

This Policy explains when and why we collect personal information about you, how we use it, the conditions under which we may disclose it to others and how we keep it secure.

We may update and/or amend this Data Protection Policy at our sole discretion and should we do so, we shall notify you in writing.

#### **1. Who are we?**

SphereInvest Group Limited is a privately owned specialist investment management company licensed as an Alternative Investment Fund Manager under the AIFM Directive as well as licensed as a UCITS investment manager.

The Data Protection Officer may be contacted:

- by e-mail at [contact@sphereinvestgroup.com](mailto:contact@sphereinvestgroup.com);
- by phone on (+356) 2134 3297;
- by post at  
SphereInvest Group Limited, 2<sup>nd</sup> Floor, Airways House, High Street, Sliema, SLM1549, Malta.

#### **2. Personal Data**

The controller of your personal data in relation to investment services provided to you and for the other purposes identified below is SphereInvest Group Limited. This privacy notice does not apply to information collected, stored, shared or distributed by third-parties. This Privacy notice does not apply to our employees, who are covered by our internal policies and procedures.

The term “personal data” refers to all personally identifiable information about you and includes all the information incorporated into the Terms of Business, as well as all other information which may arise or may be derived or collected about you throughout the relationship with us and that can be identified with you personally.

#### **3. Purposes and Legal Bases of Processing your Data**

The purposes and legal bases of processing your personal data are:

- i. For the performance of the Service(s) provided thereunder which include:
  - a. To provide you with investor statements and to provide you with information of products and services;
  - b. For internal assessments and analysis (including market research, administrative processing and product analysis);
  - c. For the detection and prevention of fraud and other criminal activity which we are legally bound to report;
  - d. For the development and improvement of our systems, products and services;
  - e. For direct marketing as provided in Clause 13;
  - f. In the recording of telephone conversations or electronic communications which result or may result in transactions which recording will take place in such instances set out in the Terms of Business; and
  - g. To contact you for quality assurance purposes.
- ii. Compliance with legal obligations which are imposed on us, including (amongst others) money-laundering detection and reporting, obligations under FATCA and CRS, and other obligations imposed upon us in terms of applicable law;

Our legitimate interest shall be exercised in a proportionate manner taking into account your legitimate expectations to privacy, in order for us to monitor, intercept, review and access any communications and activities carried through our equipment in accordance with the law. Communications and activities carried through our equipment cannot be presumed to be private, in that it can be shared with authorised personnel from time to time.

#### **4. Recipients**

The recipients of your personal data are:

- a. our employees and management;
- b. representatives under the terms of contracts with our Data Processors.

#### **5. Personal Data Transfers**

Your personal data may be transferred to third party recipients in the EU/EEA.

In addition, in order to provide you with the Service(s) it may also be necessary for us to transfer your personal data to recipients located outside of the EU/EEA, including countries that may not have the same level of protection for personal data. In doing so we shall ensure that transfers to each of these countries will be protected by appropriate safeguards, namely that such third party recipients are either subject to an adequacy decision or to appropriate safeguards in accordance with the applicable privacy laws and/or any other applicable legislation. We shall also ensure that we have a justifiable ground for such a transfer. In the event that we are of the opinion that a processing instruction given by the client may infringe EU Data Protection Laws, we shall immediately inform the client.

#### **6. Processing Requirement**

The processing of your personal data is not a statutory requirement: it is a requirement in order for us to provide you with our Service(s); it is therefore a contractual requirement. If you fail or refuse to provide us with your personal data we shall not be in a position to provide you such service(s) and retain the relationship.

#### **7. Profiling**

Prior to the provision of the Services to you and during our relationship with you, we may collect information from you in order to, amongst others, comply with our obligations at law, determine your risk profile and/or for any other purpose connected with Service(s) we provide to you. We may process such personal data on the basis of and/or pursuant to the performance of Service(s) to you and/or the performance of our obligations at law.

You may contact us or our Data Protection Officer by using the details indicated above should you wish to express your views on any decision arrived at by us in processing your personal data for profiling, and your request will be reviewed.

#### **8. Data Retention Period**

While we generally aim to retain your personal data for the period during which you have a relationship with us, records and other information will be otherwise processed and kept for as long as necessary for us to be in compliance with our legal obligations, industry practices and/or accepted standards (including where processing may be necessary for the establishment, exercise or defense of legal claims) and all the while that we have a legitimate interest in holding that data.

## 9. Your Rights

For as long as we retain your personal data you may:

- a. request access to and rectification of personal data where incomplete or inaccurate;
- b. request erasure of your personal data (where applicable and permissible);
- c. object to the processing of your personal data (where applicable);
- d. request that we provide you with any personal data you have provided us, in a structured, commonly used and/or machine-readable format (except where such personal data is provided to us in hand-written format, in which case such personal data will be provided to you, upon your request, in such hand-written form); and
- e. request that we transmit your personal data directly to you or to another controller indicated by you in writing.

We may not be in a position to entertain any request made in terms of point (b) above if prevented from doing so in terms of applicable law.

## 10. Data Not Collected from You

We might also be collecting personal data about you which has not been furnished to us by you. Insofar as you do not already hold information about such processing, we shall provide you with information about such processing as required under applicable law.

In addition to the rights outlined above, where data is not collected from you, you also have a right to be informed of the source from which your personal data originates.

## 11. Complaints

If you have any complaints regarding our processing of your personal data, please note that you may contact us or our Data Protection Officer on any of the details indicated above. You also have a right to lodge a complaint with the Office of the Information and Data Protection Commissioner in Malta ([www.idpc.gov.mt](http://www.idpc.gov.mt)).

## 12. Our Security and Organisational Measures for Adequate Security

We shall implement and maintain appropriate and sufficient technical and organisational security measures, taking into account the nature, scope, context and purposes of the processing as well as the risk of varying likelihood and severity for the rights and freedoms of natural persons, to protect your personal data against any unauthorised accidental or unlawful destruction or loss, damage, alteration, disclosure or access to personal data transmitted, stored or otherwise processed and shall be solely responsible to implement such measures.

We shall ensure that our staff who process your data are aware of such technical and organisational security measures and we shall ensure that such staff are bound by a duty to keep your personal data confidential.

The technical and organisational security measures in this clause shall mean the particular security measures intended to protect your personal data in accordance with any privacy and data protection laws.

## 13. Marketing

From time to time we would like to contact you about latest information, new products, services, as well as updates and offers related to our products and services. We would also like to inform you about other products and services supplied by any member of the SphereInvest Group, and for research purposes.

We may use the following methods to inform you about such offers: mail, telephone, or electronically.

### Cookies and Tracking Technologies:

To improve the quality of the information you receive from us, we use market leading software (ProFundCom) which can monitor activity in the emails you receive from us.

We and our third-party partners may use various technologies to collect and store access and usage data when maintaining electronic contact with you and this may include using cookies and similar tracking technologies. For example, we may use technology in the emails we send to you, which enable us to track certain behaviour, such as whether the email sent through was delivered and opened and whether links within the email were clicked. This technology allows us to collect information such as IP addresses, browser, email client type and other similar data. We use this information to measure the performance of our email campaigns, to provide analytics information, enhance the effectiveness of our marketing, and for other legitimate interests. Reports are also available to us when we send emails to you, so we may collect and review that information.

We may also collect information about you from third party data suppliers who enhance our files and help us better understand our clients. When you open or click an email, this generates a notice of that action. These tools allow us to measure responses to our communications and improve our websites and promotions. Information collected using these technologies in our e-mails is for our own legitimate interest.

By using the SphereInvest websites and by downloading the information that we send to you, you consent to the use of these various tools.

You can change your mind and may withdraw your consent to the processing of your personal data as outlined below at any time:

- unsubscribe using the “unsubscribe” option on our mailings or website
- by e-mail at [contact@sphereinvestgroup.com](mailto:contact@sphereinvestgroup.com);
- by phone on (356) 2134 3297;
- by post at  
SphereInvest Group Limited, 2<sup>nd</sup> Floor, Airways House, High Street, Sliema, SLM1549, Malta.