

ATLA INVESTMENT FUNDS PLC

Privacy Notice

1. Purpose of this Privacy Notice

- 1.1 This notice (**Privacy Notice**) applies to information Atla Investment Funds PLC (the **Company**) holds about you, particularly if you are a past, present or prospective investor in the Company. Wherever we have said “we”, “our” or “us”, we mean the Company.
- 1.2 This Privacy Notice explains what information the Company and those acting on its behalf, including the Manager, collect about you and individuals connected to your business, how we'll use that information, who we'll share it with, the circumstances when we'll share it, and what steps we'll take to make sure it stays private and secure. It continues to apply even if your relationship with us ends. It should also be read alongside other documentation relating to the Company (such as the Scheme Particulars and the Application Form) as these may include sections relating to the use and disclosure of information. Where there is any conflict between the terms of this Privacy Notice and any other document in relation to data protection the terms of this Privacy Notice shall prevail.
- 1.3 An “individual connected to your business” could be any guarantor, a director, officer or employee of a company, partners or members of a partnership, any substantial owner, controlling person, or beneficial owner, trustee, settlor or protector of a trust, account holder of a designated account, recipient of a designated payment, your attorney or representative (e.g. authorised signatories), agent or nominee, or any other persons or entities with whom you have a relationship that is relevant to your relationship with us. Whenever we say “you” this should be read to include “individuals connected to your business”.
- 1.4 For the purpose of this Privacy Notice, the Company will act as data controller, and the Manager as a data processor, in accordance with the Data Protection Act 2018 (**DPA**), the GDPR and LED Implementing Regulations 2018 (as amended), the Data Protection (Application of GDPR) Order 2018 (**Order**) (as amended), the General Data Protection Regulation (Regulation (EU) 2016/679) as applied by the Order and any other orders or regulations made under the DPA from time to time (**Data Protection Legislation**).
- 1.5 Please ensure that any relevant individuals are made aware of this Privacy Notice and the individual rights and information it sets out, prior to providing their information to us or our obtaining their information from another source. If you, or anyone else on your behalf, has provided or provides information on an individual connected to your business to us, you or they must first ensure that you or they have the authority and appropriate legal basis to do so.

2. Information we collect

- 2.1 This Privacy Notice is concerned with personal information (also called **personal data**) we collect about you. Personal data means any data by which you as an individual can be identified directly or indirectly (e.g. if several pieces of data are combined).
- 2.2 Some of the personal data we hold about you will have been supplied by yourself. Other personal data may come from your financial advisor, solicitors, broker, employer or other intermediary, our service providers or other sources you've asked us to obtain information from. We might also get some of it from publicly available sources.
- 2.3 We will usually collect personal data such as:
 - (a) personal details (e.g. name, previous names, gender, date and place of birth, occupation and/or source of wealth);
 - (b) identification materials we may need for our compliance obligations (e.g. a copy of your passport or national identity card, national insurance number, utility bills, financial details etc.);
 - (c) contact details (e.g. address, email address, position in company, landline and mobile numbers);
 - (d) other information about you which you may have provided us with during the course of our relationship with you, e.g. by filling out forms or during face-to-face contact, telephone, email and the like;

- (e) financial information and information about your relationship with us, including your ways of interacting with us, your investments and interactions with the Company, transactions records, bank feeds, market trades, sort code and account numbers of relevant accounts or payments made by us into your account, tax identification numbers and social security numbers;
- (f) complaints or disputes you may have had with us or our service providers and details of the underlying transaction (where applicable);
- (g) information about you which is a matter of public record or readily obtainable and which we deem relevant in relation to your dealings with the Company (media, court judgments, credit checks etc.);
- (h) records of correspondence and other communications between you and your representatives and the Company, including email, phone calls, letters and the like;
- (i) information that we need to support our regulatory obligations (e.g. information about transaction details, detection of any suspicious and unusual activity and information about parties connected to you or these activities);
- (j) information from third party providers who assist us to combat fraud, money laundering and other crimes; and
- (k) information you asked and authorised us to collect for or about you, such as information about your accounts from your bankers.

- 2.4 We may also collect certain types of sensitive or special category data about you, such as information relating to criminal sanctions (including offences and alleged offences and any caution, court sentence or criminal conviction). The use of information about criminal sanctions is in the substantial public interest and is necessary for us to comply with screening obligations for anti-money laundering purposes.
- 2.5 We are under a legal obligation to 'know our customers' and the provision of the information set out in the Company's application form is a necessary requirement in order to subscribe for shares in the Company. Failure to provide this information may mean a rejection of an application for shares in the Company.

3. How we use personal data

- 3.1 We will only use your personal data when the Data Protection Legislation allows us to. Most frequently, we will use your personal data in the following circumstances:
- (a) where we need to perform the contract we have entered into with you;
 - (b) where we need to comply with a legal or regulatory obligation;
 - (c) where it is necessary for legitimate interests pursued by us or a third party and your interests and fundamental rights do not override those interests; or
 - (d) where it is needed in the public interest or for official purposes (such as compliance with a court order or regulatory direction).
- 3.2 The purposes for which we use your information commonly include:
- (a) to carry out your instructions as an investor in the Company (contractual performance, legitimate interests);
 - (b) to pay out redemption proceeds or make other payments to you (contractual performance, legal obligation);
 - (c) to communicate with you regarding your investments and relationship with the Company (contractual performance, legitimate interests);
 - (d) to undertake data analytics to better understand our investors' motivations and strategies and as a result improve or adjust strategy and performance of the Company (legitimate interests);
 - (e) to protect our legal rights and complying with our legal obligations, including combatting financial crime, and international tax reporting obligations (legal compliance, public interest);
 - (f) to conduct market research (legitimate interest);
 - (g) to conduct risk management (legitimate interest, public interest, legal obligation); and

- (h) to verify your identity and/or whether you are a politically exposed person in accordance with our legal obligations to undertake screening (legal obligation).

4. How we share your personal data

4.1 We may share relevant personal information of yours with other parties where it is lawful to do so, including where:

- (a) it is necessary to comply with our contractual obligations or with your instructions;
- (b) we have a public or legal duty to do so (e.g. to assist with detecting and preventing fraud, tax evasion and financial crime or compliance with a court order);
- (c) we are obligated to in connection with regulatory reporting, litigation or asserting or defending legal rights and interests;
- (d) the Company has a legitimate business reason for doing so (e.g. to manage risk, verify identity, enable another business to provide you with services you've requested, or assess your suitability for investing with the Company); or
- (e) we have asked you if we can share it, and you gave consent.

4.2 Parties we might share your personal data with can include (without limitation):

- (a) the Company's administrator, registered agent, investment manager, manager, bankers, custodian, brokers and other service providers;
- (b) banks you instruct us to make payments to and receive payments from;
- (c) third parties who manage investments on our behalf;
- (d) other financial institutions, lenders and holders of security over any property or assets, tax authorities, stock market authorities, trade associations, credit reference agencies, payment service providers and debt recovery agents;
- (e) any people or companies where required in connection with potential or actual corporate restructuring, merger, acquisition or takeover, including any transfer or potential transfer of any of our rights or duties under our agreement with you;
- (f) law enforcement, government, courts, dispute resolution bodies, our regulators, auditors and any party appointed or requested by our regulators to carry out investigations or audits of our activities;
- (g) other parties involved in any disputes, including disputed transactions;
- (h) fraud prevention agencies who'll also use personal data to detect and prevent fraud and other financial crime and to verify your identity;
- (i) anyone who provides instructions to us on your behalf (e.g. under a power of attorney, solicitors, intermediaries, investment managers etc.); and
- (j) anybody else that you instructed us to share your information with.

4.3 We might share aggregated and/or anonymised or de-personalised data with third parties for analytics, marketing and research purposes. Where we do so, we will ensure that neither you nor any other person will be identifiable from the data.

5. Retention of personal data

5.1 The Company keeps personal data only for as long as it is necessary for the specific purpose the data was collected for or as long as we are required by applicable laws and regulation. Under the Anti-Money Laundering and Countering the Financing of Terrorism Code 2019, the Company is generally required to retain its records for at least five (5) years from the data the relationship with an investor ends or potentially longer, depending on the kind of data and relevant laws and regulations applicable to it.

5.2 We may keep personal data for longer periods where we have a legitimate interest for doing so, for instance to address complaints, assert or defend our rights in litigation or other dispute resolution procedures or to respond to requests from regulators or assist judicial authorities.

- 5.3 Any information we are not required to hold for any minimum period and for which there is no purpose in us holding it anymore will be deleted, destroyed or returned to you more promptly.
- 5.4 Where the Company shared your personal data with third parties, the privacy notices and laws and regulations of the third party will determine how long they will have to retain your data.

6. Sending information overseas

- 6.1 The Isle of Man is a jurisdiction which has been approved by the European Commission as having equivalent data protection standards as Member States of the European Union.
- 6.2 Where we have to transfer personal data outside of the Isle of Man, the European Union or the United Kingdom, we will ensure that the transfer is lawful and that the data is appropriately secure and protected. Where necessary, we will ensure that separate and appropriate legal agreements are put in place, such as the European Commission's standard contractual clauses or equivalent agreements. You can request further information about these safeguards using the contact details at the end of this Privacy Notice.
- 6.3 Reasons for having to transfer your personal data outside the Isle of Man, the European Union or the United Kingdom may include:
- (a) we need to carry out our contract with you;
 - (b) we have to fulfil a legal obligation;
 - (c) we need to protect the public interest; and / or
 - (d) for your or our legitimate interests.
- 6.4 In some countries the law might compel the Company to share certain information (e.g. with tax authorities). We will only share any information with parties who have the lawful authority and right to see it and only to the extent that such parties are permitted to see it.

7. Individual's rights

- 7.1 As an individual or "data subject", you have certain rights in relation to your personal data. These rights include:
- (a) the right to access information we hold about you and to obtain information about how we process it;
 - (b) the right to object to and withdraw your consent to the Company's processing of your information. This right can be exercised at any time. However, the Company may continue to process your personal data if there is another legitimate reason or legal obligation for doing so. Please also note that depending on which kind of processing you object to, the Company may no longer be able to perform its contractual obligations with you;
 - (c) in some circumstances, you have the right to receive certain information you have provided to us in an electronic format and/or request that we transmit it to a third party;
 - (d) the right to request that we rectify information we hold about you if it is inaccurate or incomplete;
 - (e) in some circumstances, you have the right to request that erasure and deletion of personal data we hold. We may however continue to retain it if we are entitled or required by law to do so; and
 - (f) the right to object to, and to request that we restrict, our processing of your information in some circumstances. Please note that despite this general right we may be entitled under law to continue processing the information and/or to refuse that request.
- 7.2 You also have the right to complain to the data protection supervisory authority where you live or work or in the Isle of Man, which is the Isle of Man Information Commissioner. You can access their website here: www.inforights.im.

8. Additional information

- 8.1 Please ensure that any data you give us or ask third parties to provide to us is up to date, accurate and complete in all respects. Please inform us about any changes as soon as reasonably possible.

- 8.2 We use a range of measures to keep information safe and secure which may include encryption and other forms of security. We require persons who carry out any work on the Company's behalf, including the Manager, to comply with appropriate compliance standards including obligations to protect any information and applying appropriate measures for the use and transfer of information. If you wish to know more about our data protection measures, please contact us using the details provided below.
- 8.3 We may make changes to this Privacy Notice from time to time, for example, as the result of government regulation, new technologies, or other developments in data protection law or privacy generally. You can request a copy of the most up-to-date privacy notice at any time by contacting us using the details below.

9. [Contact us](#)

For any further questions or queries in relation to this Privacy Notice, you can contact us by:

Post:	77 Parliament Street, Ramsey, Isle of Man
Telephone:	+44 (0)1624 777407
Email:	dataprotection@atla.im