



**EOS Investment Management Ltd**

## **Privacy Policy**

Date: May 2018

Registered in England and Wales, company no. 9259578  
67 Grosvenor Street | Mayfair | London | W1K 3JN

## Privacy Policy

This Privacy Policy (the “Policy”) and any applicable agreement entered into by you and EOS Investment Management Ltd (“EOS IM”) sets out the basis on which EOS IM and the funds managed by us, collect, use and shares your personal information. Each of these parties acts as a data controller and/or data processor in respect of your Personal Data for the purposes of the applicable data protection legislation and European Union’s General Data Protection Regulation (“GDPR”).

EOS IM is an FCA authorised and regulated Alternative Investment Fund Manager. The collection and processing of data is for the purposes and requirements associated with the ability to conduct the operation of its business activities.

All service providers appointed by EOS IM and the funds to process Personal Data (“Data Processors”) will process Personal Data provided in accordance with EOS IM’s instructions and EOS IM will act as the Data Controller of any such Personal Data.

This Privacy Notice applies to you if:

- (i) you are an investor in any of EOS IM’s funds;
- (ii) you are a client or potential client of EOS IM;
- (iii) you have requested to receive any EOS IM marketing material; and/or
- (iv) you have given your Personal Data to EOS IM for any other purpose.

EOS IM is committed to protecting your personal and confidential information and respecting your privacy. Where EOS IM holds personal information, it will use this fairly and lawfully. The information is collected in order to facilitate the provision of services to EOS IM’s clients and the benefit of underlying investors, through these services.

By using the Website and any services we offer, you are agreeing to be bound by this Policy in respect of the information collected about you via this Website. Where required under the data protection legislation, EOS IM will also obtain your consent.

Please read this Policy carefully.

## What Is Personal Information?

"Personal information" is any information that can be used to identify you or that we can link to you and which we have in our possession or control – i.e., data we collect from you, the way in which it is collected and the purposes for which it is collected and used.

Depending upon the nature of the interaction, the information you provide us with will vary and may include:

- Name, date of birth, nationality, photograph, your gender, government issued identifiers (e.g. passport numbers), home address and home telephone number, mobile telephone number, employer, occupation, job titles, education and qualification details, your CV and references. There may be additional items required and included in the formal processes for activities such as subscription, applications and assessment documents.

## Whose Personal Information Is Collected?

We will process personal information that you give to us, including when you email us or contact us through various other channels. EOS IM may collect and use information about the following types of individuals:

- Clients;
- Investors and beneficiaries (current, prospective and former). Where the investor is a legal entity, this will usually include any of their directors, officers, employees, partners, shareholders and/or agents;
- Individuals owning and/or managing prospective and existing portfolio companies, where the fund managed by EOS IM has an interest. For example, through the investment acquisition process conducted by EOS IM in relation to ownership of equity in portfolio companies.
- Suppliers and service providers;
- Professional advisers and consultants;
- Individuals who contact EOS IM by email, phone or otherwise;
- Employees, contractors and other members of staff (current, prospective and former).
- Recruitment applicants, applying for a role.

## Where We Receive Personal Information From

The sources of personal information collected by EOS IM will broadly fall into the following types:

- Directly provided by you;
- Related to and arising from services provided to you and/or otherwise interact with EOS IM;
- Received from the owners and/or senior managers of companies, the fund managed by EOS IM is considering acquiring;

- Received from your representatives or advisers;
- Received from third parties, including administrators of products advised by EOS IM; or
- Collected using cookies and other technologies when visiting the Website. Refer to the EOS IM Cookie Policy for further information.

The Website uses cookies to distinguish you from other Website users and help ensure that the Website is operating smoothly. Please see EOS IM's Cookie Policy on the Website for more information.

If you make a recruitment application to us, we may collect personal information relating to past employment, qualifications and education, opinions from third parties about you, past employment history and other details about you, which may be provided to us by a third party that provides background screening services to us.

If we collect or receive your personal information in the context of our provision of EOS IM's services, we might receive information from third parties such as your firm, other parties relevant to the services we are providing (e.g., a colleague might request sign-up for you for an EOS IM educational event) and others such as regulators and authorities. That information could include your name, contact details, employment details and other information relevant to the services that we are providing.

## Purposes for Collecting Personal Information

EOS IM may use the information held about you to:

- Provide services to the fund managed by EOS IM and/or investors, including the processing of subscription applications and assessment of potential investments;
- Assess your suitability for products or services;
- Engage in activity in relation to our investment management services. This may include sending you products, services, research or events and other information related to the fund management service that may be of interest to you;
- Fulfil any contract between you and EOS IM;
- Where you have applied for a position with us, review and process your job application;
- Comply with legal or regulatory obligations that we must discharge;
- Establish, exercise or defend our legal rights, or for the purposes of legal proceedings;
- Log your use of our website or our other online services for our own legitimate business purposes, which may include the analysis of usage, measurement of site performance, generation of reports. This includes ensuring that the Website is effectively presented for you and for your computer or device;
- Look into any complaints or queries;
- Prevent and respond to actual or potential fraud or illegal activities, and
- Collate, process and share any statistics based on an aggregation of information held by us, provided that any individual is not identified from the resulting analysis and the collation, processing and dissemination of such information is permitted by law.

EOS IM may also combine any information that you provide with the information received from other sources. This combined information may be used for the purposes set out above.

## Grounds for using your personal information

We rely on the following legal grounds to process your personal information, namely:

- **Performance of a contract** - we may need to collect and use your personal information to enter into a contract with you, to perform our obligations under a contract with you and/or the funds managed by EOS IM.
- **Legitimate interests** - we may use your personal information for our legitimate interests, some examples of which are given above.
- **Compliance with law or regulation** - we may use your personal information as necessary to comply with applicable laws/regulations.
- **Information about other products and services** – from time to time we may send you information about our services which we think may be of interest to you. You can tell us to stop this at any time by sending an email to [privacy@eosinvestment.co.uk](mailto:privacy@eosinvestment.co.uk) with “UNSUBSCRIBE” as the subject line.
- **Consent** - we may (but usually do not) need your consent to use your personal information. You can withdraw your consent by contacting us (see below).

## Third Parties

EOS IM may share your personal information with our European network offices for the purposes set out above.

EOS IM may also share your personal information with selected third parties relevant to the services that we provide. This may include, but is not limited to, counterparties to litigation, professional service providers, regulators, authorities and governmental institutions. The third parties may also include your current, prospective and former employers, in the event of reference checking and screening requirements for recruitment processes.

EOS IM may also share your personal information with third parties in the following circumstances:

- If EOS IM sells or buys any business or assets of portfolio companies fully or partly owned by funds managed by EOS IM, it may be necessary to share your personal information with the prospective seller or buyer;
- If EOS IM is acquired by a third party, the personal information held by EOS IM will be one of the transferred assets; or
- If there is a duty to share your personal information in order to fulfil any legal and/or regulatory obligation that applies to EOS IM.

## Control Over of Your Information

Access to your personal information by EOS IM staff and third parties is restricted and processed on a need to know basis, in accordance with EOS IM's policies and procedures.

## Where EOS IM Stores Your Personal Information

The information that EOS IM collects from you may be transferred to, and stored at, a destination outside the European Economic Area ("EEA"). It may also be processed by EOS IM or EOS IM's suppliers operating outside of the EEA for the purposes set out above.

If EOS IM sells or buys any business or assets, it may be necessary to share your personal information with the prospective seller or buyer located outside of the EEA.

By submitting your personal information to EOS IM, you agree to this transfer, storing or processing. EOS IM will take all steps reasonably necessary to ensure that your personal information is treated securely and in accordance with the Policy.

## Your Choices and Rights Under GDPR

You have a number of legal rights in relation to the personal information that we hold about you and you can exercise your rights by contacting us using the details set out below.

These rights include:

- Obtaining information regarding the processing of your personal information and access to the personal information which we hold about you, in accordance with GDPR requirements and limitations.
- Please note that there may be circumstances in which we are entitled to refuse requests for access to copies of personal information. In particular, information that is subject to legal professional privilege.
- Requesting that we correct your personal information if it is inaccurate or incomplete.
- Requesting that we erase your personal information in certain circumstances. Please note that there may be circumstances where you ask us to erase your personal information, but we are legally required and/or entitled to retain it.
- Objecting to, and requesting that we restrict, our processing of your personal information in certain circumstances. Again, there may be circumstances where you object to, or ask us to restrict, our processing of your personal information but we are legally required and/or entitled to refuse that request.
- Withdrawing your consent, although in certain circumstances it may be lawful for us to continue processing without your consent if we have another legitimate reason (other than consent) for doing so.

- Lodging a complaint with the relevant data protection authority, if you think that any of your rights have been infringed by us. We can, on request, tell you which data protection authority is relevant to the processing of your personal information.

## Changes to This Policy

Any changes EOS IM may make to this Policy will be posted on the Website. Please check back frequently to see any updates or changes to this Policy.

## Cookies

What are cookies?

- When you visit the Website, we may store some information (commonly known as a "cookie") on your computer. Cookies are pieces of information that a Website transfers to your hard drive to store and sometimes track information about you. Cookies are specific to the server that created them and cannot be accessed by other servers, which means that they cannot be used to track your movements around the web. Passwords, credit card numbers and identifiable personal information are not stored in cookies.
- A cookie helps you get the best out of the Website and helps us to provide you with a more customised service.

Which Cookies do we use?

- Google Analytics - Google Analytics use Cookies to remember which web pages you visit and what you have done on previous pages or previous visits to our website. No personal information is collected by Google Analytics and all information collected is stored safely and securely to prevent unlawful third-party access.
- We use Google Analytics to measure how you are interacting with the Website to ensure that we help you get the best out of the Website.
- Further information on Google Analytics can be found on [www.google.com/analytics/learn/privacy.html](http://www.google.com/analytics/learn/privacy.html)

Managing Cookies

- You can block or erase cookies from your computer if you want to (your browser's help screen or manual should tell you how to do this), but certain parts of the Website are reliant on the use of cookies to operate correctly and may not work correctly if you set your browser not to accept cookies.
- To find out more about cookies and how these affect your web-browsing experience one of the following websites contain further information:  
<http://www.allaboutcookies.org>  
<http://www.microsoft.com/info/cookies.mspx>

## Contact

### **General Queries:**

You can exercise these rights by sending an email [privacy@eosinvestment.co.uk](mailto:privacy@eosinvestment.co.uk)

### **Recruitment & HR**

If you want to enquire about or submit an application related to an employment or contractual position within EOS IM or its European Network, use the specific email address for recruitment. Send the email to [hr@eosinvestment.co.uk](mailto:hr@eosinvestment.co.uk)

## Postal Addresses

### **EOS Investment Management Ltd**

67 Grosvenor Street, Mayfair, London, W1K 3JN, United Kingdom.

### **Fysis Fund SICAV-SIF S.C.A.**

412F, route d'Esch, L-2086 Luxembourg

### **Fysis Specialized Asset Management S.À R.L.**

General Partner of Fysis Fund SICAV-SIF S.C.A. | R.C.S. Luxembourg B 184 185

Registered Office: 7, rue Guillaume J. Kroll L-1882 Luxembourg

**Fysis Fund SICAV-SIF S.C.A.**  
412F, route d'Esch,  
L-2086 Luxembourg  
(the "**Fund**")

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**INFORMATION NOTICE FROM THE FUND**

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This Information Notice is issued by the Fund, to confirm to the relevant parties, that in the capacity as a Data Controller under the General Data Protection Regulation ("GDPR"), it will apply the EOS Investment Management Ltd's Privacy Policy. This Privacy Policy sets out how personal data is managed, collected, use and shares your personal information. The Privacy Policy also explains the data subject's rights.

The relevant contact details for the Fund are included in the Privacy Policy.

**Fysis Fund SICAV-SIF S.C.A.**  
*Fonds d'Investissement Spécialisé* | R.C.S. Luxembourg B 184 629  
**Fysis Specialized Asset Management S.À R.L.**  
General Partner of Fysis Fund SICAV-SIF S.C.A. | R.C.S. Luxembourg B 184 185  
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