

## DATA PROTECTION NOTICE

### APS Asset Management Pte Ltd

**Please read this notice carefully to understand our use of your Personal Data. This notice is not intended to be legal advice and is provided to you for information only.**

*This notice sets out how APS Asset Management Pte Ltd (the Company) processes 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 and all other data protection laws and regulations in any jurisdiction in which the personal data is processed or received or which are otherwise applicable (together, the "**Data Protection Legislation**").*

*For more information about the Singapore Personal Data Protection Act, please visit the Personal Data Protection Commission's website at <https://www.pdpc.gov.sg>.*

Contact our Personal Data Protection Officer at:

Email: [dpo@aps.com.sg](mailto:dpo@aps.com.sg)

***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 (the Notice).***

### 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 and its subsidiary company, APS China Asset Management Pte Ltd, and/or any of their affiliates, delegates or agents (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 clients when opening a separately managed account or completing the subscription agreement for the Company's funds or as subsequently provided to keep that information up to date or otherwise as requested by the Company or its data processors.

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 and/or its data processors 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 service 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 basis (which are generally considered as being statutory, contractual or legitimate interest purposes):-

- (1) to operate the Company, including managing and administering an investment in the Company's funds 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 client;
- (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 relevant corporate legislative acts, 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 client, including for statistical analysis, market research purposes and to perform financial and/or regulatory reporting;

- (4) to disclose information to third parties such as the service providers, the auditors and the technology providers of the Company in order to comply with any legal obligation imposed on the Company or in order to pursue the legitimate interests of the Company; or
- (5) for any other specific purposes where clients have given their specific consent.

As part of the Company's business and ongoing monitoring, the Company may from time to time carry out certain decision-making in relation to clients, including, for example, profiling of clients in the context of anti-money laundering reviews, and this may result in a client 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 client.

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 client's investment in the Company and this may result in the Company terminating its relationship with the client.

### **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 and any other applicable legislative data protection provisions any statutory obligations to retain information, including anti-money laundering, counter-terrorism, 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 in relation to 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, CLIENTS HAVE A RIGHT TO WITHDRAW THAT CONSENT AT ANY TIME.**

**PLEASE NOTE THAT CLIENTS 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. THE COMPANY SHALL STOP SUCH PROCESSING UNLESS IT CAN DEMONSTRATE COMPELLING LEGITIMATE GROUNDS FOR THE PROCESSING THAT OVERRIDE THE CLIENT'S INTEREST AND RIGHTS.**

Should clients fail in providing their Personal Data as required for the purpose of compliance with anti-money laundering or other legal requirements, the Company may not be able to accept their investment or process their application for subscription, redemption, conversion or transfer. This failure may also need to be reported by the Company or by the authorised third parties to the relevant authorities to the extent permitted and/or required by applicable laws and regulations.

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. You also have the right to lodge a complaint with a supervisory authority, in particular in the EU Member State of your habitual residence or place of work or in the place of the alleged infringement if you consider that the processing of Personal Data relating to you carried out by the Data Controller or its Recipients or Sub-Recipients infringes the Data Protection Legislation.

### **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 EU 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.

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, such as standard contractual clauses approved by the European Commission.

Where the 'standard contractual clauses' safeguard mechanism is utilised a copy of the clauses will be obtainable from the contact below.

## **Further Information**

If you have any questions about this Notice or the operation of the Company's data protection policy, please contact [cs@aps.com.sg](mailto:cs@aps.com.sg).

## **Amendment of this Notice**

This Notice may be amended from time to time to ensure (among other things) that full information about all processing activities is provided. Changes to this Notice will be notified by appropriate means.