

## Privacy Notice

This Privacy Notice explains how Omni Advisory Limited and each other affiliate, holding company or subsidiary and their subsidiaries or holding companies (each “**Omni**”), collect, use and disclose personal data online and offline in connection with the services Omni provides to our current clients, past clients and potential clients (including, but not limited to, investors and potential investors in funds managed or advised by Omni) (“**Services**”).

We refer to the individuals whose Personal Data (as defined below) we process, such as individuals who work for or are otherwise engaged by, or interact with, our clients, their affiliates or other third parties in connection with the Services, as “**you**” or “**your**” in this Notice.

### Omni contact details

Omni is the controller for the personal information we process, unless otherwise stated.

Omni is registered on the "public register of data controllers" which can be seen online on the Information Commissioner Officer's website.

Omni has the registered address of 3<sup>rd</sup> Floor, 22 Old Bond Street, London W1S 4PY.

The Data Protection Officer as assigned by Omni is also based at 3<sup>rd</sup> Floor, 22 Old Bond Street, London W1S 4PY.

### Data protection law

All your personal Information will be held and used in accordance with the relevant data protection legislation.

For individuals based in the UK, all personal data will be held and used in accordance with the UK General Data Protection Regulation (“UK GDPR”) and the Data Protection Act 2018 and any other legislation relating to the protection of personal data.

These rules apply regardless of whether data is stored electronically, on paper or on other materials. To comply with the law, personal information must be collected lawfully and used fairly, stored safely and not disclosed unlawfully.

### How we collect and process information about you.

#### Types of Personal Data Collected.

“**Personal Data**” is information that identifies an individual or relates to an identifiable individual, including, but not limited to:

- Name;
- Account details and related contact information;

- Postal address;
- Telephone;
- Email address and other identifying addresses for electronic communications;
- Date of birth;
- Details from passports and other government or state issued forms of personal identification (including social security, driver's license, national insurance and other identifying numbers);
- Photographic or video images; and
- Telephonic or electronic recordings.

In the course of providing our Services, we collect your contact details and other information which is necessary to provide the Services. We may also receive from you, or third parties, information including:

- Employment related information (salary information, personal account trading, shareholdings, pension, and CVs);
- Information about regulatory and other investigations or litigation to which you are or have been subject;
- Source of wealth of beneficial owner(s); and
- Other elections and disclosures from relevant subscription documents.

## **Why Omni uses your Personal Data?**

We will only use your personal data where the law allows us to do so. The law on data protection sets out a number of different reasons for which a company may collect and process your Personal Data.

Most commonly we collect and process Personal Data in order to provide the Services, or to comply with our contractual obligations or because we are legally required to do so.

Whenever you have given us your consent to use your personal data, you have the right to change your mind at any time and withdraw that consent. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent.

If we do not receive the information that we request, we may not be able to provide such Services.

To ensure that the Personal Data we hold is accurate and up to date, please ensure that we are promptly informed of any relevant change to your contact details.

## **Collection of Personal Data**

We and our agents, affiliates and service providers collect Personal Data in a variety of ways, including:

- Through the Services: We may collect Personal Data directly from you through providing the Services.
- Other than through the Services: We may collect Personal Data about you in other ways, such as when you meet with us, request information from us, participate in a transaction or contractual arrangement with us or in information obtained from data rooms.

- From Other Sources: We may receive Personal Data from other sources, such as public databases, employers, entities we provide Services to and from other third parties.

## **Use of Personal Data**

We and our service providers may use your Personal Data for our legitimate business interests, which might be reasonably expected as part of our running our business including but not limited to the following:

- to validate authorised signatories when concluding agreements and transactions;
- to contact nominated individuals in connection with existing transactions and contractual agreements;
- to respond to enquiries and fulfil requests where information is required as a necessary part of the provision of the Services and to administer account(s) and manage our relationships;
- to inform our clients and potential clients about products or services which we believe may be of interest, including marketing proposals or offers;
- to verify an individual's identity and/or location (or the identity or location of our client's representative or agent) to allow access to client data;
- to protect the security of accounts and Personal Data;
- for information and relationship management purposes and business purposes, including audits, developing and improving products and services and enhancing, improving or modifying our Services;
- for risk management purposes;
- to comply with our legal and regulatory obligations and for fraud detection, prevention and investigation, including "know your customer", anti-money laundering, conflict and other necessary onboarding and ongoing client checks, due diligence and verification requirements, compliance with sanctions procedures or rules, and tax reporting;
- to comply with laws and regulations (including any legal or regulatory guidance, codes or opinions) and to comply with other legal process and law enforcement requirements (including any internal policy based on or reflecting legal or regulatory guidance, codes or opinions);
- to provide, and perform our obligations with respect to, the Services or otherwise in connection with fulfilling instructions; and
- to send administrative information to clients, such as changes to our terms, conditions and policies.

Please note that the Personal Data we collect to meet our legal and regulatory obligations related to the prevention of money laundering and terrorist financing is processed only for those purposes, unless otherwise permitted or agreed.

Additionally, we and our service providers may use Personal Data to comply with our contractual obligations we have with you.

## Sharing and disclosure of Personal Data

Personal Data may be shared or disclosed to trusted third parties in connection with the Services we are providing.

The recipients of any such information will depend on the Services being provided. Subject to any restrictions around confidentiality we have expressly agreed with our client or other transaction parties, this may include sharing Personal Data:

- to affiliates and subsidiaries of Omni Advisory Limited for the purposes described in this Privacy Notice (“**affiliates**”);
- to our third party service providers who provide services such as website hosting, payment processing, information technology and related infrastructure provision, customer service, email delivery, auditing and other services;
- to third party experts and advisers (including external legal counsel, notaries, auditors and tax advisers);
- to payment, banking and communication infrastructure providers including SWIFT, financial institutions or intermediaries with which we may have dealings including correspondent banks, insurers, insurance brokers, financial brokers, banks, middleware platforms, service agents and other service providers;
- to third party storage providers (including archive service providers, document repositories and deal sites);
- to third party platforms and to operators of private or common carrier communication or transmission facilities and mail or courier services;
- to translation service providers;
- to counterparties, vendors and beneficiaries, and other entities connected with our client (including guarantors affiliates, underlying clients, obligors, investors, funds, accounts and/or other any principals connected); and
- other persons as agreed with our client or as required or expressly permitted by applicable law.

We only provide third parties with the information they need to know to perform their specific services.

We work closely with all the third parties to ensure that your Personal Data is kept secure and protected at all times. Our contracts with third parties make it clear that they must hold all information confidentially and securely, abide by the principles and provisions of the relevant data protection legislation, and only use information as we instruct them to.

We also ensure that the third party is not allowed to use your Personal Data for their own purposes, and we only permit them to process your Personal Data for specified purposes and in accordance with our instructions.

If we stop using their services, any of your Personal Data held by them will either be deleted or rendered anonymous.

## **Other Uses and Disclosures**

In some circumstances we are legally obliged to disclose Personal Data. We will only share or disclose data in circumstances where we believe that the sharing of Personal Data is necessary or appropriate for example where the sharing is:

- (i) to comply with applicable law including treaties or agreements with or between foreign or domestic governments (including in relation to tax reporting laws) that may include laws outside the country you are located in, to respond to requests from public and government authorities that may include authorities outside your country, to cooperate with law enforcement, governmental, regulatory, securities exchange or other similar agencies or authorities including tax authorities to which we or our affiliates are subject or submit, in each case of any country worldwide, or for other legal reasons, who may transfer the Personal Data to equivalent agencies or authorities in other countries;
- (ii) to central banks, regulators or approved reporting mechanisms which may be outside your country;
- (iii) to courts, litigation counterparties and others, pursuant to subpoena or other court order or process or otherwise as reasonably necessary, including in the context of litigation, arbitration and similar proceedings to enforce our terms and conditions, and as reasonably necessary to prepare for or conduct any litigation, arbitration and/or similar proceedings; and
- (iv) to protect our rights, privacy, safety or property, and/or that of our affiliates, you or others.

In addition, we may process, disclose or transfer Personal Data to a third party:

- (i) in the event of any reorganisation, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business (including in connection with any bankruptcy or similar proceedings) and/or
- (ii) to third parties, as requested by clients or their representatives.

## **Links to other websites**

This Privacy Notice does not address, and we are not responsible for, the privacy information or other practices of any third-party organisations, including where we provide a link to websites of other organisations.

We encourage you to read the privacy notices on the other websites you visit. The inclusion of a link on the Services does not imply endorsement of the linked site or service by us or by our affiliates.

## **Keeping your Personal Data Secure**

Keeping Personal Data secure is one of our most important responsibilities. We maintain physical, technical, electronic, procedural, administrative and organisational safeguards and security measures to protect personal data against accidental, unlawful, or unauthorised destruction, loss, alteration, disclosure, or access, whether it is processed by us in the UK, EU or elsewhere.

Only appropriate employees are authorised to access personal data for legitimate and specified business purposes. Our employees are bound by internal policies that require confidential treatment of personal data and are subject to disciplinary action if they fail to follow such requirements.

Unfortunately, no data transmission or storage system can be guaranteed to be 100% secure. If you have reason to believe that your interaction with us is no longer secure, please immediately notify us in accordance with the "Contacting Us" section below.

## **Choices and Access**

### **Your choices regarding our use and disclosure of Personal Data**

#### **Marketing Purposes**

We give you choices regarding our use and disclosure of your Personal Data for marketing purposes. You may opt-out from receiving electronic communications from us. If you no longer want to receive emails from us on a going-forward basis, you may opt-out by contacting your primary point of contact or by emailing: [compliance@omni.co.uk](mailto:compliance@omni.co.uk).

We will try to comply with your request(s) as soon as reasonably practicable. Please note that if you opt-out of receiving marketing emails from us, we may still send you important administrative, or transaction-related messages which relate to the Services.

#### **Your Rights**

Under data protection legislation you have a number of rights. The rights available to you depend on our reason for processing your Personal Data. Your rights include:

The right to be informed.

We aim to be transparent within our Privacy Notice and provide you with information about how we use your Personal Data.

Right of access.

You have the right to request a copy of any Personal Data that we hold about you. You can find out if we hold any of your Personal Data by making a subject access request.

The right to rectification.

You have the right to request the correction of your Personal Data when it is incorrect, out of date or incomplete.

The right to erasure.

You can request the erasure of your Personal Data when it is no longer necessary, you withdraw consent, or you object to its processing. Some information held by us is required by law to be held for a period of time.

The right to restrict data.

You can request that we restrict the processing of your Personal Data. This can be done in circumstances where we need to verify the accuracy of Personal Data, if you do not wish to have Personal Data erased or you object to the processing and we are considering this request.

The right to data portability.

Under some circumstances you can request a copy of the Personal Data you provided to us in a machine-readable format or ask that this data be transferred another third party.

The right to object.

In some circumstances you can request to stop us processing your Personal Data. We must then do so unless we believe we have a legitimate overriding reason to continue processing your Personal Data.

Automated decision making and profiling.

You will be notified if we make a solely automated decision which produces a legal effect or significantly affects you.

### **How individuals can access, change or suppress their Personal Data**

If you would like to request to access, correct, update, object, restrict or delete Personal Data that you have previously provided to us, or if you would like to request to receive an electronic copy of your Personal Data for purposes of transmitting it to another company (to the extent this right to data portability is provided to you by applicable law), you may contact us.

Information about how to contact Omni for this purpose is set out in the section headed "Contacting Us" below. We will respond to your request consistent with data protection legislation and applicable law.

In your request, please make clear what Personal Data you would like to have changed, whether you would like to have the Personal Data suppressed from our database or otherwise let us know what limitations you would like to put on our use of the Personal Data.

For your protection, we may only implement requests with respect to the Personal Data associated with the particular email address that you use to send us your request. We may need to verify your identity before implementing your request. We will try to comply with your request as soon as reasonably practicable.

Please note that we may need to retain certain information for recordkeeping purposes and/or to complete any transactions that you began prior to requesting a change or deletion. There may also be residual information that will remain within our databases and other records, which will not be removed.

### **Retention Period**

We will only retain your Personal Data for as long as needed or permitted in light of the purpose(s) for which it was obtained.

The criteria used to determine our retention periods include:

- (i) the length of time we have an ongoing relationship with our clients and provide the Services;
- (ii) whether there is a legal obligation to which we are subject; and

- (iii) whether retention is advisable in light of our legal position (such as in regard to applicable statutes of limitations, litigation or regulatory investigations).

In some circumstances we will anonymise your Personal Data (so that it can no longer be associated with you) for analytical or statistical purposes, in which case we may use this information indefinitely without further notice to you.

## Use of Services by Minors

The Services are not directed to individuals under the age of eighteen (18), and we do not knowingly collect Personal Data from individuals under 18.

## Jurisdiction and Cross-Border Transfer

Personal Data may be stored and processed in any country where we have facilities or in which we engage service providers, including the United States. In certain circumstances, courts, law enforcement agencies, regulatory agencies or security authorities in those other countries may be entitled to access Personal Data.

If we transfer your Personal Data to another country outside of the UK or the European Economic Area (“EEA”), we have procedures in place to ensure your Personal Data receives the same protection as if it were being processed inside the UK or the EEA. For example, our contracts with third parties stipulate the standards they must follow at all times.

Some non-EEA countries are recognized by the European Commission and the UK as providing an adequate level of data protection according to EEA and UK standards. The full list of these countries is available here

[https://commission.europa.eu/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions\\_en](https://commission.europa.eu/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions_en)

Transfers may also be made pursuant to contracts in your interest or at your request.

Any transfer of your Personal Data will follow data protection legislation and applicable laws and we will follow the guiding principles of this Privacy Notice.

## Sensitive Information

We do not typically collect special category Personal Data in connection with the Services. Please do not send us any Personal Data which would be categorised as special category data under the data protection legislation (e.g., information related to racial or ethnic origin, political opinions, religion or other beliefs, health, biometrics or genetic characteristics, criminal background or trade union membership) (“**Special Category Data**”) through the Services or otherwise, unless we specifically request this information from you or make a due diligence enquiry of you where the response necessitates you disclosing Special Category Data to us. In such a case, please ensure you notify us that you are providing Special Category Data.

We may receive Special Category Data from third party service providers and others in support of due diligence activities we undertake to satisfy various legal and regulatory requirements to which we are subject.

## **Recording of Communications**

When individuals communicate with Omni, to the extent permitted or required by applicable law, telephone conversations and electronic communications, including emails, text messages and instant messages, may be recorded and/or monitored for evidentiary, compliance, quality assurance and governance purposes.

## **Cookies**

A cookie is a piece of data stored locally on your computer containing information about your activities on the Internet. Each website can send its own cookie to your web browser if your browser's preferences allow it. Many websites do this whenever a user visits their website in order to track online traffic flows.

For further information about what a cookie is and how Omni uses them, please see the "cookie policy".

## **Updates to this Privacy Notice**

We may change this Privacy Notice from time to time. The "LAST UPDATED" legend at the top of this Privacy Notice indicates when this Privacy Notice was last revised. Any changes will become effective when we post the revised Privacy Notice. Use of the Services following these changes (or your continued provision of Personal Data to us) signifies acceptance of the revised Privacy Notice.

## **Contacting Us**

If you have any questions about this Privacy Notice, please contact us at [compliance@omni.co.uk](mailto:compliance@omni.co.uk).

To help us to manage your query, please include your full name.

## **Additional Information**

For individuals within the UK for further information on the data protection legislation please visit the Information Commissioner Office (ICO) website.

The ICO regulates data protection in the UK. If you feel that your data has not been handled correctly, or you are unhappy with our response to any requests you have made to us regarding the use of your Personal Data, you have the right to lodge a complaint with the ICO.

You can contact them by calling 0303 123 1113 or visit the website.

## **Additional Information for the EEA**

Individuals may also file a complaint with a supervisory authority in the EEA competent for their relevant country or region.