

# Personal Data Protection Notice

**In force since 25 May 2018, amended version**

## SCOPE

The RAM Group recognizes the importance of protecting your personal data. This Notice is designed to help you understand our data collection activities, purposes and processes, as well as to inform you of the rights you have on your personal data. This Notice should be read in conjunction with any other applicable policies, terms, and conditions in place between you and the RAM Group.

We draw your attention to the fact that RAM is subject to different data protection regimes due to the international scope of our business.

1. RAM Active Investments (Europe) S.A. and any of the RAM SICAVs → The General Data Protection Regulation (“GDPR”) is applicable to the Management Company including its branch(es) and the managed SICAVs due to their domicile in the European Union.
2. RAM Active Investments S.A. (based in Switzerland) →
  - a. Within the scope of the offer of our product and services and/or the monitoring of the data subjects’ behavior in the European Union (“EU”), RAM Active Investments S.A. will apply the GDPR.
  - b. On the other hand, where RAM Active Investments S.A. is the controller of a personal data processing for the services rendered out of the EU, the local regulations on data protection apply and consequently some elements of this policy may need to be disregarded.

This notice has been drafted in the context of GDPR. If you find yourself under the above-mentioned 2.b category, we invite you to contact us should you have any question.

The information below applies to personal data collected by the RAM Group within the framework of the sales effort, the services offered to clients, public information (internet, press etc.), the data collected through RAM newsletters, invitations and website. RAM may also receive data from other entities in the Group or external providers. RAM collects personal data insofar as is necessary and appropriate to fulfill the purposes detailed below.

## Definitions:

- *Data controller: means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;*

For the purpose of this Notice, RAM or RAM Group refers to *RAM Active Investments (Europe) S.A.* 51, avenue John F. Kennedy, L-1855 Luxembourg which includes its branch(es), *RAM SICAVs (RAM (Lux) Systematic FUNDS, RAM (Lux) Tactical FUNDS and RAM (Lux) Tactical FUNDS II)* all of them with domicile

in 14 boulevard Royal L-2449 Luxembourg and/or RAM Active Investments S.A. Rue du Rhône 8 CH-1204 Geneva) in the quality of data controller(s).

Should RAM be considered as a data processor with regards to a specific situation, changes may apply to this Notice.

- Data processor: *means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.*
- Personal data: *means any information relating to an identified or identifiable natural person.*
- Processing: *means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.*

## INFORMATION CONCERNED

The **categories** of personal data that RAM may process include: personal, professional and contact details (e.g., name, work address, telephone numbers and email addresses), identification information (e.g., passport details), work history (e.g., work function, education, training and details of former employment), device details, financial information, billing information, online usage details (e.g. page tracking, downloads, profile views through the website and mailings). It could also include other information such as all data collected during the onboarding process.

To the extent required by applicable law, RAM may record and monitor electronic communications (including but not limited to e-mail and telephone) to ensure compliance with our legal and regulatory obligations and internal policies and for any the purposes outlined below.

RAM does not seek to collect or process any sensitive data unless there is legal or regulatory obligation to do so (mainly concerning anti-money laundering and counter terrorism financing contexts).

## PERSONAL DATA PROCESSING

With regards to applicable laws and regulations, RAM may rely on one or more of the following specific lawful processing basis:

- RAM has obtained your express consent;
- RAM processes data on a contractual basis;
- There is a legal reason for the processing;
- It is necessary to protect the vital interests of an individual;
- There is a public interest;
- RAM has a legitimate interest on the processing for the purpose of promoting, operating or managing its business and this legitimate interest does not supersede your interest, fundamental rights and/or freedoms. In case you are invested, have a contractual relationship or a recent contact by email, phone or meeting with us, we estimate that we have a legitimate interest in keeping you informed about our product and corporate developments.

RAM has identified the following purposes of data processing:

- ***Operational and commercial purposes***

- General fund operations: transactions and flows management<sup>1</sup>: administrative tasks including corporate secretarial services, follow-up of specific businesses etc.;
- Customer relationship management: CRM system, customer satisfaction research, new business prospecting, invitation to events, creation of statistics of your preferences and needs (including behavioral analysis - profiling) through our communications/website, providing individuals with information concerning products and services which we believe will be of interest etc.;
- General customer care management: statistics of personal preferences and needs (including behavioral analysis) to balance the interests of each party;
- General website visits management: analysis of the clients' interests (incl. 'cookies' technology – Please refer to the cookies policy on this website).

- ***Compliance with legal and regulatory obligations***

- Anti-money laundering / counter-terrorist financing checks, Compliance and Risk Management (customer due diligence, Know your customer obligations etc.);
- Tax reporting including CRS/FATCA;
- General management of products / services: subscriptions, registers etc.;
- Compliance with any additional requirement of association memberships, voluntary codes and/or standards RAM decides to adopt or good practices;
- IT Security;
- The detection, investigation and prevention of fraud and other crimes or malpractices;
- The handling of complaints;
- Any other legal obligation.

The source of the personal data can either come directly from you, your Company, from any public accessible source or from any of the processors RAM has engaged with.

## DISCLOSURE OF DATA TO THIRD PARTIES

Your personal data may be collected, disclosed and/or processed for the above-mentioned purposes to:

- Any organization within the RAM Group, EU and non-EU processors for the purpose of a specific processing (transfer agent, distributors, central administration...), auditors of any of RAM SICAV, RAM Active Investment (Europe) S.A. and RAM Active Investments S.A., service providers (telephone, IT, compliance solutions...), financial authorities such as the CSSF and FINMA, governmental or law enforcement agencies or any person RAM reasonably deems is necessary for the processing purposes outlined above.
- Selected entities which have a contractual relationship with RAM in order to execute whole or parts of the services provided by RAM (incl. their respective advisers and insurers, and in relation to the transfer of RAM's contractual rights and/or obligations).

Should you need any further information on the above-mentioned entities, we invite you to contact us.

---

<sup>1</sup> More precisely, it includes the services rendered by the Transfer, registrar and paying agents: subscription and redemption of shares, update the register of investors, execute corporate actions applicable to the shares, manage cash flows, secretarial services etc.

Data processors will only have access to the necessary data and will be subject to specific contractual obligations to: (i) process the personal data in accordance with RAM's prior written instructions; and (ii) use measures to protect the confidentiality and security of the personal data; together with any additional requirements under applicable law.

Due to the international structure of RAM's business, the transmissions of the above-mentioned information may imply transferring personal data out of the EU within the entities being part of the RAM Group and to third parties as noted above. The third countries identified are considered by the European Commission as providing an adequate level of protection. Any data transfer is always executed in respect of applicable laws and regulations and based on lawful processing.

## **DATA BREACH NOTIFICATION**

Any breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed will be managed according to the data breach notification procedure designed by RAM in line with the applicable laws and regulations.

## **DATA RETENTION**

We will retain your personal information in accordance with applicable laws and for so long as it is needed.

According to GDPR<sup>2</sup>, personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods (up to 10 years) insofar as the personal data will be processed notably for archiving purposes in the public interest or statistical purposes subject to implementation of the appropriate technical and organizational measures required by the applicable Regulations in order to safeguard the rights and freedoms of the data subjects;

## **DATA MINIMISATION**

RAM only processes the personal data deemed required in connection with the purposes set out in this Notice.

## **DATA SECURITY**

Special attention is paid by RAM to the security of personal data. RAM has developed security measures to maintain data secured and ensure its confidentiality. RAM's processors will also need to ensure security of personal data and put in place the relevant guarantees to avoid their accidental loss, destruction or any damage. The level of security is proportionate to the level of risks presented by the processing. However, you are responsible for ensuring that any personal data that you send to RAM is sent securely.

As a complementary security measure, RAM trains its staff to raise awareness of the legal obligations and ensure compliant working practices.

## **TEAM IN CHARGE OF DATA PROTECTION**

In order to ensure the internal compliance of data protection rules, RAM has appointed a specific team in charge of data protection.

---

<sup>2</sup> Article 5.1 e)

## DATA ACCURACY

To the best of its knowledge, RAM ensures that the data collected is accurate and makes efforts to keep it updated. The data subject has also the right to request the deletion/rectification of their personal data. Please refer below to the Section *"DATA SUBJECTS' RIGHTS"*.

From time to time, RAM may ask you to confirm the accuracy of your personal data.

## DATA SUBJECTS' RIGHTS

In accordance with applicable laws and regulations, RAM provides the following rights to you as a data subject regarding your personal data. In case you want to execute them, please send a formal request to the data protection team to [dpt@ram-ai.com](mailto:dpt@ram-ai.com) or a letter to RAM Active Investments (Europe) S.A. 51, avenue John F. Kennedy, L-1855, Luxembourg, with a copy of your ID Card and any other relevant document enabling the identification of you as the owner of the personal data. To ensure a proper treatment of your rights the request should contain as much information as possible. RAM will reply to you without undue delay.

The following rights are outlined below:

- The right to access and request a copy of your personal data,
- The right to request the amendment of your personal information, request a restriction of processing and right to the erasure of your data on legitimate grounds,
- The right to request the transfer of your personal data in a structured, commonly used and machine-readable format ("data portability"),
- Where your personal data are processed on the basis of your consent, the right to easily withdraw that consent; and
- The right to object to the use of your personal data for direct marketing, including profiling to the extent that it is related to such direct marketing, whether with regards to initial or further processing, at any time and free of charge. Please note that this right will be also highlighted in the relevant individual communication.

Please be informed that you have the 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 infringes the GDPR.

Additionally, in case of any general complaint, please refer to the section *"Client complaints handling procedure"* of this website.

## NOTICE UPDATE

This Notice may change from time to time and it is reviewed periodically. As such, please ensure that you read the latest version of the Notice available. cf. RAM website. This notice will be accessible at the bottom of any RAM web page.