

**CAYMAN ISLANDS DATA PROTECTION LAW, 2017**  
**PRIVACY NOTICE**

Last Updated: February 1, 2021

**Purpose of this notice**

This privacy notice provides information regarding our processing of personal data in the context of the Data Protection Law, 2017 of the Cayman Islands (the “**DPL**”).

This privacy notice is relevant to any person (including any natural person or corporate entity) that provides personal data on natural persons in connection with an investment in any fund that is registered or incorporated in the Cayman Islands and managed by Strategic Value Partners, LLC or one of its affiliates (each a “**Fund**” and together, the “**Funds**”). If you are an investor or prospective investor in an SVP-managed fund that is not registered or incorporated in the Cayman Islands, this privacy notice does not apply to you.

In this privacy notice, the terms “**we**”, “**us**” and “**our**” refer to the Funds, its affiliates and/or its delegates, unless the context otherwise requires.

**Your Personal Data**

By virtue of making an investment in a Fund and your associated interactions with us, you will provide us (including by submitting subscription documents, tax forms and associated documents and in correspondence and discussions with us) certain information (“**Personal Data**”) that constitutes “personal data” under the DPL. We may also obtain Personal Data from public sources. Personal Data includes, without limitation, the following information relating to you and/or any natural persons connected with you as an investor: name, residential address, email address, corporate contact information, other contact information, date of birth, place of birth, passport or other national identifier details, national insurance or social security number, tax identification, bank account details and information regarding assets, income, employment, source of funds and investment history and risk tolerance.

Under the DPL, each Fund is a “data controller” and the Funds' affiliates and/or delegates may be “data processors” (or, in some circumstances, data controllers in their own right), in respect of your Personal Data.

**Why we process your Personal Data**

We process your Personal Data for the purposes of:

- performing our contractual rights and obligations (including under the Subscription Agreement and/or the constitutional documents of each Fund);
- complying with our legal or regulatory obligations (including those relating to anti-money laundering and counter-terrorist financing, preventing and detecting fraud, sanctions, automatic exchange of tax information, requests from governmental, regulatory, tax and law enforcement authorities, beneficial ownership and maintaining statutory registers); and

- our legitimate interests or those of a third party (including to manage and administer your investment in a Fund, to send you updates, information and notices or otherwise correspond with you in connection with your investment in a Fund, to review, assess and process your requests or applications, to address or investigate any complaints, claims, proceedings or disputes, to seek professional advice, including legal advice, to meet our regulatory, accounting, tax reporting and audit obligations, to manage risk and operations, to maintain our internal records, to act in accordance with our policies and procedures, to protect our business against fraud, breach of confidence and theft of proprietary materials and to protect the security and integrity of our IT systems) where we consider that, on balance, our (or their) legitimate interests are not overridden by your interests, fundamental rights or freedoms.

Should we wish to process your Personal Data for other specific purposes (including, if applicable, any purpose that requires your consent), we will contact you.

### **Whom we transfer your Personal Data to**

We transfer your Personal Data to certain third parties, who will process your Personal Data on our behalf, including the Administrator and other third party service providers that we appoint or engage to assist with each Fund's management, operation, administration and legal, governance and regulatory compliance. In certain circumstances, we may be required by law or regulation to transfer your Personal Data and other information with respect to your investment in a Fund to governmental, regulatory, tax and law enforcement authorities. They may, in turn, exchange this information with other governmental, regulatory, tax and law enforcement authorities (including in jurisdictions other than the Cayman Islands).

### **Transfer of your Personal Data outside the Cayman Islands**

Your Personal Data may be transferred to jurisdictions that do not have data protection laws equivalent to the DPL. This may be necessary for one of a number of reasons, including for the performance of our rights and obligations under the Subscription Agreement and the relevant Fund's constitutional documents or under an agreement with a third party that is in your interests or in connection with international cooperation arrangements between governmental, regulatory, tax and law enforcement authorities.

### **How we safeguard your Personal Data**

We have entered into written agreements with the third parties that process your Personal Data on our behalf. These agreements require third parties to act only on our instructions and to implement appropriate technical and organisational measures against unauthorised or unlawful processing of your Personal Data and against accidental loss or destruction of, or damage to your Personal Data, consistent with the DPL.

### **How long we retain your Personal Data**

We will retain your Personal Data for the longer of (a) the period of time required to perform our contractual rights and obligations or (b) as required by our legal or regulatory obligations. In general, we will retain your Personal Data throughout your investment in a Fund. We will also retain certain of your Personal Data after you cease to be an investor in a Fund.

**Your rights**

Under the DPL, you have certain data protection rights, including the right to request access to your Personal Data, the right to restrict the use of your Personal Data, the right to have incomplete or inaccurate Personal Data corrected, the right to ask us to stop processing your Personal Data, the right to require us to delete your Personal Data in certain circumstances and the right to complain to the Cayman Islands Ombudsman, who may be contacted by email ([info@ombudsman.ky](mailto:info@ombudsman.ky)), telephone (+1 345 946 6283) or post (PO Box 2252, Grand Cayman KY1-1107, Cayman Islands).

**Automated decision-making**

We will not make decisions that significantly affect you solely based on the automated processing of your Personal Data , unless we have considered the proposed processing and concluded in writing that it meets the requirements of the DPL (and other applicable laws).

**Questions or concerns**

If you have any questions or concerns about the contents of this privacy notice or our processing of your Personal Data, you may contact us at [compliance@svpglobal.com](mailto:compliance@svpglobal.com) or write to us at:

Strategic Value Partners, LLC  
100 West Putnam Avenue  
Greenwich, CT 06830  
Attn: General Counsel

This Privacy Policy is dated and effective as of February 1, 2021.