



# PRIVACY NOTICE

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## 1. Introduction

This Privacy Notice ("Notice") describes what information Crossroads Capital Management Limited ("CCM" or "Crossroads") collects, how we collect that information and how we use, transfer, and disclose the collected information when we send direct marketing emails to you or when you visit our website. Please review it carefully.

It also informs you about your legal rights under the General Data Protection Regulation (697/2016/EU) – or "GDPR" – the European law on the use of personal data which is effective from 25th May 2018 and the Irish Data Protection Acts 1988 to 2003 (collectively, "Data Protection Legislation") prior to 25th May 2018.

This Notice was last updated on 10<sup>th</sup> May 2018.

The version date of this Notice will be amended to reflect any updates. Material changes will be directly brought to your attention and we will seek your consent to such changes where required. We encourage you to periodically review this Notice to ensure you are informed of any changes.

## 2. Who we are and contact details

Crossroads is regulated by the Central Bank of Ireland as an Alternative Investment Fund Manager ("AIFM") and UCITS Management Company. It provides collect portfolio management services to alternative investment funds ("AIFs") and undertakings for collective investments in transferable securities ("UCITS").

Crossroads is a data controller. The Head of Compliance in Crossroads is the responsible person for answering any questions you may have in relation to the protection of your data, for responding to complaints or for addressing any requests to exercise your legal rights.

- **Name of individual with responsibility for data protection:** Rory Caldwell (Head of Compliance)
- **Email address:** [ccmprivacy@crossroadscapital.ie](mailto:ccmprivacy@crossroadscapital.ie)
- **Address:** 26-27 Mount Street Upper, Dublin 2, D02F890, Ireland

Crossroads has not formally appointed a Data Protection Officer ("DPO") as its core activities do not involve the monitoring of personal data systematically and on a large scale or the large scale processing of "special categories" of personal data (e.g. relating to health, race, religious or political beliefs) or data relating to criminal convictions on a large scale.

If you have a question or concern about our use of your personal data, please do not hesitate to contact us in the first instance using the contact details above.

## 3. What data we collect about you, for what purposes and our legal basis for processing

We may collect, use, store and transfer different kinds of personal data about you. The personal data we collect will depend on the relationship you have with Crossroads or one of the funds that Crossroads manages.

### 3.1 When you subscribe to receive direct marketing emails

Where you subscribe to receive **direct marketing emails** from us we collect the following personal data from you:

- Your name;
- Your email address;
- The name of your employer or company (where applicable);
- IP address.

We collect this information from you so that we remain in contact with you to provide updates in relation to our business and industry developments (such as the impact of regulations on the funds industry) that we believe may be of interest to you. These communications may also include information on the products and services that Crossroads is currently or planning to provide.

Where these communications do not concern existing contractual services provided by Crossroads to you we request your **consent** to continue to receive our updates.

You may withdraw your consent to hear from us at any time by clicking "**unsubscribe**" in any marketing email you receive from us and update your preferences or alternatively by contacting [ccmprivacy@crossroadscapital.ie](mailto:ccmprivacy@crossroadscapital.ie). You also have a right to object to the processing of your personal data for direct marketing purposes.

Should you choose not to provide the personal data requested we will no longer be able to contact you to keep you informed of updates to our business and services, industry developments and regulatory developments that we believe may be of interest to you.

Where we already have an **existing contractual relationship with you for the provision of our products or services** we rely on our **legitimate business interests** to advise you through e-mail about other products or services similar to the products or services we have provided to you and that we think will be of interest to you.

Where personal data is processed for the purposes of legitimate interests, you have a right to object to such processing and we will no longer process the personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

We use a third party, MailChimp, to manage our distribution list. Please see **Section 4** below for further information on the use of your data by third parties.

### 3.2 When you visit our website

When you visit our website we collect different personal data from you, depending on the purpose of use.

#### 3.2.1 General visitors

As any user interacts with our website, we may automatically collect your:

- IP address;
- technical data about your equipment; and
- browsing actions and patterns.

We collect this personal data by using **cookies** and other similar tracking technologies.

Our website is operated by Granite Digital, a third party service provider. We also use Google Analytics to monitor the use of our website. Please see **Section 4** below on how these third parties may use your data including the types of cookies used and for what purposes.

This information may be used for analytical purposes to establish trends, effectiveness of our website and communications, target audience, to determine your preferences and to enhance your website experience.

We require your **consent** to process your data for general use of our website. You also have a right to withdraw your consent and object to the processing of your personal data due to use of our website by contacting [ccmprivacy@crossroadscapital.ie](mailto:ccmprivacy@crossroadscapital.ie).

### 3.2.2 Visitors using the “Contact Us” function of our website

Should you wish to contact us through the dedicated section of our website you must submit the following *mandatory* information:

- Your name;
- Your email address;
- Your message

The provision of your phone number and upload of a file via this section of the website are optional. We collect additional personal data to the extent that you choose to upload a document (e.g. CV, evidence of professional qualifications or work transcripts) or should your message include personal data.

We process the *mandatory* information submitted to contact us based on your **consent**.

We rely on our **legitimate interests** to process any *personal data you choose to upload* relating to the seeking of employment, business related communications or unsolicited communications of commercial opportunities.

Please note that where personal data is processed for the purposes of legitimate interests, you have a right to object to such processing and we will no longer process the personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

### 3.2.3 Visitors with “Client Log-in” details

If you are a current or prospective investor in a fund managed by Crossroads you may be assigned log-in details to access a restricted section of the website in order to view information on the products including regulatory documents (e.g. Prospectus, KIDs).

In the case of certain products we may request additional information in this case through pop-ups whereby you are requested to confirm that you are resident in specified jurisdictions (to determine your eligibility to invest in the relevant product) or confirm that you meet the criteria to be classified as a Professional Client as defined in the recast Directive 2014/65/EU on markets in financial instruments ("MiFID II"). In the latter case a natural person may be requested to confirm he/she meets certain financial thresholds.

Our basis for processing such data is to **comply with a legal obligation**. You will be refused access to view relevant product section of the website where you cannot provide the data necessary to meet the requirements.

## 4. How we collect and use your personal data

### 4.1 When you subscribe to our direct mailing list

We use the services of MailChimp to send you our emails and manage our mailing list. It is currently necessary for Crossroads to use a third party to manage our distribution list due to the superior functionality available and also to avail of features to enable us to demonstrate ongoing compliance with certain provisions of the GDPR.

To allow us to send you our emails through MailChimp, we provide MailChimp with certain information, including: your name, email address, employer/company name and IP address. MailChimp treats information about you in accordance with the provisions of its Privacy Policy. MailChimp also utilizes certain technologies, such as pixels and web beacons, in the emails that are sent through MailChimp. These technologies allow MailChimp to track whether you have opened or clicked on our emails and if so, the date, time, and IP address associated with the open and/or click.

For more information on MailChimp's use of these technologies, you can read their Cookie Statement and Privacy Policy.

<https://mailchimp.com/legal/cookies/>

<https://mailchimp.com/legal/privacy/>

However, MailChimp does not use cookies when you subscribe to our mailing list unless you visit a MailChimp website (other than the pages where you provide your subscription details or manage your preferences), in which case any one or more of the cookies listed in MailChimp's Cookie Statement may be used).

Crossroads does not elect to use any of the optional tools to track certain activities of our subscribers as described in the "Cookies served through the Services --> User sites" section of MailChimp's Cookie Statement such as the use of ad-features by other third parties.

### 4.2 When you visit our website

Our website host and service provider, Granite Digital, uses cookies. Cookies are small data files that are placed on your computer or mobile device when you visit a website. Cookies are widely used by online service providers in order to (for example) make their websites or services work, or to work more efficiently, as well as to provide reporting information. We also use Google Analytics.

Cookies set by the website host are called “first party cookies”. Cookies set by parties other than the website owner are called “third party cookies”. Third party cookies enable third party features or functionality to be provided on or through the website or service you are using (such as advertising, interactive content and analytics). The third parties that set these third party cookies can recognise your computer both when it visits the website or service in question and also may do so when it visits certain other websites or services.

#### First party Cookies (used by the website host)

Granite Digital uses the following cookies to operate our website:

- **CFID**
- **CF Token**

CFID used in conjunction with CFTOKEN helps to uniquely identify a client device (browser) to enable the site to maintain user session variables.

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you **disable or refuse cookies**, please note that some parts of our website may become inaccessible or not function properly.

#### Third Party Cookies (Google Analytics)

Google Analytics uses the following cookies:

- **\_ga**
- **\_gat**
- **\_gid**

These cookies collect the following information:

- Time of visit, pages visited, and time spent on each page of the webpages;
- Referring site details (such as the URL a user came through to arrive at this site);
- Type of web browser;
- Type of operating system ;
- Flash version, JavaScript support, screen resolution, and screen colour processing ability

This information may be used for analytical purposes to establish trends, effectiveness of our website and communications, target audience, to determine your preferences and to enhance your website experience.

Please note the [Privacy Policy of Google](#) where you can find instructions to amend your privacy settings.

<https://policies.google.com/privacy?hl=en#nosharing>

## 5. Linked third-party websites

To the extent that our website permits you to link to or otherwise access the websites of third-parties, separate privacy policies may apply to those linked websites. Those separate privacy policies may contain terms different than those contained in Crossroad's Privacy Notice, and your access to and use of such linked websites are not governed by this Privacy Notice.

Crossroads expressly disclaims any and all responsibility for your access to and use of such linked websites, as well as for any use of the personal data that you may provide, or any personal data that may be collected about you (including via cookies) at such linked websites.

## 6. Transfers and disclosures of your personal data to third-parties

In certain cases, we may determine whether to transmit and process your data outside of the European Economic Area ("EEA"). In these situations, we have measures in place to comply with the GDPR to ensure an equivalent degree of protection is afforded to your personal data as it would enjoy within the EEA by implementing at least one of the following safeguards:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by an Adequacy Decision of the European Commission.
- Where we share data with organisations outside the EEA, we may use specific contracts approved by the European Commission which give personal data the same protection it has in the EEA ("Model Contracts").
- Where we use providers based in the US, we may transfer data to them if they are part of the EU-US Privacy Shield which requires them to provide equivalent protection to personal data shared between the EU and the US.

Crossroads may transfer your personal data to third parties as follows:

- (a) Applied Computer Technologies Ltd ("ACT"): ACT is a Bermuda domiciled company it provides cloud services to Crossroads and hosts its network and data on its server. All Crossroad's data is held in a Canadian server and may not transfer Crossroad's data onwards from this server. Canada has been identified as a jurisdiction providing equivalent protection by an EU Commission Adequacy decision;
- (b) The Rocket Science Group LLC d/b/a MailChimp ("MailChimp"): As disclosed previously, MailChimp is used as a tool to manage Crossroad's direct marketing mailing list. It is domiciled in the United States of America. Crossroads has agreed a Model Contract with MailChimp. MailChimp also adheres to the EU-US Privacy Shield;
- (c) Granite Digital ("Granite"): Granite hosts Crossroad's website and provide maintenance services in relation thereto. Granite is domiciled in the EEA (Ireland) and all data is hosted in an Irish Amazon server with no possibility for onward transfer; and

- (d) Google Analytics: We use Google Analytics to monitor the use of our website. Google Analytics adheres to the EU-US Privacy Shield.

We may also disclose your personal data in accordance with applicable law to the following third parties.

- (a) to the official appointed auditors of CCM;
- (b) to legal advisers or professional consultants (subject to a duty of confidentiality) for the purposes of ensuring compliance with applicable laws;
- (c) to competent authorities (including tax authorities), courts and bodies as required by law; and
- (d) to a prospective acquiring entity during merger or acquisition negotiations, however we will require the acquiring entity to agree to protect the privacy of your personal data consistent with this Privacy Notice.

Should we make such disclosures we will take all appropriate measures to protect the security of your personal data.

## 7. Data Retention and Security

Crossroads retains your personal data for the period necessary to fulfil the purpose for which it was collected, as outlined in this Privacy Notice, unless a longer retention period is mandated or permitted by law.

Crossroads uses all reasonable efforts and security practices to safeguard your personal data and to employ security measures designed to protect your personal data from access by unauthorised persons. We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. Such employees and Third-Party processors are appropriately designated and trained to process data only according to the instructions we provide them.

Crossroads will stop processing and destroy (and transfer on your instructions) any personal data where you withdraw your consent or legitimately object to our continued processing of your data.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable supervisory authority of a breach where we are legally required to do so.

## 8. Children

Crossroads does not knowingly collect information from children under the age of 13 (or such legally required higher age) and does not target its emails or website to children under 13 (or such legally required higher age).

Crossroads encourages parents and guardians to take an active role in their children's online activities and interests. If Crossroads learns that a child under the age of 13 (or such legally required higher age) has submitted personal data online without parental consent, we will take all reasonable steps to delete such information from our databases and not to use such information for any purpose (except where necessary to protect the safety of the child or others as required or as allowed by law).

If you become aware of any personal data we may have collected from children under 13 (or such legally required higher age), please contact us at [ccmprivacy@crossroadscapital.ie](mailto:ccmprivacy@crossroadscapital.ie).

## 9. Automated Decision Making

Automated decisions are defined as decisions about individuals that are based solely on the automated processing of data and that produce legal effects that significantly affect the individuals involved.

Crossroads does not make automated decisions using personal data. If automated decisions are to be made, affected persons will be given an opportunity to express their views on the automated decision in question and object to it.

## 10. Your Data Protection Rights

Please note that you have the following rights under the GDPR in relation to your personal information. In each case, the exercise of these rights is subject to the provisions of the GDPR:

- (a) You have a **right of access** to and the **right to amend and rectify** your personal data;
- (b) You have the **right to have any incomplete personal data completed**;
- (c) You have a **right to lodge a complaint** with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you consider that the processing of your personal data controlled by Crossroads infringes the GDPR;
- (d) You have a **right to request that your personal information is erased** (in certain specific circumstances);
- (e) You have a **right to restrict processing** (in certain specific circumstances);
- (f) You have a **right to data portability** or transferred in standard format (in certain specific circumstances);
- (g) You also have the **right to object to processing** where personal data is being processed for marketing purposes and also where Crossroads is processing personal data for legitimate interests.
- (h) You have the **right to withdraw consent** to our processing of your personal data.

## 10.1 Process for Data Access Requests

There may be times where you wish to access your personal data. Crossroads makes commercially reasonable efforts to provide you with access to your personal data in accordance with your legal entitlements so you can instruct us to correct or update the personal data if it is inaccurate, or delete your personal data if Crossroads is not required to retain it by law, for legal purposes, or for a legitimate business purpose.

To request a copy of your personal data, or to provide instructions to us on what you want corrected, restricted or updated, please send us an e-mail at: [ccmprivacy@crossroadscapital.ie](mailto:ccmprivacy@crossroadscapital.ie).

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

## 10.2 Process for Queries or Complaints

If you have any concerns about our use of your personal data, you can send us an email or, if applicable, raise your concerns with an appropriate supervisory authority in your country of residence.

We endeavour to respond to all legitimate requests within 30 days. Occasionally it may take us longer than 30 days if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated and endeavour to respond to your request as soon as reasonably practicable.

You always have the right to make a complaint about our use of your personal data at any time to the Office of the Data Protection Commissioner (“DPC”) or an appropriate supervisory authority in your country of residence. The DPC is Ireland’s supervisory authority for data protection (<https://www.dataprotection.ie>).