

Customer Data Processing Policy for Trigon Companies

Applicable from 25.05.2018

1. General Principles of Processing Customer Data

- 1.1. This document (hereinafter **the Rules**) describes the processing of Customer Data in AS Trigon Capital and companies of the Trigon Capital Group (hereinafter jointly **Trigon**). The Rules are applicable to any persons who are using, have been using or have expressed the intention to use, or are otherwise related to, Trigon's services, including to relationships established prior to the entry into force of these Rules.
- 1.2. **Customer Data** means any data concerning a Customer and held by Trigon (including the Customer's name, personal identification code, contact details and information on the Customer's securities transactions).
- 1.3. **Processing of Customer Data** means any act performed with Customer Data, including the collection, organisation, storage, alteration, disclosure, granting access to personal data, consultation and retrieval, use, communication, cross-usage, combination, closure, erasure or destruction of Customer Data.
- 1.4. **Customer** means any natural or legal person who is using, has been using or has expressed the intention to use Trigon's services, including any person who has acquired or expressed interest in acquiring shares in investment funds managed by Trigon.
- 1.5. **Third Person** means any person other than Customers, Trigon and Trigon employees.
- 1.6. **Data Processor** means a person who processes Customer Data on behalf of Trigon.
- 1.7. A Customer shall immediately notify Trigon of any changes in Customer Data contained in contracts or other documents submitted to Trigon.

2. Categories of Customer Data

- 2.1. Trigon may collect Customer Data from a Customer, during the use of its services by a Customer or from external sources such as public and private databases or other third persons.
- 2.2. The categories of Customer Data collected and processed by Trigon include, but are not limited to, the following:
 - 2.2.1. Customer identification data (including name, date of birth, personal identification code, identity document data (e.g. copy of passport or ID card) etc.);
 - 2.2.2. Customer's contact details (including name, address, telephone number, email address, preferred language etc.);
 - 2.2.3. Customer's tax residency data, e.g. country of residence, tax identification number, citizenship;
 - 2.2.4. Customer's field of activity, educational establishment or occupation;
 - 2.2.5. Customer's financial data (including income, assets, liabilities);
 - 2.2.6. Customer's transactions, transaction partners and contracts related thereto and information on the performance or non-performance of contracts;
 - 2.2.7. Customer's preferences, behaviour and satisfaction (including data on service use activity, the services being used, Customer's complaints);
 - 2.2.8. Sources of Customer's assets (e.g. employer, field of activity, transaction partners, business etc.);
 - 2.2.9. Customer's trustworthiness (e.g. information on the performance or non-performance of contracts, damages caused to Trigon or other persons, connections to money laundering, financing of terrorism, criminal activities etc.);
 - 2.2.10. Data gathered upon the performance of obligations under the law (e.g. data relating to requests received from law enforcement authorities, notaries, tax authorities, courts, claims by bailiffs, bankruptcy trustees etc.).
- 2.3. In order to enter into a transaction or a contractual relationship or to adopt a decision relating to a transaction or a contractual relationship, or to perform legal obligations under applicable law, Trigon may process data received from a Customer, as well as all other publicly available data concerning the Customer (e.g. data available in national registers, public databases or on the

Internet), but also information received from third persons if the third person is permitted by law to transmit such data to Trigon.

- 2.4. To perform obligations under applicable law, Trigon shall have the right to share Customer Data with Estonian and foreign credit and financing institutions.
- 2.5. For risk assessment and risk management purposes, and to perform obligations under applicable law (including prevention of money laundering, financing of terrorism and other illegal activities), Trigon shall have the right to share Customer Data with Estonian and foreign credit and financing institutions and financial intermediaries.

3. Purposes of Processing of Customer Data

- 3.1. Trigon shall process Customer Data primarily for the following purposes:
 - 3.1.1. adopting decisions on whether and on which conditions to provide services to a Customer;
 - 3.1.2. establishing the level of service fees;
 - 3.1.3. identifying the Customer;
 - 3.1.4. performing a contract between Trigon and a Customer (e.g. performing transactions, transmitting information) or ensuring the performance of such contract (e.g. debt collection procedures, transmitting debt notices);
 - 3.1.5. offering Trigon's services and products to a Customer (e.g. offering or introducing new services or products);
 - 3.1.6. providing the Customer with information on updates relating to Trigon's services and products;
 - 3.1.7. protecting the interests of Trigon and/or a Customer (including through the recording of communications);
 - 3.1.8. performing Trigon's rights arising from a relationship with a Customer, including from a contract or an agreement relating to a contract;
 - 3.1.9. verifying and, if appropriate, rectifying and/or supplementing and updating Customer Data submitted by a Customer;
 - 3.1.10. monitoring, developing and maintaining Trigon Group's IT systems and software;
 - 3.1.11. assessing the reliability of a Customer;
 - 3.1.12. avoiding any damage to Trigon and the Trigon Group;
 - 3.1.13. reducing and avoiding risks (including by conducting audits, risk testing or risk assessments of Trigon Group's activities or part thereof);
 - 3.1.14. combating money laundering and financing of terrorism and fulfilling requirements set out in applicable law or recommendations by supervisory authorities or experts;
 - 3.1.15. performing statistical and financial analysis;
 - 3.1.16. performing obligations under applicable law (including transmission of information to the Financial Supervision Authority, law enforcement authorities, notaries or the Tax and Customs Board);
 - 3.1.17. protecting its rights against violations or disputes (including by transmission of data to Trigon's legal representative or to a court).

4. Disclosure of Customer Data and Transmission to Third Parties

- 4.1. Trigon shall disclose or transmit Customer Data to:
 - 4.1.1. other companies of the Trigon Group, including companies joining the Trigon Group in the future;
 - 4.1.2. Estonian and foreign persons involved in the performance of a contract with a Customer;
 - 4.1.3. Trigon's auditors, legal counsels and other service providers who require Customer Data in order to provide their relevant services, including postal services;
 - 4.1.4. service providers to whom Trigon has delegated all or part of its main activities or activities directly supporting its main activities (e.g. maintaining a register of investment fund shares, conducting transactions with shares) pursuant to conditions set out in the law;
 - 4.1.5. database administrators to whom Trigon transfers Customer Data under the law;

- 4.1.6. public database administrators for the purpose of performing queries;
- 4.1.7. Data Processors;
- 4.1.8. law enforcement authorities, the Financial Supervision Authority, Financial Intelligence Unit or other persons, in order to fulfil an obligation under the law;
- 4.1.9. Trigon's financial consultants or other service providers who require Customer Data for the provision of seamless services to Trigon, provided that such persons fulfil the organisational, physical and IT requirements established by Trigon for maintaining the confidentiality and security of Customer Data.
- 4.2. Trigon shall disclose Customer Data to third persons only to the extent required for achieving the purposes set out in Section 3 of these Rules.

5. Transfer of Customer Data to Foreign Countries

- 5.1. Customer Data are usually processed in Member States of the European Union or the European Economic Area (EU/EEA), where an adequate level of data protection is ensured.
- 5.2. Customer Data may be transferred to countries outside the EU/EEA subject to the following conditions:
 - A Customer has consented to such transfer of data;
 - in individual cases for the protection of the life, health or freedom of the data subject or other person;
 - if a third person requests information obtained or created in the process of performance of public duties under a law or legislation issued on the basis thereof and the data requested do not contain any sensitive personal data;
 - the European Commission has issued an adequacy decision for the specific non-EU/EEA country;
 - the United States recipient in question has joined the EU-USA Privacy Shield framework;
 - the Data Protection Inspectorate has issued a permit for the transfer of data.

6. Data Retention Periods

Customer Data shall not be processed for longer than necessary. The retention period may be based on agreements with the Customer, Trigon's legitimate interests or applicable legislation (e.g. accounting legislation, anti-money laundering or terrorist financing legislation or provisions concerning limitation periods).

7. Rights of a Private Customer

- 7.1. A private Customer has the following rights with regard to the processing of his/her personal data:
 - 7.1.1. the right to request the rectification of inadequate, insufficient or incorrect Customer Data;
 - 7.1.2. the right to object to the processing of Customer Data if such processing is based on a legitimate interest (e.g. provision of marketing materials or participation in surveys);
 - 7.1.3. the right to request the deletion of Customer Data, such as if the Customer has withdrawn consent for the processing of Customer Data. This right shall not apply if another legitimate basis exists for the processing of Customer Data to which the request relates, e.g. if processing is based on an agreement or required for the performance of legal obligations;
 - 7.1.4. the right to restrict the processing of Customer Data under applicable legislation, e.g. for the time during which Trigon assesses the Customer's right to have his/her personal data deleted;
 - 7.1.5. the right to receive information on whether Trigon is processing his/her Customer Data and the right to access such data, if any;
 - 7.1.6. if technically possible, the right to receive his/her Customer Data provided to Trigon by the Customer and processed by Trigon by automated means under consent or for the performance of a contract, and to transfer such data to another service provider (data portability);
 - 7.1.7. the right to withdraw his/her consent for the processing of Customer Data;

- 7.1.8. the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him/her, or which similarly significantly affects him/her. This right shall not apply if such decisions are required for the conclusion or performance of an agreement with the Customer or are allowed under applicable law or if the Customer has expressly consented thereto;
- 7.1.9. the right to file a complaint concerning the use of Customer Data to the Data Protection Inspectorate (website: www.aki.ee) if the Customer finds that the processing of his/her Customer Data violates his/her rights under applicable legislation.

8. Validity and Amendments of the Rules

- 8.1. These Rules are available to Customers in Trigon's office and on the website www.trigoncapital.com.
- 8.2. Trigon may unilaterally amend these Rules, subject to the provisions of applicable legislation.
- 8.3. Trigon shall notify Customers of any amendments on Trigon's website www.trigoncapital.com or by other means (e.g. by e-mail or a letter to the Customer's contacts available to Trigon not later than one month before the amendments enter into force).

9. Trigon's Contacts

- 9.1. Customers may contact Trigon for requests or to withdraw consent, and private Customers can also contact Trigon to use their rights relating to the processing of Customer Data or to file complaints concerning the use of Customer Data.
- 9.2. Trigon's contacts are available on Trigon's website www.trigoncapital.com.