security, electronic security and managerial procedures.

When HedgePole Sites are accessed by the User or in case the User tries to connect to the HedgePole site electronically, data related to the website User (the originator of the contact) is, in principle, transported via an open network accessible to all. Although the data is transmitted in an encrypted form, it has to be understood that data is transmitted over the internet (internationally), even if the visitor or User and the receiver are in the same country. By providing Personal Data to HedgePole, the User agrees to this transmission process.

## **6. Data Retention**

The retention period will be determined by various criteria, including the purposes for which HedgePole is Processing User Personal Data (as it will need to be kept for as long as is necessary for such purpose), legal and regulatory obligations (which may set a minimum period for which HedgePole has to keep User Personal Data) and HedgePole internal policies, which take into consideration the purpose for which the Personal Data is held.

## **7. User Rights**

Users have the following rights under current data protection laws:

- to restrict processing of Personal Data,

- to be forgotten,
- to alter or correct Personal Data,
- to transfer Personal Data to another data controller,
- to access Personal Data and to obtain information on how it is Processed by HedgePole.

Users also have a right to complain to a supervisory authority for data protection. This may either be the supervisory authority in the place of User habitual residence, User place of work, or the place where User considers that there has been a breach of data protection law. To exercise any of these rights, please contact HedgePole on [admin@hedgepole.com](mailto:admin@hedgepole.com).

## 8. Disclosing personal information

HedgePole will NOT disclose the User Personal Data to third parties except:

- to the extent necessary to provide the User with a service purchased from HedgePole and/or offered through HedgePole Sites
- in circumstances when HedgePole believes that any applicable law, regulation, or legal process requires such disclosure;
- if required by law, or
- in circumstances when HedgePole believes disclosure is necessary to protect its rights or the rights of another User(s).

Other than as set out above, the User will be notified when their Personal Data will be disclosed with third parties, and will have an opportunity to oppose such disclosure.

## 9. Controllers

### Controller Entity

### Address

HedgePole AG

Schwerzistrasse 6, 8807 Freienbach, Switzerland

HedgePole (Polska) Sp. z o. o.

Marcelinska 92, 60-324 Poznan, Poland

HedgePole can be contacted either by sending an email to [admin@hedgepole.com](mailto:admin@hedgepole.com) or by using the Contact Us form on [www.hedgepole.com](http://www.hedgepole.com).

## 10. Use of Cookies

A cookie is a file that is sent to the User's browser from a Web server and stored locally on User's hard drive. HedgePole uses cookies to store and track Users' preferences, authenticate Users and make HedgePole Sites work efficiently.

It is possible to remove cookies or block them, however, in such case, HedgePole may prohibit the User from participating in certain services and the services on the HedgePole Sites may not function properly.

## 11. Questions & Notice changes

If you have any questions or comments relating to this Privacy Notice, please contact us on [admin@hedgepole.com](mailto:admin@hedgepole.com) and we will endeavor to respond to you promptly.

HedgePole reserves the right to change this Notice at any time, therefore, please ensure that you regularly read the latest version of this Notice. The User's continued use of the HedgePole Sites following the posting of any changes to this Notice constitutes their acceptance of the revised Privacy Notice.

## 12. Defined Terms

- i. **Controller** - The entity that decides how and why Personal Data is Processed. In many jurisdictions, the Controller has primary responsibility for complying with applicable data protection laws.
- ii. **Criminal Offences Data** - Information about criminal convictions and offences (actual or alleged), including reports from the Disclosures and Barring Service and other similar information.
- iii. **HedgePole Group** – HedgePole AG; any company or other entity which directly or indirectly controls, is controlled by or is under common control with HedgePole AG (including any holding company or subsidiary)
- iv. **Personal Data** – Information that is about any individual, or from which any individual is identifiable
- v. **Process or Processed or Processing** – Anything that is done with any Personal Data, whether or not by automated means, such as collection, recording, organization, structuring storage, adaptation or alteration, use, disclosure by transmission or otherwise making available, alignment or combination, restriction, or destruction.
- vi. **Processor** – Any person or entity that Processes Personal Data on behalf of the Controller (other than employees of the Controller).
- vii. **Sensitive Personal Data** – Personal Data about race or ethnicity, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health, sexual life or orientation, genetic or biometric or any other information that may be deemed to be sensitive under applicable law.
- viii. **Sites** – [www.hedgepole.com](http://www.hedgepole.com) and [www.hedgedata.com](http://www.hedgedata.com)