

## **DATA PROTECTION INFORMATION AND DISCLOSURES TO EU AND UK RECIPIENTS**

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In the course of our correspondence and other dealings with you, we will receive information relating to you and/or, where you act as an agent or a representative of a legal person or other entity (rather than a natural person), information relating to other officers, directors, partners, members or employees of that legal person or other entity (such information, “**personal information**”). If the personal information you provide to us does not relate to you, you agree to provide the disclosures set out below to the individuals whose personal information you have provided. These Disclosures to EU and UK Recipients (“GDPR Disclosures”) supplement, but do not replace the disclosures made in the SVP Privacy Policy.

Personal information is subject to certain legal safeguards specified in the General Data Protection Regulation (2016/679) (“**GDPR**”), including any secondary and/or domestic legislation implementing the GDPR in the member states of the European Economic Area (“**EEA**”) and in legislation in the United Kingdom (“**UK**”) relating to privacy, data protection and information security (“**UK GDPR**”) (together, the “**Data Protection Legislation**”). SVP<sup>1</sup> (the “**Firm**” or “**we**”) is a ‘controller’ of your personal information for the purposes of the GDPR and the UK GDPR. The Data Protection Legislation prescribes the way in which we may collect, retain and handle personal information.

### ***With whom do we share your personal information?***

We may share certain of your personal information with the following categories of third parties for the following reasons:

- broker-dealers that provide trade execution services, custodians that provide custody services and other business services providers in connection with the administration and management of an investment account you hold with us (or one of our funds) and in connection with investment decisions, with respect to an investment account you hold with us and/or to enable the Firm to provide services and operate its business;
- advisers (e.g. auditors, legal counsel and tax advisers) to the Firm relating to or in connection with the operation of the Firm’s business, compliance with its legal, regulatory or contractual obligations and/or your investments with us;
- affiliates of the Firm for the purpose of undertaking investment advisory and investment management business; and
- law enforcement agencies; regulatory or tax authorities and other governmental or public

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<sup>1</sup> Including, solely for the purposes of this disclosure, the following companies, partnerships and other entities: Strategic Value Partners, LLC; Strategic Value Partners (UK) LLP; SVP Global (Spain), S.L.; SVP’s Funds, Investment Managers, and General Partners; and the Luxembourg entities owned by investment funds indirectly managed by Strategic Value Partners, LLC.

agencies or authorities in order to comply with our legal or regulatory obligations or at their request in furtherance of their objectives.

They may in turn use the services of their affiliates or service providers to process your personal information where necessary or appropriate. Where we share your personal information with a third party, we, to the best of our ability, take steps to help ensure the recipients of that personal information will process it appropriately.

### ***What personal information will we process?***

The types of personal information relating to you may include, for example:

- name, business and/or private email address, postal address and/or telephone number, date of birth, gender and signature;
- domicile and other geographic location data;
- bank account details, source of wealth information, investment activity, accounts, bank statements, and other commercial activity;
- government identifiers, such as your tax identification number;
- information about your current or former employers;
- information relating to regulatory status or eligibility to make investments;
- copies of passports and other documentation required for identity or address verification purposes; and
- internet and other network activity information, including information collected via cookies and similar technologies, if you interact with our website

### ***How do we use your personal information?***

We will process your personal information in order to market our investment products, to process queries, undertake normal investment business activities in order to offer our services and manage assets on behalf of clients, in furtherance of our employment relationship, if applicable, and to exercise our rights at law or under contract. We will also use your personal information, where required, in order to comply with our legal and regulatory obligations. This may include, without limitation, establishing investor eligibility, preventing fraud, carrying out money laundering checks or conflict checks, and reporting to national and international regulatory and tax authorities.

We may also process your personal information to manage and administer our business, to analyse and improve relationships with our clients and service providers, and for business development activities

In addition to the disclosure under “With whom do we share your personal information?” above, we may share your personal information with third parties (including legal advisors and law enforcement agencies) in order to respond to investigations, court orders, legal process, or to investigate, prevent or take action regarding illegal activities, suspected fraud, or as otherwise required by law.

The Firm may also use your information in order to provide you with information of investments or products you may be interested in. If you object to being contacted in respect of prospective products, please contact the Firm at [InvestorRelations@SVPGlobal.com](mailto:InvestorRelations@SVPGlobal.com)

### ***Lawful bases for processing your personal information***

The lawful bases for processing your personal information are as follows:

Performance of contract: to ensure our ability to perform our obligations under investment contracts and other documents that form the basis for our contractual relationship with you (or, in certain circumstances, another person), and certain required pre-contractual steps. If we cannot process personal information as required, it may not be possible for us to perform our obligations under the relevant contract, and we may be required to terminate the contract.

Legal obligations: we are required to comply with applicable legal and regulatory requirements,<sup>2</sup> including, for example, any regulatory or tax reporting requirements; to carry out money laundering/terrorist financing checks, conflict checks, for purposes of fraud prevention, to comply with any applicable auditing or financial reporting requirements; and to comply with information disclosure requests from regulatory, tax or other governmental or public authorities.

In addition to the above lawful bases for processing your personal information, your personal information will also be processed on the basis of our legitimate interests:

- to exercise and comply with the Firm's rights and obligations at law or under regulation, where such obligations are set out under the laws of countries outside the EEA or the UK, or under a contract to which we are a party;
- to manage and administer our business and to analyse and improve our business relationships;
- to communicate with you in respect of any products offered by us;
- to undertake risk assessment and operational control exercises; for statistical and trend analysis; for systems administration, operation, testing and support and to manage and ensure the security of our information systems;
- in furtherance of an employment relationship, if applicable;
- to help detect, prevent, investigate, and prosecute fraud and/or other criminal activity;
- to disclose information to a governmental, tax or regulatory body, financial market, broker or other intermediaries, counterparties, court, auditors or other third parties and to undertake compliance activities, when this is in our interests, or in the interests of any of our clients, including where the laws of the European Union, a member state of the EEA, or the UK do not require us to do the same;
- to establish, exercise or defend legal claims; and in order to protect and enforce the rights, property, or safety of the Firm, our clients, or to assist our clients or investors or others

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<sup>2</sup> Where those obligations derive from the laws of the European Union, the member states of the European Economic Area, or the United Kingdom.

to do the same;

- to investigate and respond to any complaints about the Firm and its business or any incidents relating to the Firm and to help maintain quality and to deal with complaints and disputes; and
- to make certain assessments about you in order to assess your investment objectives, risk tolerance, and understanding of investment risk to assess the suitability of an investment in any investment product offered by us.

When processing your personal information, we will comply with the relevant requirements under the GDPR as applicable to us.

### ***Transfers of your personal information outside the EEA and the UK***

The Firm may transfer certain of your personal information to affiliates and third party service providers, as described above, located in countries outside of the EEA and the UK. Such transfers may be made at least to the following jurisdictions: the United States, Japan, the Cayman Islands and the UAE.

Where we share your personal information with persons outside the EEA and UK we will, to the extent practicable and where required, take appropriate steps to ensure your personal information is subject to safeguards in compliance with the requirements of Data Protection Legislation. These include ensuring that transfers are made to countries that benefit from an adequacy decision or adequacy regulation with the European Commission and/or the UK government respectively; otherwise, we will seek to achieve this by entering into appropriate data transfer agreements (which may set out the standard contractual clauses approved by the European Commission governing the transfer of personal data outside the EEA, or utilize the International Data Transfer Agreement or Addendum approved by the UK data protection regulator) with third party recipients of your personal information, where possible. Please contact us if you would like a copy of such agreements.

### ***How long is your personal information retained?***

We will not seek to retain your personal information for longer than is necessary in relation to the purposes for which your personal information is processed and in accordance with regulatory requirements. Generally, we will retain your personal information concerning your investments for 5 years after the end of any relevant relationship. Personal information may be retained for longer if it is required by law, or by a tax or regulatory authority, a law enforcement agency or other governmental or public body, or considered necessary in order to allow us to act in accordance with a specific set of circumstances, for example, in light of an actual or a potential legal action or a regulatory investigation.

### ***Where do we collect your Personal Information?***

The Firm may collect personal data through a range of means. These may include direct interactions (where a person provides personal data to us through correspondence or other

direct methods of communication, including communications relating to investments), and third-party or publicly available sources (where the Firm receives personal data through a publicly available source such as a website or publicly-available registry).

***Your rights in relation to the personal information we process about you***

You have various rights under Data Protection Legislation in relation to the personal information relating to you. These include:

- the right to request access to your personal information;
- the right to request correction of your personal information;
- in certain circumstances, the right to have your personal information erased;
- in certain circumstances, the right to request that processing of your personal information is restricted;
- the right to object to your personal information being processed, where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your information for direct marketing purposes; and
- the right to request the transfer of your personal information to a third party.

You can seek to exercise any of these rights by contacting the General Counsel at [generalcounsel@svpglobal.com](mailto:generalcounsel@svpglobal.com).

***Questions or complaints***

If you have any questions or complaints regarding the processing of your personal information, please contact us directly at [InvestorRelations@svpglobal.com](mailto:InvestorRelations@svpglobal.com).

Complaints regarding our processing of your personal information may also be made directly to the relevant data protection regulator in the EEA or UK.

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