

CONSTANTIA FUND LIMITED (“CFL”) PRIVACY NOTICE

YOUR RIGHTS AS A DATA SUBJECT

1. INTRODUCTION

This document sets out what we do with your personal data that we process to give you transparency. It also informs you of your rights regarding your personal data.

See also: <https://www.maitlandgroup.com/about-us/governance/data-protection/your-rights/>

2. WHAT IS PERSONAL DATA AND PROCESSING?

Personal data is information relating to a living individual who can be identified from that data or that makes them identifiable. When we collect, store, use in any way for any purpose or delete your personal data we are processing it. Personal data includes, among other data, your email address and telephone number together with bank account numbers or passport numbers.

3. DATA CONTROLLER

- 3.1 **Constantia Fund Limited** is the Data Controller of your Personal Data. The Data Controller is responsible for ensuring that your personal data is processed in compliance with data protection laws and to provide you with this privacy notice. If you have any questions or concerns about personal data or this privacy policy or you wish to make a complaint about how we have processed your personal data, or you wish to exercise any of your rights as a data subject please contact the Data Controller by email at dataprotection@maitlandgroup.com or by post at the following address:

Constantia Fund Limited,
Craigmuir Chambers, Road Town,
Tortola, VG1110,
British Virgin Islands

- 3.2 Our Representative office in Europe is:

Maitland Wealth Services Limited,
Berkshire House,
168-173 High Holborn,
London WC1V 7AA

- 3.3 You may write to either office.

4. HOW AND WHY DO WE PROCESS YOUR DATA?

- 4.1 **Subscriptions:** Other than your contact details which we require to contact you and an internal number we assign to you (an identifier under the GDPR definition), all personal data collected/processed as part of the subscription process is mandatory for compliance with Know Your Customer/Anti-Money Laundering requirements. This applies whether you are a settlor, trustee, director, protector, beneficiary, significant shareholder or other data subject on whom we seek personal data. Your personal data will be stored on our servers in South Africa, Europe and

the United Kingdom. Your data may be shared with third parties within the European Union and/or globally to undertake sanction screening and the internal data we generate may go to other Maitland offices for reporting. Where such office is situated outside of the European Union, such as South Africa, we have the necessary arrangements in place for processing your data in line with European standards.

- 4.2 **Periodic Reporting:** We have a legal obligation to produce period statements and we use the personal data we collect from you together with financial data and an internally generated reference number assigned to you to do so. This may be shared with regulatory bodies and your custodian. Your personal data may be input into and processed by fund and accounting software which is maintained and used by Maitland entities globally.
- 4.3 **CRS / FATCA Reporting:** We process the account number, tax ID, FATCA/CRS information and financial data. We are required to do this by legislation. This data may be shared with your custodian and other Maitland offices in particular in Europe, the Isle of Man and South Africa.
- 4.4 **Redemption Payments:** The bank details which we request from you including swift code, IBAN and account number are used for record keeping, which we have a legal obligation to undertake and to process payments in fulfilment of our duties to you. They may be shared with our other offices and with CFL's custodian bank. Where such Maitland office is situated outside of the European Union, such as South Africa, we have the necessary arrangements in place for processing your data in line with European standards.
- 4.5 **Termination:** We will further process the personal data you have provided us with when you terminate your relationship with us we are required to communicate that to the various parties we engage with including the custodian and other Maitland offices (in particular South Africa).
- 4.6 **Sharing with Broker, Custodian, or Portfolio Manager:** Brokers, Banks, Custodians and Portfolio Managers may require information on you for their own due diligence to comply with regulations, we share the information you provide to us with them for this purpose. We will also use your data in the normal running of our business including for reasonable administrative and accounting purposes. Your data may also be viewed by regulatory/supervisory bodies or by our accountants should they perform an audit.

5. CONSEQUENCES OF FAILING TO PROVIDE THE REQUIRED PERSONAL DATA

Without the personal data detailed in this notice we would be unable to take accept your subscription, undertake any activities or maintain records for you as we would not be compliant with the law.

6. SUMMARIES OF TRANSFERS

Under European data protection law we are obliged to inform you where data is transferred outside of the European Union. Your data will be processed by Maitland in Isle of Man, United Kingdom and South Africa and occasionally at one of our European, Guernsey or Isle of Man offices. Isle of Man and Guernsey have been granted equivalent status for data protection to Europe by the European commission. Agreements are in place between CFL and our South African and other group entities and any subcontractors such as processing outsourcing technology companies in compliance with the General Data Protection Regulation.

7. RETENTION AND DESTRUCTION OF PERSONAL DATA

Your personal data will be kept securely by CFL and the other parties mentioned above. This information will be held for 6 years from the data at which you cease to be a client after which it will be securely destroyed. We may keep it longer where:

- 7.1 There is litigation or an investigation;
- 7.2 Where we are obliged to by any law which governs our operations;
- 7.3 At your request (in which case there may be a charge);
- 7.4 Where we act in connection with a trust we may need to retain documents for significantly longer periods to demonstrate to beneficiaries in the future.

8. YOUR RIGHTS

<https://www.maitlandgroup.com/about-us/governance/data-protection/your-rights/>

- 8.1 We do not use automated decision making which produces legal effects on data subjects.
- 8.2 You are entitled to ask for details of any personal information that we hold. This will be provided as quickly as possible, but in any event, no later than 30 days after receipt of the request. We will not charge for accessing and providing you with the information. At the same time we will remind you of your rights which are to:
 - 8.2.1 Have your data provided in a commonly used electronic format (data portability);
 - 8.2.2 Have inaccuracies corrected;
 - 8.2.3 Have information erased where we have no superseding reason to retain the data;
 - 8.2.4 Prevent direct marketing;
 - 8.2.5 Prevent automated decision-making and profiling.

9. THE CATEGORIES OF PERSONAL DATA WE PROCESS

When we do not collect personal data directly from you we must tell you the categories of personal data that we process collected from other sources. We process the following categories of your personal data that were not collected directly from you.

- 9.1 Account number: provided by Custodian bank
- 9.2 Internal ID: generated by Maitland for reporting purposes.
- 9.3 Financial data provided by the Custodian bank.
- 9.4 Identity information from sanctions screening, fraud prevention agencies or credit reference agencies

10. **MAITLAND'S PRIVACY POLICY**

For more information on how we use your personal data including how we maintain security, your rights to access and correct personal data we hold on you please go to our website and view our [Privacy Policy](#).

11. **SEE ALSO**

11.1 [Data Subject Rights](#)

11.2 [Supervisory Bodies](#)

11.3 [Security Statement](#)