

# PRIVACY NOTICE



## INTRODUCTION

This document refers to personal data, which is defined as information concerning any living person (a natural person who hereafter will be called the Data Subject) that is not already in the public domain.

The General Data Protection Regulation (GDPR) seeks to protect and enhance the rights of data subjects. These rights cover the safeguarding of personal data, protection against the unlawful processing of personal data and the unrestricted movement of personal data within the EU. It should be noted that GDPR does not apply to information already in the public domain.

The ICAV is pleased to provide the following Privacy Notice:

## PERSONAL DATA

The ICAV uses the information collected from you to provide financial services. In making initial contact you consent to Treasury Capital Fund Solutions as the Management Company maintaining a dialogue with you until you either opt out (which you can do at any stage) or we decide to desist in promoting our services

Any information Treasury Capital Fund Solutions holds about you or your business encompasses all the details we hold about you and any financial, employee records and KYC information.

Treasury Capital Fund Solutions will only collect the information needed so that it can provide you with financial services.

In order to meet its contractual obligations, Treasury Capital Fund Solutions utilises the following third parties:

ORGANISATION	SERVICE DESCRIPTION
SGSS Dublin	Third party Administration Services System provision
McCann Fitzgerald	Legal
HMP Secretarial Limited	Company Secretary for the ICAV Board of Director
Deloitte	Auditors

When working with ETFS, will ensure that the organisation is fully GDPR compliant.



## **LEGAL BASIS FOR PROCESSING ANY PERSONAL DATA**

To meet ETFS contractual obligations to clients and to also respond to marketing enquiries.

## **LEGITIMATE INTERESTS PURSUED BY ETFS AND/OR ITS CLIENTS**

To promote the marketing and consulting services offered by ETFS and/or to market the services and/or products offered.

## **CONSENT**

Through agreeing to this privacy notice you are consenting to ETFS processing your personal data for the purposes outlined. You may withdraw consent at any time by emailing [Dataprotection.sgssireland@sgss.socgen.com](mailto:Dataprotection.sgssireland@sgss.socgen.com) or writing to us, see last section for full contact details.

## **DISCLOSURE**

ETFS may on occasions pass your Personal Information to third parties exclusively to process work on its behalf. ETFS requires these parties to agree to process this information based on our instructions and requirements consistent with this Privacy Notice and GDPR.

ETFS do not broker or pass on information gained from your engagement with the agency without your consent. However, ETFS may disclose your Personal Information to meet legal obligations, regulations or valid governmental request. The agency may also enforce its Terms and Conditions, including investigating potential violations of its Terms and Conditions to detect, prevent or mitigate fraud or security or technical issues; or to protect against imminent harm to the rights, property or safety of ETFS, its clients and/or the wider community.

## **RETENTION POLICY**

ETFS will process personal data during the duration of any contract and will continue to store only the personal data needed for ten years after the contract has expired to meet any legal obligations.

## **DATA STORAGE**

Data is held in the UK and may at third party locations using different (multiple) servers.



## YOUR RIGHTS AS A DATA SUBJECT

At any point whilst ETFS is in possession of or processing your personal data, all data subjects have the following rights:

- Right of access – you have the right to request a copy of the information that we hold about you.
- Right of rectification – you have a right to correct data that we hold about you that is inaccurate or incomplete.
- Right to be forgotten – in certain circumstances you can ask for the data we hold about you to be erased from our records.
- Right to restriction of processing – where certain conditions apply you have a right to restrict the processing.
- Right of portability – you have the right to have the data we hold about you transferred to another organisation.
- Right to object – you have the right to object to certain types of processing such as direct marketing.
- Right to object to automated processing, including profiling – you also have the right not to be subject to the legal effects of automated processing or profiling.

In the event that ETFS refuses your request under rights of access, we will provide you with a reason as to why, which you have the right to legally challenge.

ETFS at your request can confirm what information it holds about you and how it is processed

## YOU CAN REQUEST THE FOLLOWING INFORMATION:

- Identity and the contact details of the person or organisation (ETFS) that has determined how and why to process your data.
- Contact details of the data protection Champion, where applicable.
- The purpose of the processing as well as the legal basis for processing.
- If the processing is based on the legitimate interests of ETFS or a third party such as one of its clients, information about those interests.
- The categories of personal data collected, stored and processed.
- Recipient(s) or categories of recipients that the data is/will be disclosed to.
- How long the data will be stored.
- Details of your rights to correct, erase, restrict or object to such processing.
- Information about your right to withdraw consent at any time.
- How to lodge a complaint with the supervisory authority (Data Protection Regulator).
- Whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether you are obliged to provide the personal data and the possible consequences of failing to provide such data.
- The source of personal data if it wasn't collected directly from you.
- Any details and information of automated decision making, such as profiling, and any meaningful information about the logic involved, as well as the significance and expected consequences of such processing.



## **TO ACCESS WHAT PERSONAL DATA IS HELD, IDENTIFICATION WILL BE REQUIRED**

ETFs will accept the following forms of ID when information on your personal data is requested: a copy of your national ID card, driving license, passport, birth certificate and a utility bill not older than three months. A minimum of one piece of photographic ID listed above and a supporting document is required. If ETFs is dissatisfied with the quality, further information may be sought before personal data can be released.

All requests should be made to [Dataprotection.sgssireland@sgss.socgen.com](mailto:Dataprotection.sgssireland@sgss.socgen.com) writing to us at the address further below.

## **COMPLAINTS**

In the event that you wish to make a complaint about how your personal data is being processed by ETFs or its partners, you have the right to complain to ETFs at the below contact details. If you do not get a response within 30 days you can complain to the Data Protection Regulator.

## **RIGHTS TO BE FORGOTTEN AND RECTIFICATION**

In the event that you wish to exercise your right to erasure or rectification of the personal data being processed by ETFs or its partners, you should contact the Risk and Compliance Director.

The details for each of these contacts are:

Equity Trustees Fund Services  
Data Protection Officer  
C/O – Societe Generale Securities Services  
SGSS (Ireland) Limited, 3rd Floor  
IFSC House, IFSC  
Dublin 1  
[Dataprotection.sgssireland@sgss.socgen.com](mailto:Dataprotection.sgssireland@sgss.socgen.com)

ETFS is authorised and regulated by the Financial Conduct Authority and is entered on the register under reference 227807. The FCA's address is 12 Endeavour Square, London, E20 1JN. Registered in England number 04856420. Registered office: Bow House, 1A Bow Lane, London, EC4M 9EE

