

## Privacy and Cookie Policy

### Who we are and the purpose of this policy

In this Policy, "Benson Elliot", "BECM", "we", "us" and "our" refer to the group comprising Benson Elliot Capital Management LLP (a partnership incorporated in England and Wales with company registration number OC317119 and whose registered address is 50 Hans Crescent, London SW1X 0NA) and its subsidiaries and the funds which BECM manages (each a "**Fund**"). BECM is registered for VAT under number 873 1245 28.

BECM is authorised and regulated by the Financial Conduct Authority (the "FCA") and is registered on the financial services register maintained by the FCA (at [www.register.fca.org.uk](http://www.register.fca.org.uk)) with reference number 447150.

BECM is committed to safeguarding information provided to us by any third parties ("you") (including its clients, investors, suppliers and all visitors to the website [www.bensonelliott.com](http://www.bensonelliott.com) (the "**Website**")) from which any individual can be identified, such as names, contact details and ID data ("**Personal Information**"). To the extent that any Personal Information is collected, it will be held in accordance with the Data Protection Legislation (as defined below). Please read the following Privacy and Cookies Policy (the "**Policy**") which explains how we use and protect your information.

We will only use Personal Information which is provided to us, or otherwise obtained by us, as set out in this Policy. We will ensure that your Personal Information is handled in accordance with the "**Data Protection Legislation**" (meaning any law applicable from time to time relating to the processing of Personal Information and/or privacy as the same may be re-enacted, applied, amended, superseded, repealed or consolidated, including without limitation the General Data Protection Regulation (EU) 2016/679, and the Privacy and Electronic Communications (EC Directive) Regulations 2003 and the UK Data Protection Act 2018, in each case including any legally binding regulations, directions and orders issued from time to time under or in connection with any such law).

By visiting and/or contacting us through the Website (or otherwise engaging with us, such as for investor relations purposes), you acknowledge that we may collect, use and transfer your Personal Information as set out in this Policy. BECM reserves the right to change this Policy from time to time and you should therefore check this page frequently to ensure that you are happy with any changes.

You acknowledge that Juniper Square, Inc., a Delaware corporation ("**Juniper Square**"), hosts and operates this Website on behalf of, and as a licensor, to BECM, and accordingly you acknowledge that information about you will be shared with Juniper Square for the purpose of hosting this Website and facilitating provision of products and services by BECM to you. The privacy policy of Juniper Square can be found on their website [www.junipersquare.com/privacy-policy](http://www.junipersquare.com/privacy-policy).

For the purposes of the Data Protection Legislation, BECM and any Funds in which you invest are each deemed to be the "**data controllers**" in respect of any Personal Information that you provide to us or we otherwise obtain about you.

Our Website may, from time to time, contain links to and from third party websites. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these websites or their related policies. Please check these policies before you submit any Personal Information via these websites.

This Privacy and Cookies Policy covers:

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## **1. Personal Information that we collect from you**

When you engage with us (e.g. sending us emails, contacting us via telephone, visiting or making an enquiry through the Website or submitting information through the investor portal), you may provide Personal Information about yourself including your name and contact details (e.g. your address, email address and telephone number). If you consider investing with us, you may also provide us with your financial information and various other necessary Personal Information (e.g. your national insurance, social security or tax payer identification number, investment history and bank details). Where you make use of our Website we may also collect information about your use of the Website (e.g. your IP address and choice of web browser). Some of this Personal Information is collected and processed so we can perform a contract with you, some for the purpose of legal compliance and some for the purposes of our legitimate business interests., In addition, Juniper Square may analyse the use of our Website in order to improve the quality of the Website and the services it provides to BECM.

Where you apply for a job with us, we may collect from you and third parties (where relevant) additional Personal Information such as your CV and any references. Unless you agree that we can keep such information on file for future opportunities or we need to retain such information for compliance with our legal obligations, in the event that you are unsuccessful, we will only retain this Personal Information for as long as is reasonably necessary to process your application in accordance with [our privacy notice](#).

Where you provide Personal Information on behalf of another individual, you are responsible for notifying that individual that you have provided their Personal Information to us and directing them to this Policy so they can see how we will process their Personal Information.

## **2. Personal Information that we receive from other sources**

We may receive information from third parties who hold Personal Information about you and pass it on to us. For example: (i) where we are conducting due diligence on prospective investee companies or deciding whether to invest in third parties we may also receive

Personal Information concerning key personnel; (ii) our staff may also give us emergency contact information as part of our emergency scenario planning and may give us details of their dependents and of other people in relation to their employee benefits arrangements; (iii) where another individual makes an investment on your behalf, they may provide us with certain Personal Information to effect the transfer of the investment to you, such as your name and contact details; (iv) your employer may provide your Personal Information to us in connection with a service they provide to us or in connection with services that we provide to our clients; and (v) we may receive information from past employers and others concerning your employment history where you apply for a job with us. Where this is the case, the third party is responsible for informing you that they have shared your Personal Information with us, directing you to this Policy and obtaining any relevant consents from you to ensure you are happy with the ways in which your Personal Information will be used. However, once we are holding it, we will only handle any person's Personal Information in accordance with this Policy and Data Protection Legislation.

### **3. Sensitive Personal Information**

"Sensitive Personal Information" is Personal Information concerning an individual's (i) racial or ethnic origin, (ii) political opinions, (iii) religious beliefs or other beliefs of a similar nature, (iv) membership of a trade union, (v) physical or mental health or condition, (vi) sexual life or orientation, (vii) commission or alleged commission of any offence or any proceedings for any offence committed or alleged to have been committed by him/her, the disposal of such proceedings or the sentence of any court in such proceedings.

You may provide us with Sensitive Personal Information from time to time in connection with your application to invest with us, our provision of investment services to you, your application for a job with us or otherwise. In such cases, the provision of this information is entirely voluntary and you should only provide it to us if you consent to it being used, however, we may be unable to carry out some activities necessary to process your application, instructions or other requests without the provision of such information. For example, we may be unable to process application forms or similar requests. We will use any Sensitive Personal Information in accordance with the consent you have given and, where necessary, we may also process such information in the establishment, exercise or defence of legal claims.

Where we do receive Sensitive Personal Information, we will only hold and use it in accordance with Data Protection Legislation.

### **4. What we do with your Personal Information**

We will only use your Personal Information in order to (i) communicate with you in respect of and administer the investment services we offer to you, (ii) provide investor relations and support to you in respect of these services, (iii) improve our Website and services, (iv) comply with our own legal and regulatory obligations (v) for our internal business processes, including providing support to our staff and our assessments of investments, and (vi) where relevant, process your application for employment.

Where you have consented at the time we collected your Personal Information or where we otherwise have a right to do so, we may also use your Personal Information to let you know

about any of our services that may be of interest to you and/or inform you about important changes or developments to our services by email.

Where you or your employer (or any other entity you work for) provides services to us, you and/or they may provide us with some of your Personal Information in connection with the provision of the services, such as your name, business contact details and other ID information. We will only process such Personal Information in connection with the provision of the services (such as using your contact details to discuss the services) and in accordance with this Policy. In addition, where necessary, we may also share your Personal Information with our investors or other third parties in order to provide our services (e.g. if you or your business provides investor administration services, we may share your business contact details with our investors so that they can contact you).

If you change your mind about us using your Personal Information in the ways described in this Policy, please let us know by contacting us at [be.gdpr@bensonelliott.com](mailto:be.gdpr@bensonelliott.com). You may also opt out of receiving marketing emails from us by following the instructions outlined in any marketing emails you receive.

## **5. How we share your Personal Information**

Where it is necessary for the performance of our contract or agreement with you or for our internal business processes, we may share your Personal Information with certain third parties, such as our Funds' administrator, other group companies, our advisors and technology providers.

By submitting your Personal Information to us, you acknowledge that such third parties may receive and process your Personal Information. We ask all third parties to treat your Personal Information securely and in accordance with this Policy and will take reasonable steps to enforce this. We will never sell your data.

In addition, it may be necessary to disclose your Personal Information if we are under a duty to disclose your Personal Information in order to comply with any legal obligation (such as anti-money laundering or anti-terrorist financing obligations), carry out an internal investigation, carry out audits, enforce our rights under any other agreement, or protect the rights, property, or safety of BECM, the Funds, our group companies and our clients, directors, employees or other personnel. This includes exchanging information with other companies and organisations for the purposes of fraud protection and prevention.

In exceptional circumstances, if we are sold or merged with another company we may disclose your information to a potential buyer, including your Personal Information and other information concerning your relationship with us, so that they can continue to provide the services you have requested/maintain any existing relationship (as applicable).

## **6. Our security measures and information about when we delete data**

We will only keep your Personal Information for as long as we reasonably require and, in any event, only for as long as the Data Protection Legislation allows.

Where you have chosen a password which allows you to access certain parts of the Website you are responsible for keeping this password confidential. We advise you not to share your password with anyone.

Unfortunately, the transmission of information via the internet is not completely secure and, although we will take steps to protect your Personal Information, we cannot guarantee the security of your Personal Information transmitted via the Website; any transmission is therefore at your own risk.

A limited number of our premises use CCTV for the purpose of crime prevention, however, this is under the control of a third party and therefore you should consult any notices they display and their privacy statements for more information.

#### **7. Transferring Personal Information outside the eea or the uk**

Save as set out below regarding the Website, any Personal Information provided to BECM will be transferred to and stored on BECM's servers in the United Kingdom. We take steps to protect your Personal Information from unauthorised access and against unlawful processing, accidental loss, destruction and damage. As outlined above, Juniper Square located in Delaware, may also receive your personal data as necessary in its role of the host of the Website in accordance with the terms of our service agreement with them.

In processing your Personal Information, it will sometimes be necessary for us to transfer your Personal Information outside the European Economic Area ("EEA") or the UK to our staff and our third-party service providers. It may also be accessed by staff operating outside the EEA or the UK who work for us or for one of our suppliers or group companies. This includes people engaged in, among other things, the provision of support services to us. We will take all steps reasonably necessary to ensure that your Personal Information is treated securely and in accordance with this Policy and the Data Protection Legislation when it is processed in, or otherwise accessed from, a location outside the EEA or the UK. This means that we will only transfer your Personal Information to our non-European offices and Funds and to third parties based outside the EEA or the UK if that party (i) is situated in a country that has been confirmed by the European Commission to provide adequate protection to Personal Information, (ii) has agreed (by way of written contract incorporating the "model clauses" as approved by the European Commission or by some other form of data transfer mechanism approved by the European Commission) to provide all protections to your Personal Information as required by the Data Protection Legislation or (iii) we have your consent to do so (such as where you have requested a service from one of our service providers situated outside the EEA or the UK). Where any transfer takes place under a written contract, you have the right to request a copy of that contract and may do so by contacting us using the contact details below.

By submitting your Personal Information to us, you acknowledge this transfer, storing or processing of your Personal Information.

#### **8. Accessing and updating your Personal Information**

You are entitled to know some details about the Personal Information we hold about you and how that information is processed. If you would like to request this, please contact us

at the contact address below and we will provide you with the information to which you are entitled.

You can also ask us to: (i) make any changes to ensure that any Personal Information we hold about you is accurate and up to date; (ii) erase or stop processing any Personal Information we hold about you where there is no longer a legal ground for us to hold it; or (iii) in some circumstances, transfer any information we hold about you to a specified third party. If you wish to exercise any of these rights, please contact us using the contact details below.

We will only send you marketing communications where you have agreed for us to do so. You have the right to ask us not to process your Personal Information for marketing or research purposes. You can exercise your right to prevent such processing by checking certain boxes on the forms we use to collect your Personal Information or by unsubscribing via the link in such marketing communications. You can also exercise this right at any time by contacting us using the contact details below.

## **9. Complaints**

Should you have any queries or complaints in relation to how we use your Personal Information, please contact us at [be.gdpr@bensonelliot.com](mailto:be.gdpr@bensonelliot.com). Should you wish to take any complaints or queries further, you have the right to contact the relevant data protection regulator (for example, this could be the UK data protection regulator, the Information Commissioner's Office) regarding such issues.

## **10. Our use of cookies**

A cookie is a small file that is sent to your browser from a web server and is stored on your computer. Cookies help us to analyse web traffic and identify which pages of our Website are being used. Our Website also uses cookies to respond to you as an individual so that it can tailor its operations to your needs by gathering and remembering information about your preferences. We only use this information for statistical analysis purposes and then it is removed from our systems.

A cookie in no way gives us access to your computer or any information about you, other than information about how you use the Website and the Personal Information you choose to share with us (including Personal Information you automatically share with us by way of your browser settings).

In particular, we may use the following cookies on our Website:

- (a) Strictly necessary cookies. These cookies are essential in order to enable you to move around the Website and use its features, such as accessing secure areas.
- (b) Performance cookies. These cookies collect information about how visitors use our Website, for instance which pages visitors go to most often and if they get error messages from the web pages. These cookies don't collect information that identifies a visitor; all

information these cookies collect is aggregated and therefore anonymous. It is only used to improve how our Website works.

- (c) **Functionality cookies.** These cookies are used to identify unique visitors to Websites. If you log in to the Websites, these are the cookies that allow us to remember who you are and what your preferences are so that we can provide you with access to pages personal to you, for example your account pages or your selected font size. These cookies can help to keep your visit to the site secure.
- (d) **Session cookies.** These cookies allow us to identify your device as you use the Website, so that you are not treated as a new visitor each time you go to another part of the Website.

For more specific information about the cookies that are used by Juniper Square on its own website and in respect of the services it provides to BECM, please follow this link [here](#).

You will normally see a message on our Website before we store a cookie on your computer which describes the types of cookies we use and what information they might collect. We may also use banners and pop-ups from time to time to give you options around cookie use.

You can also manage cookie use via your browser settings (this will allow you to refuse the setting of all or some cookies) and your browser provider may ask you to confirm your settings. Note, however, that if you block all cookies (including essential cookies) via your browser settings you may not be able to access all or parts of our Website.

You can find more information about the specific cookies we use and the purposes for which we use them in the following table. You can also find more information about cookies generally here: [www.allaboutcookies.org](http://www.allaboutcookies.org).

## **11. Changes to this Privacy and Cookies Policy**

BECM may amend this Policy at any time without notice. By continuing to use the Website and making use of our services you acknowledge that we shall process your Personal Information in accordance with the updated Policy. If you are not happy with any changes that we make, you should not use or access (or continue to use or access) the Website and/or our services. Any changes to this Policy will be posted on the Website.

## **12. Our contact information**

If you have any questions (including relating to transfers of your Personal Information outside the EEA), please feel free to contact us by email at: [be.gdpr@bensone Elliot.com](mailto:be.gdpr@bensone Elliot.com).