

## Data Protection Notice

### Please read this privacy notice carefully to understand our use of your Personal Data

This notice sets out how The Real Return Funds plc (the **Company**) will process personal data and sets out the rights of data subjects pursuant to the Data Protection Directive 95/46/EC and the EU Privacy & Electronic Communications Directive 2002/58/EC, any amendments and replacement legislation including the Regulation (EU) 2016/679 known as the General Data Protection Regulation, which comes into force on 25 May 2018 (the **GDPR**), European Commission decisions, binding EU and national guidance and all national implementing legislation (**Data Protection Legislation**).

Please ensure that you notify any third parties whose Personal Data you provide to the Company (including your authorised representatives and/or beneficial owners) about the existence and content of this Data Protection Notice.

Where not otherwise defined, the definitions in this notice on data protection will have the same meaning as in the Prospectus of the Company.

#### Personal Data

Personal data is any information (**Personal Data**) relating to a living person who can be identified directly from that data, or indirectly in conjunction with other information (**Data Subject**). The Company, the Administrator, the Investment Manager and the Distributor (other than the Company, referred to in this notice as service providers or data processors) may hold some or all of the following types of Personal Data in relation to investors, their officers, employees and/or beneficial owners as Data Subjects:-

name, address/other contact details (telephone, email address), date/place of birth, gender, tax number, bank details, photographic ID, proofs of address as furnished by investors when completing the Subscription Agreement or to keep that information up to date.

The Company may also obtain further Personal Data by way of politically exposed person checks, sanctions checks, negative news checks and screening checks carried out on investors. The Company is obliged to verify the Personal Data and carry out ongoing monitoring.

#### Purpose of Processing and Legal Basis for Processing Personal Data

In the course of its business, the Company will collect, record, store, adapt, transfer and otherwise process Personal Data. The Company is a data controller within the meaning of Data Protection Legislation and will process any Personal Data provided by or in respect of investors in accordance with Data Protection Legislation.

Where processing is carried out on behalf of the Company, the Company shall engage each data processor, within the meaning of Data Protection Legislation, where such data processor implements appropriate technical and organisational security measures in a manner that such processing meets the requirements of Data Protection Legislation and ensures the protection of the rights of investors. The Company will enter into a written contract with the data processor which will set out the data processor's specific mandatory obligations laid down in Data Protection Legislation, including to process Personal Data only in accordance with the documented instructions from the Company.

Where Personal Data is provided, the Company, acting as a data controller within the meaning of Data Protection Legislation, may itself process that Personal Data or its services providers may process Personal Data as data processors for any one or more of the following purposes and on any one or more of the following legal bases (which are generally considered as being statutory, contractual or legitimate interest purposes):-

- (1) to operate the Sub-Funds, including managing and administering an investment in the relevant Sub-Fund on an on-going basis which enables the Company, its data processors or a third party to whom Personal Data is disclosed to satisfy their contractual duties and obligations relating to the investor's Personal Data and any processing necessary for the preparation of the contract with the investor;
- (2) to comply with any applicable legal, tax or regulatory obligations on the Company, its data processors or a third party to whom Personal Data is disclosed, for example, under the Companies Act and anti-money laundering and counter-terrorism rules and tax rules in respect of fraud prevention;
- (3) for any other legitimate business interests' of the Company, its data processors or a third party to whom Personal Data is disclosed, where such interests are not overridden by the interests of the investor, including for statistical analysis, market research purposes and to perform financial and/or regulatory reporting; or
- (4) for any other specific purposes where investors have given their specific consent.

As part of the Company's business and ongoing monitoring, the Company may from time to time carry out automated decision-making in relation to investors, including, for example, profiling of investors in the context of anti-money laundering reviews, and this may result in an investor being identified to the revenue authorities, law enforcement authorities and to other entities where required by law, and may ultimately, result in the Company terminating its relationship with the investor.

Failure to provide the required Personal Data for processing will result in the Company or its data processors being unable to permit, process, or release the investor's investment in the Sub-Funds and this may result in the Company terminating its relationship with the investor.

## Retention Period

The Company and its data processors will not keep Personal Data for longer than is necessary for the purpose(s) for which it was collected. In determining appropriate retention periods, the Company and its data processors shall have regard to the Data Protection Legislation, Statute of Limitations Act 1957, as amended, and any statutory obligations to retain information, including anti-money laundering, counter-terrorism, and tax legislation. The Company and its data processors, as applicable, will take all reasonable steps to destroy or erase the data from its/their systems when such data is no longer required.

## Data Subject Rights

Investors have the following legal rights to control what the Company does with their Personal Data:-

- right to request access to their Personal Data kept by Company;
- right to rectification or erasure of their Personal Data;
- right to restrict or object to processing of Personal Data;
- right to withdraw consent to processing; and
- right to data portability,

subject to any restrictions imposed by Data Protection Legislation and any statutory obligations to retain information including any money laundering, counter-terrorism, tax legislation.

Please note that where processing of personal data is based on consent, investors have a **right to withdraw that consent at any time**.

Please note that investors have a **right to object** to the processing of their personal data where that processing is necessary for the purposes of the legitimate interests pursued by the company (or any of its data processors') or that of any third party.

If you wish to raise a complaint on how we have handled your Personal Data, you can contact us in the first instance. Contact details are provided at the end of this notice. We hope that we can address any concerns you may have, but you can always contact the Data Protection Commissioner.

## Recipients and Transfer of Personal Data

The Company and/or any of its data processors may disclose or transfer Personal Data which are undergoing processing or are intended for processing after transfer (the purposes of which are detailed above), whether within Ireland or elsewhere (including countries outside of the EEA) to the following recipients:-

- other delegates, duly appointed agents and other service providers of the Company (and any of their respective related, associated or affiliated companies or sub-delegates); and
- third parties including advisers, regulatory bodies, taxation authorities, auditors, technology providers for the purposes specified above.

## International Transfer of Personal Data

The Company and/or any of its data processors will not transfer Personal Data to a country outside of the EEA (including for onward transfers from a third country to another third country) unless that country ensures an adequate level of data protection or where there are appropriate safeguards in place.

#### Adequate level of protection

Where the European Commission has decided pursuant to Article 45 of the GDPR that a third country ensures an adequate level of protection, a transfer of Personal Data to such country shall not require specific authorisation from the Data Protection Commissioner. The European Commission has prepared a list of countries that are deemed to provide an adequate level of data protection which, to date, includes Andorra, Argentina, Faroe Islands, Guernsey, Israel, Isle of Man, Jersey, New Zealand, Switzerland and Uruguay. Further countries may be added to this list by the European Commission at any time.

#### Appropriate safeguards

Where a third country has not been the subject of an adequate level of protection decision by the European Commission, the Company and/or any of its data processors will only transfer Personal Data to such third country where appropriate safeguards are put in place and where enforceable data rights and effective legal remedies for Data Subject are available.

For any transfers of your Personal Data to third countries that have not been deemed by the European Commission to provide an adequate level of investor protection, the Company will ensure that appropriate safeguards are in place, which include one or more of the following:-

- (i) the recipient of the Personal Data has signed 'standard contractual clauses' pursuant to Article 46.2 of the GDPR and approved by the European Commission, obliging them to protect the personal data;
- (ii) If the recipient is located in the United States, that it is a certified member of the EU-US Privacy Shield (or such equivalent scheme approved by the appropriate regulatory bodies from time to time). The EU-US Privacy Shield framework is designed by the U.S. Department of Commerce and the European Commission to provide companies on both sides of the Atlantic with a mechanism to comply with data protection requirements when transferring personal data from the European Union to the United States in support of transatlantic commerce;
- (iii) the recipient of the Personal Data is subject to approved binding corporate rules safeguarding the investor pursuant to Article 47 of the GDPR; and/or
- (iv) reliance is placed on one of the derogations and safeguards pursuant to Article 49 of the GDPR.

#### Further Information

If you have any questions about this data protection notice or the operation of the Company's data protection policy please contact [dataprotection@veritas-asset.com](mailto:dataprotection@veritas-asset.com).