

# Privacy notice – Personal Data Protection Prospects

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## **1. Who is the controller in charge of the processing of your Personal Data?**

In the context of the General Data Protection Regulation (EU Regulation 2016/679, hereinafter referred to as the "GDPR"), we, Keensight Capital, a simplified joint-stock company registered in the Paris Company Register under number 509 104 527, having its registered office at 128, rue du Faubourg Saint-Honoré - 75008 Paris (France), is the controller responsible for the processing of Personal Data (the "Personal Data" or "Data") described in this Privacy Notice (the "Privacy Notice").

The aim of this Privacy Notice is to inform you about the processing of your Personal Data.

The different ways to contact us regarding the processing of your Personal Data are set out in Section 8 of the Privacy Notice.

## **2. What categories of Personal Data do we collect?**

In order to achieve the processing purposes described in this Privacy Notice, we collect and process the following categories of Personal Data:

- personal identification information and contact details information (Name, email address, phone number, etc.);
- professional information (e.g. profession, company, etc.);
- relevant information regarding a potential investment (e.g. sustainability preferences, potential investment, current portfolio, etc.);
- data about your interactions with our communications, such as email clicks, page views on our website, and form submissions.

## **3. What sources do we collect Personal Data from?**

We process the Personal Data you directly provide us, such as the Personal Data you give us:

- when you contact us in writing or orally;
- when you attend meeting or event with us or one of our employees;
- when you download our ESG Annual Report.

We also collect Personal Data from external sources such as LinkedIn, Preqin and your company website.

Additionally, we collect data about your interactions with our communications to better understand your engagement and improve the relevance of our communications.

#### **4. For what purposes and on what legal bases do we process your Personal Data?**

We use your Personal Data for the following purposes:

- To send you relevant information about Keensight's activities and latest news including deals, build-ups, ESG publications, awards and recognition;
- To invite you to participate in events;
- To track your engagement with our communications (e.g., email clicks, page views) and to better understand your interests and improve our marketing strategies;
- To measure the performance of our marketing campaigns and optimize our communications with you.

We may process your data based on our mutual legitimate interest in keeping you informed about news, updates, and events that are relevant to your professional relationship with us. We also process this data to manage and nurture our business relationships and improve the relevance of the information we provide. We ensure that such communications are tailored and proportionate, and we respect your rights and privacy at all times.

#### **5. How do we store and how long do we keep your Personal Data?**

We securely store your Personal Data electronically.

We ensure that the Personal Data we collect is kept up to date and retained only for as long as is strictly necessary for the purposes for which it was collected.

- **Personal Identification and Professional Information:** Personal Data, such as your identification and contact details (e.g., name, email address, phone number), professional information (e.g., profession, company), and relevant data concerning potential investments (e.g., sustainability preferences, potential investment interests, current portfolio) is retained for a maximum of 3 years from the date of last contact, in accordance with the purposes outlined in this Privacy Notice.
- **Prospect Activity Data:** Data related to your interactions with our communications is retained for 25 months. This data is automatically deleted after this period, in line with our data retention policies.

#### **6. To whom do we transfer your Personal Data?**

To achieve the purposes described in this Privacy Notice, your Personal Data may be disclosed to the following recipients (the "Processors") which processes Personal Data on behalf of Keensight Capital:

- **Service Providers:** We work with third-party service providers who perform services on our behalf (e.g., IT services, hosting, customer support, marketing, etc.). These service providers

only have access to the personal data necessary to perform their services and are contractually obligated to protect your data.

- Affiliates and Subsidiaries: We may share your Personal Data with our affiliates and subsidiaries as part of our operations.

We ensure that Processors:

- Provide appropriate security measures to protect your Personal Data from unauthorized access, disclosure, or alteration;
- Perform any processing of your Personal Data in compliance with relevant data protection laws and under our instructions.

## **7. What transfers of Personal Data do we carry out?**

### ***7.1. Overview***

All personal data contained in any document provided by the Investor, including the subscription Form and its appendices, and all other personal data collected in the course of the Investor's relationship with Keensight Capital and/or its services providers may be transmitted to other companies directly or indirectly affiliated with the Funds, Keensight Capital, its services providers or any provider of financing to the Fund and/or the Custodians (the "Processor").

Keensight Capital may delegate the processing of Personal Data to an entity which is not affiliated, directly or indirectly, to Keensight Capital. Consequently, Personal Data may be transferred and/or processed outside of the European Union in countries that do not offer the same data protection level. The Investor then has the right to request access to the documents authorizing the transfer of Personal Data outside of the European Union.

### ***7.2. Transfer of Personal Data outside of the UE***

Keensight Capital understands that any transfer of Personal Data undergoing processing or intended for processing after transfer to a third country (a country outside the UE and not deemed adequate by the UE) or to an international organisation, shall only take place in compliance with Chapter 5 of the GDPR. Keensight Capital takes proportionate and effective measures to protect Personal Data held and processed by it, however we recognise the high-risk nature of disclosing and transferring Personal Data to a third country or to an international organisation. This policy outlines the measures and controls that we will take to comply with the GDPR and provides guidance on to our employees and associated third-parties once international data transfers are envisaged by our processes.

### ***7.3. General principles of transfer***

Article 44 of the GDPR states that: *"Any transfer of Personal Data which are undergoing Processing or are intended for Processing after transfer to a third country or to an international organisation shall take place only if, subject to the other provisions of this Regulation, the conditions laid down in this policy are complied with by the Controller and Processor, including for onward transfers of Personal*

*Data from the third country or an international organisation to another third country or to another international organisation. All provisions in this policy shall be applied in order to ensure that the level of protection of natural persons guaranteed by the GDPR regulation is not undermined”.*

#### **7.4. Transfer on the basis of adequacy decision**

With reference to Article 45, a transfer of Personal Data to a third country or an international organisation may take place where the UE has decided that the third country, a territory or one or more specified sectors within that third country, or the international organisation in question, ensures an adequate level of protection. Such transfer shall not require any specific authorisation.

The UE has so far recognised the following countries as providing adequate protection:

- Andorra
- Argentina
- Canada (commercial organisations)
- Faroe Islands
- Guernsey
- Israel
- Isle of Man
- Japan
- Jersey
- New Zealand
- Switzerland
- Uruguay
- South Korea
- United Kingdom.

#### **7.5. Transfer subject to appropriate safeguards**

If a country is not listed as an adequate country, according to Art 46 of the GDPR, Keensight Capital or Processor may transfer Personal Data to that country or an international organisation only if the Keensight Capital or Processor has provided appropriate safeguards ensuring secure Data transfer.

The appropriate safeguards referred to above may be provided for, without requiring any specific authorisation from the European Commission, through:

- a legally binding agreement between public authorities or bodies;
- Binding Corporate Rules (BCR) in accordance with Article 47 (agreements governing transfers made between organisations within a corporate group);
- standard Data protection clauses adopted by the European Commission in accordance with the examination procedure referred to in Article 93(2) in the form of template transfer clauses adopted by the European Commission;
- standard Data protection clauses adopted by a Supervisory Authority and approved by the Commission pursuant to the examination procedure referred to in Article 93(2);

- an approved code of conduct (see Article 40) together with binding and enforceable commitments of the Controller and Processor in the third-party country to apply the appropriate safeguards
- certification under an approved certification mechanism as provided for in the GDPR;
- an approved certification mechanism pursuant to Article 42, together with binding and enforceable commitments of the Controller or Processor in the third country to apply the appropriate safeguards, including the Investors' rights;
- subject to the authorisation from the competent European Commission, the appropriate safeguards referred to in the above may also be provided for, in particular, through: standard contractual clauses between the Controller or Processor and the Controller, Processor or the recipient of the Personal Data in the third country or international organisation; or
- provisions to be inserted into administrative arrangements between public authorities or bodies which include enforceable and effective Data Subject rights.

#### ***7.6. Derogations from the prohibition on transfers of Personal Data outside of the EU***

In the absence of an adequacy decision pursuant to Article 45(3), or of appropriate safeguards pursuant to Article 46 of the GDPR, the Controller and the Processor will not transfer Personal Data to a third country or an international organisation except in the case of specific conditions specified in Article 49 of the GDPR.

### **8. What are your rights with regards to the processing of your Personal Data? How can you exercise them?**

#### ***8.1. Your rights as regards our processing of your Personal Data***

As regards our processing of your Personal Data described in this Privacy Notice, you have the right, under certain circumstances set out in the GDPR and the French data protection law (insofar as it applies):

- to be provided with a copy of any Personal Data that we hold about you, and receive information about our processing of your Personal Data;
- to require us to update or correct any inaccurate Personal Data, or complete any incomplete Personal Data;
- to require us to delete your Personal Data;
- to restrict our processing of your Personal Data that we carry out;
- not to be the subject of a decision based exclusively on automated processing, including profiling, which produces legal effects concerning you or which significantly affects you in a similar way;
- to object to the processing of your Personal Data;
- to receive your Personal Data in a structured, commonly used and machine-readable format, and to ask us to transfer them to another controller;

- to define guidelines for the storage, erasure and disclosure of your Personal Data after your death. These guidelines are general or specific. The general guidelines concern all your Personal Data and may be registered with a trusted third party certified by the French Data Protection Authority ("*Commission Nationale de l'Informatique et des Libertés*") ("CNIL"). The specific instructions concern the processing of Personal Data mentioned in these instructions, and are registered with us.

Finally, you have a right to lodge a complaint with the relevant supervisory authority (in particular in the Member State of your habitual residence, place of work or place of the alleged infringement), if you are of the opinion that any of your Personal Data is processed in a manner constituting an infringement to the General Data Protection Regulation.

### ***8.2. Contact us to exercise your rights***

If you wish to exercise any of your abovementioned rights, you can contact us using one of the options below:

- you can send us an email to the following addresses: [gdpr@keensightcapital.com](mailto:gdpr@keensightcapital.com)
- you can write to the following postal address: Keensight Capital, 128, rue du Faubourg Saint-Honoré - 75008 Paris (France).

We kindly ask you to clearly indicate in your communication which Personal Data or processing operations are the subject of your request.

You can also contact us if you have any questions or queries as regards our processing of your Personal Data, using the contact options above.

## **9. Updates to this Privacy Notice**

You can find out the date when this Privacy Notice was last amended by checking "Last modified" at the top of this page. The latest version of this Notice is available at any time on Keensight Capital's website ([www.keensightcapital.com](http://www.keensightcapital.com)).