

**Boussard & Gavaudan Holding Limited**

**A closed-ended investment company incorporated with limited liability under the laws of Guernsey, with registration number 45582.**

**DATA PRIVACY STATEMENT**

In accordance with the General Data Protection Regulation (697/2016/EU) (the “**GDPR**”) and the Data Protection (Bailiwick of Guernsey) Law, 2017 (the “**DPL**”) (collectively, “**Data Protection Legislation**”) Boussard & Gavaudan Holding Limited (the “**Company**”) being a data controller, must provide you with information on how the personal data that you provide as part of your registration as shareholder in the Company will be processed by the Company, its service providers and delegates and their duly authorised agents and any of their respective related, associated or affiliated companies.

In circumstances where Boussard & Gavaudan Investment Management LLP (the “**AIFM**”) itself uses your personal data for its own purposes, it will also be considered a data controller and all rights afforded to you as a data subject under the GDPR and the DPL shall be solely exercisable against the AIFM.

As a consequence of your investment, the Company and the AIFM, each acting as a data controller, may itself (or through third parties including but not limited to JTC Fund Solutions (Guernsey) Limited (the “**Administrator**”), the Company’s Registrar, local paying agents and mailing firms appointed by any of the foregoing (together the “**Service Providers**”)) process your personal information or that of your directors, officers, employees, intermediaries and/or beneficial owners. In this regard, please note the following:

**Purposes of Processing and Legal Basis for Processing**

The personal data collected from you or provided by you or on your behalf in connection with your holdings in the Company will be collected, stored, disclosed, used and otherwise processed by the Service Providers on behalf of the Company for the purposes outlined in the table below.

<b>Processing Activity by or on behalf of the Company</b>	<b>Legal Basis for Processing</b>
Managing and administering your holdings in the Company and any related account on an ongoing basis	Compliance with a legal obligation to which the Company is subject
Disclosures to third parties such as auditors, regulators, tax authorities and technology providers in the context of the day to day operations of the Company	Compliance with a legal obligation to which the Company is subject
Complying with any applicable legal, tax or regulatory obligations imposed on the Company including legal obligations under the applicable law, including under tax law	Compliance with a legal obligation to which the Company is subject
Investor communication and the recording, maintaining, storing and using of telephone calls and electronic communications that you make to and receive from the Company, the Service Providers and their delegates or duly appointed agents and any of their respective related, associated or affiliated companies for any matters related to investment in the Company, dispute resolution, record keeping, security and/or training purposes;	Pursuing the legitimate interests of the Company including: <ul style="list-style-type: none"> <li>- dispute resolution, record keeping, security and/or training purposes; and</li> <li>- allowing the Company service providers to comply with legal obligations to which they are subject</li> </ul>

The AIFM as a data controller of your personal data may also collect, store, disclose, use or otherwise process your personal data for the purposes outlined in the table below.

<b>Processing Activity by or on behalf of the AIFM</b>	<b>Legal Basis for Processing</b>
Complying with any applicable legal, tax or regulatory obligations imposed on the AIFM	Compliance with a legal obligation to which the AIFM is subject
Investor communication and the recording, maintaining, storing and using of telephone calls and electronic communications that you make to and receive from the AIFM for any matters related to investment in the Company, dispute resolution, record keeping, security and/or training purposes;	Pursuing the legitimate interests of the AIFM including: <ul style="list-style-type: none"> <li>- dispute resolution, record keeping, security and/or training purposes; and</li> <li>- allowing the AIFM to comply with legal obligations to which it is subject</li> </ul>

Processing Activity by or on behalf of the AIFM	Legal Basis for Processing
<p>(i) Carrying out statistical analysis and market research ; and</p> <p>(ii) direct marketing.</p>	<p>Pursuing the legitimate interests of the AIFM including the distribution of the AIFM's products.</p>

**Please note that where personal data is processed for the purpose of legitimate interests, you have a right to object to such processing and the Company and its appointed Service Providers will no longer process the personal data unless it can be demonstrated that there are compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.**

#### **Undertaking in connection with other parties**

By providing personal data to the Company, you represent to the Company that you are authorised to disclose to the Company relevant information applicable to the beneficial owner of the investment, to your directors and authorised signatories and to persons that own, directly or indirectly, an interest in the Company. In this respect you confirm that you have provided these persons with all the information required under applicable data protection law, notably regarding their data protection rights, and received from these persons their authorisation for the processing and transfer of their personal data to us.

#### **Disclosures to Service Providers and / or Third Parties**

Personal data relating to you which is collected from you or provided by you or on your behalf may be handled by Service Providers appointed by the Company and its or their duly appointed agents and any related, associated or affiliated companies for the purposes specified above.

These Service Providers will be obliged to adhere to the data protection laws of the countries in which they operate.

The Company and/or the AIFM may disclose your personal data to other third parties where required by law or for legitimate business interests. This may include disclosure to third parties such as auditors,, regulatory bodies, taxation authorities and technology providers.

#### **Automated Processing**

Neither the Company nor the AIFM make decisions about you based on the automated processing of your personal data.

## **Transfers Abroad**

Personal data collected from you or provided by you or on your behalf may be transferred outside of Guernsey including to companies situated in countries outside of the European Economic Area (“**EEA**”) which may not have the same data protection laws as in Guernsey.

Where data transfers outside of the EEA take place, the Company is required to take the necessary steps to ensure that appropriate safeguards have been put in place to protect the privacy and integrity of such personal data.

## **Data Retention Period**

The Company and its appointed Service Providers will retain all information and documentation provided by you for such period of time as may be stipulated by legal and regulatory requirements.

## **Your data protection rights**

Please note that you have the following rights under the GDPR and the DPL. In each case, the exercise of these rights is subject to the provisions of the GDPR and the DPL:

- (i) You have a right of access to and the right to amend and rectify your personal data.
- (ii) You have the right to have any incomplete personal data completed.
- (iii) You have a 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 personal data relating to you carried out by the Company infringes the GDPR.
- (iv) You also have the right to lodge a complaint with the Guernsey Data Protection Authority if you consider that the processing of personal data relating to you carried out by the Company has infringed the DPL. You may also appeal to certain courts against (i) any failure of the Guernsey Data Protection Authority to give written notice of whether the complaint is either being investigated or not being investigated and where applicable, the progress and outcome of the investigation and (ii) a determination of the Guernsey Data Protection Authority not to investigate the complaint or a determination that a controller or processor has not breached or is not likely to breach an operative provision in connection with the complaint.
- (v) You have a right to be forgotten (right of erasure of personal data).
- (vi) You have a right to restrict processing.
- (vii) You have a right to data portability.
- (viii) You have the right to be notified when any rectification or erasure of personal data or restriction of processing is carried out in accordance with (i), (ii) and (v) above.

- (ix) You have the right not to be subject to decisions based on automated processing.
- (x) where the Company and/or AIFM have relied on consent to process the personal data, you have the right to withdraw your consent at any time.
- (xi) You also have the right to object to processing where personal data is being processed for direct marketing purposes and also where the Company is processing personal data for legitimate interests.

Where you wish to exercise any of your data protection rights against the Company or against the AIFM, please contact us via the details provided below under “Contact Us”.

The Company, its Service Provider or the AIFM will respond to your request to exercise any of your rights under the GDPR or the DPL in writing, as soon as practicable and in any event **within one month** of receipt of your request, subject to the provisions of the GDPR and the DPL. The Company, its Service Provider or the AIFM may request proof of identification to verify your request.

#### **Contact us**

If you have any questions about our use of your personal information, please contact [bg.gdpr@bgam-fr.com](mailto:bg.gdpr@bgam-fr.com).