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# TREETOP ASSET MANAGEMENT S.A. – CONFIDENTIALITY POLICY

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## 1. Introduction

At TreeTop Asset Management S.A., we are well aware of the importance of your data security and the protection of your privacy. Security and confidentiality are essential values of our company.

We therefore ensure that your personal data (hereinafter “personal data”) is protected and processed with particular care, transparency and in strict compliance with privacy legislation, and in particular with European Regulation No. 2016/679 of 27 April 2016 on data protection, known as the “GDPR”.

The purpose of this Privacy Policy (hereinafter the “Policy”) is to explain how we collect, use and store your personal data and to inform you of your rights regarding your personal data and the means of exercising them.

## 2. What do we mean by personal data, by processing and by data controller?

“Personal data” is any information about an identified or identifiable natural person. It may be a name, first name, telephone number, email address, but also an account number or investment profile, provided that the information relates to a natural person.

“Processing” is any operation involving data of a personal nature. Processing shall cover, *inter alia*, all aspects related to the collection, registration, organisation, structuring, conservation, adaptation or modification, extraction, consultation, use, communication by transmission, dissemination or any other form of making available, reconciliation or interconnection, limitation, deletion or destruction of this data.

The “processor” is the person or entity who determines the purposes and means of processing personal data, i.e. the “why” and the “how” of using your data.

## 3. Who is responsible for processing your personal data?

TreeTop Asset Management Luxembourg S.A., with registered office at 12 rue Eugène Ruppert L-2453 Luxembourg, registered with the Luxembourg Trade and Companies Register under no. B160890, (hereinafter “TreeTop”) is responsible for processing the personal data it collects. This means that TreeTop determines the purposes and means of processing your data and that it is your contact and that of the supervisory authorities for any question relating to its use.

TreeTop Asset Management Luxembourg S.A. is present and active in Belgium through her Belgium Branch, commonly referred to as ‘TreeTop Asset Management Belgium’. This branch is located rue des Francs 79, 1040 Brussels. It is registered within the Banque Carrefour des Entreprises under number 1018.214.740. The ‘TreeTop Group’ refers to both the head office of TreeTop Asset Management S.A. in Luxembourg and this Belgium Branch.

A point of contact has been designated for TreeTop Group in the person of Mr Yan Dhucque, whose contact details are as follows: TreeTop Asset Management S.A. 12 rue Eugène Ruppert, L-2453 Luxembourg – email: [luxembourgdp@treetopam.com](mailto:luxembourgdp@treetopam.com). The persons concerned by the processing of their data through le Belgium Branch may also contact [privacy@treetopprivate.be](mailto:privacy@treetopprivate.be).

## 4. Who is concerned by this Policy and when does it apply?

This Policy applies to all individuals whose personal data is in TreeTop’s possession. These may include our clients, prospects, people visiting our website or attending events that TreeTop organises or people about which our clients have provided us with personal data (e.g. as client representatives, etc.).

Conversely, legal entities are not affected by this Policy.

## 5. What personal data do we collect?

The various types of personal data that TreeTop is usually required to collect include, among other things, the following data:

- Identification data: your surname, first names, address, identity card or national register number, e-mail address, telephone number;
- Personal data: your age, gender, date of birth, place of birth, marital status and nationality;
- Household composition data: your family situation, details of other household members, etc.;
- Data related to your investor profile: your financial situation, investment objectives or profession, knowledge and financial experience;
- Banking data: your reference account number;
- Data related to your tax status;
- Data related to the transactions that you entrust to us;
- Information related to the exchanges we have with you, such as records of our communications by e-mail;
- Data relating to your behaviour and interests when you browse our website.

TreeTop does not process data relating to health, biometric or genetic data, racial or ethnic origin, political opinions, religion or beliefs, trade union membership or sex life.

## 6. When and how do we collect your data?

In most cases, we collect your personal data directly from you. In particular, you provide us with personal data in the following cases:

- when you become a client;
- when you complete the forms we submit to you or enter into a contract with TreeTop;
- when you use our services and products;
- when you subscribe to our newsletters, respond to our invitations (conferences, etc.), take part in promotional actions, etc.;
- when you contact us through the various channels available to you.

Your personal data may be communicated to us by third parties or obtained from external sources. This is particularly the case when a client provides us with your personal data, as a family member or as the beneficial owner of an account or transaction for example.

## 7. In what cases are you required to provide us with your data?

You can visit our website without informing us who you are. However, we use cookies to make our website easier to use. Please consult the cookies policy available on our website.

If you wish to use our services, you will be required to provide us with various information about you. The information we request or are legally (MiFID II, anti-money laundering law) required to obtain from you to enter into a relationship with you or to carry out transactions on your behalf is generally indicated by asterisks in the documents you are asked to complete. Of course, you have the right to refuse to provide this information to us, but in this case you will not be able to benefit from our services.

## 8. For what purposes and on what basis do we process your data?

TreeTop collects and processes your personal data for the purposes described herein. TreeTop determines only these purposes, for the purposes of its activities, and ensures that only data necessary and relevant for a given purpose is processed.

TreeTop thus processes your personal data to:

**a. Execution of a mission of public interest**

- contribute to the fight against and prevention of money laundering and terrorist financing, identifying its clients, their representatives and beneficial owners, determining their profile and checking operations and transactions (purpose 1);

**b. Comply with its legal and regulatory obligations.**

Consequently, TreeTop is required to:

- help combat market abuse by detecting and reporting certain information to the competent authorities (purpose 2);
- collect and process certain financial knowledge and experience data and, in some cases, your financial position and investment objectives to ensure that the investment services and financial instruments to which you subscribe are appropriate or adapted for you (purpose 3);
- respond to requests from Luxembourg or foreign supervisory, administrative and judicial authorities (purpose 4);
- comply with its legal archiving obligations.

This list is likely to change.

**c. Fulfil a contract entered into with you or implement pre-contractual measures upon your request.**

When you wish to enter into a relationship with us, we are required to process your personal data, in particular, to provide you with information about our services and to assess whether the service that you wish to use is appropriate for you or adapted to your situation (purpose 5).

Likewise, once the contract has been concluded, we are required to process your personal data in order to carry out the transactions that you entrust to us or enable you to benefit from the services to which you have subscribed, such as the investment advisory or discretionary management service (purpose 6).

**d. Preserve its legitimate interests.**

TreeTop also processes your data to fulfil its legitimate interests. To this end, TreeTop ensures a fair balance between the need to process your data and respect for your rights and freedoms, including the protection of privacy.

Your personal data may therefore be processed to allow TreeTop to:

- conduct market studies and statistical analyses (purpose 7);
- preserve its rights in the event of a dispute and manage complaints received from clients (purpose 8);
- strengthen the quality of its services by conducting administrative monitoring (internal reporting) (purpose 9);

- promote its products and services to its clients, including by sending general newsletters and commercial offers, personalised letters (email or paper) and invitations to events, and to monitor the relationship with the client (potential) (purpose 10).

This includes the management of the Facebook and LinkedIn pages and the management of TreeTop's online presence. In this context, TreeTop collects and processes data relating to online users of social networks relating to its publications. This processing is carried out under the joint responsibility of TreeTop and the social networks.

### **e. Carry out processing to which you have specifically consented.**

TreeTop may use your personal electronic contact data to send you advertising communications electronically. If you are not yet a client, and in accordance with the regulations in force, TreeTop requests your prior consent in a specific manner. If you have agreed to receive commercial communications electronically, you always have the option of withdrawing your consent (purpose 10).

If you are a client, we have a legitimate interest in processing your personal data (including that obtained directly as part of the conclusion of a contract) in order to send you commercial communications.

## **9. Who are the recipients of your data?**

Within TreeTop, access to your personal data is in principle only granted to persons who need to be aware of it for the performance of their duties. These persons are bound by an obligation of professional discretion and must comply with all technical and organisational requirements provided for to ensure the confidentiality of personal data.

TreeTop may also share your data with other entities in the group to which it belongs, for centralised client management or control purposes.

For some services, we also use (sub)custodians, correspondents, agents or subcontractors (hosting service providers, database management solution providers, account management service providers, IT service providers, emailing/marketing service providers, archiving service providers, infrastructure and systems maintenance service providers and application maintenance service providers) as well as commercial partners (in particular financial institutions with which you open an account). These partners must comply with our Policy and must also comply with their own legal obligations in this respect. In addition, we also ensure that your personal data is protected by appropriate provisions in our contracts with the parties who may help us process your personal data or to which we communicate your data. We may also share with prospective transferees of TreeTop's rights, obligations and contracts, in the event of a proposed transfer referred to in Article 28 of our Terms and Conditions, information relating to the identity, accounts, and transactions of each customer, and share with such third parties any information or documents relating to our customers in order to (and only to the extent required to) enable or facilitate the tasks of such third parties in connection with the proposed transfer, and/or in order to carry out all necessary controls (such as those required by the rules applicable to the prevention of money laundering and terrorist financing, or imposed by the customer acceptance policy of the proposed transferee) and/or in order to prepare the transfer, on condition that these third parties respect the same obligations for the benefit of the customers concerned as those provided for TreeTop.

TreeTop may also share your data with public authorities, in response to legal requests, including to meet the requirements of national security or law enforcement (e.g. social security services, direct contributions, etc.). As part of a transaction, such as a merger, acquisition, consolidation or sale of assets, we may share your personal data with the buyers or sellers.

In addition, TreeTop never sells your personal data to third parties.

## **10. How long do we keep your data?**

We have established precise rules concerning the length of time we keep your personal data. This period varies according to the different purposes and must take account of any legal obligations to retain certain of your data.

You will find below the list of purposes and retention periods:

1. **Purpose 1:** Combating and preventing money laundering and the financing of terrorism. Data is kept for 10 years from the date of the transaction subject to the law on the prevention of money laundering and terrorist financing and the restriction of the use of cash.
2. **Purpose 2:** combating market abuse. The data is kept for 10 years from the date of the transaction subject to market abuse control.
3. **Purpose 3:** assessment of whether the service the individual wishes to use is appropriate (MiFID profiling). Data is kept for 10 years from the end of the contractual relationship if the prospect has become a client.
4. **Purpose 4:** follow-up of requests from supervisory authorities. Data is kept for 10 years from the date of the operation subject to the authority's control.
5. **Purpose 5:** management of the pre-contractual relationship (provision of information on services, follow-up of the prospect relationship). Data is kept for 5 years from the end of the contractual negotiation. Data is kept for 10 years from the date of end of the contractual relationship if the prospect has become a customer.
6. **Purpose 6:** monitoring of customer relations and performance of operations entrusted to us or provision of specific services. Data is kept for 10 years from the end of the contractual relationship.
7. **Purpose 7:** market research and statistical analysis. Data is kept for 5 years from the end of the contractual relationship. For data collected using cookies on our website, please consult our cookies charter.
8. **Purpose 8:** management of disputes, complaints and litigation. Data is kept for 10 years from the end of the dispute.
9. **Purpose 9:** internal reporting (administrative follow-up). Data is kept for 10 years from the end of the contractual relationship.
10. **Purpose 10:** marketing management (promotion of products and services; in particular by sending general newsletters and commercial offers, personalised letters (e-mail or paper) and invitations to events). Data is kept for 3 years from the last action/reaction by the person concerned.

## 11. What are your rights?

### Right of access

You have a right of access to your personal data. In particular, you may ask us for information concerning:

- Categories of personal data processed;
- The purposes for which we collect your data;
- The categories of recipients to whom we transfer your data;
- The retention period of your data;
- The source of the personal data processed if not collected from you;
- Your right to request us to amend, delete your personal data or limit our use thereof and the right to object to that use;
- Your right to bring a complaint before the European Data Protection Board.

### Right to rectification

If you find that your data is inaccurate or incomplete, you may ask us to correct it.

### Right to erasure (right to be forgotten)

In certain specific cases, the legislation allows you to have your personal data deleted.

This is particularly the case if:

- Your personal data is no longer necessary in respect of the reasons why it was collected or otherwise processed;
- You have withdrawn your consent on which processing of your personal data by TreeTop is based;
- For a reason that is your own, you consider that one of the instances of processing conducted infringes on your privacy and causes you undue damage;
- You no longer wish to receive commercial offers from us;
- Your personal data is not processed in accordance with GDPR and applicable law;
- Your personal data must be deleted to comply with a legal obligation provided for by European Union law or by the national law to which TreeTop is subject.

However, we may not be able to grant your right to be forgotten request. Indeed, it must be borne in mind that this right is not absolute. We must balance it with other important rights and values, such as freedom of expression, compliance with a legal obligation to which we are subject or important public interest grounds. Likewise, TreeTop may, however, retain your personal data when necessary for the identification, exercise or defence of its rights in legal proceedings.

### Right to restrict processing

This particular right to object allows you to ask TreeTop to temporarily lock your data in specific cases defined by regulation: TreeTop will no longer be able to process your data for a defined period.

This lock may be requested:

- When you have informed us that the data in question is inaccurate or out of date, for the time necessary to enable us to check the accuracy of your data;
- Where its collection, use, communication or conservation is prohibited;
- Where the data is no longer necessary to achieve the purposes of the processing;
- During the period required for TreeTop to examine the merits of an application for opposition.

If you have used this right, we may retain your data, but we may no longer process it except with your agreement or for the recognition, exercise or defence of our rights (or those of another person), or for important reasons of public interest in the European Union or a Member State.

In the event of a restriction on the processing of some of your personal data, we will keep you informed of when the measure will be lifted.

### Right to portability of your data

Under this right, you may request TreeTop to send your personal data to you or send it directly to another controller, where technically possible. This right only applies to the data you have provided to TreeTop that is subject to automated processing. It also applies only when this data is processed on the basis of the contract or on the basis of your consent.

### Right to withdraw your consent

When processing your data is based solely on your consent, you have the right at any time to withdraw this consent. However, this withdrawal will not call into question the legality of the processing carried out during the period prior to your withdrawal of consent.

### Right to object

You always have the right to object, without justification and at no cost, to the use of your data for commercial marketing purposes. In this case, your data will no longer be used for this purpose.

Furthermore, you also have the right to object, for reasons relating to your particular situation, to any processing of your personal data that is based on our legitimate interest. However, your request will not be followed up if our legitimate interest prevails over yours or if the processing of your data is required for the recognition, exercise or defence of our rights in legal proceedings or if the processing is necessary for the conclusion or performance of your contract.

## **12. How do you exercise your rights?**

To exercise your rights, simply send your request dated and signed with a photocopy of your identity card by mail or email to our data protection contact person.

Do not forget to specify the purpose of your request and, in the case of a request sent by mail, to indicate the address to which we must answer.

A reply will then be sent to you within one month of receipt of the request. This time limit may be extended by two months in the event that the request requires further research or in the event that TreeTop receives too many requests.

## **13. Who should you contact in the event of a conflict?**

In the event of a conflict concerning the processing of your personal data, you may submit a request for mediation to the Data Protection Authority at the following address:

National Commission for Data Protection  
Claims department  
15, Boulevard du Jazz  
L-4370 Belvaux  
Tel: +352 26 10 60-1  
<https://cnpd.public.lu/en/particuliers/faire-valoir/formulaire-plainte.html>  
Email: [info@cnpd.lu](mailto:info@cnpd.lu)

## **14. Amendment of Policy**

This Policy is regularly updated. The newest version of this Policy is available on the TreeTop website [www.treetopam.com](http://www.treetopam.com). We will inform you of any significant change by the usual communication channels.