

# Privacy Notice

## Kohinoor Series (Cayman) Fund (the "Fund")

### Introduction

The purpose of this document is to provide you with information on our use of your personal data in accordance with the EU data protection regime introduced by the General Data Protection Regulation (Regulation 2016/679, the "Data Protection Legislation").

In this document, "we", "us" and "our" refer to the Fund and its affiliates and delegates.

### Who this affects

If you are an individual investor (or prospective investor in relation to our marketing of the Fund), this may affect you directly. If you are an institutional investor (or prospective investor in relation to our marketing of the Fund) that provides us with personal data on individuals connected to you for any reason in relation to your investment with us, this may be relevant for those individuals and you should transmit this document to such individuals or otherwise advise them of its content.

### Your personal data

By virtue of our marketing the Fund, by virtue of making an investment in the Fund and your associated interactions with us (including the initial application, and including the recording of electronic communications or phone calls where applicable) or by virtue of you otherwise providing us with personal information on yourself or individuals connected with you as an investor (for example directors, trustees, employees, representatives, shareholders, investors, clients, beneficial owners or agents), you will provide us with certain personal information which constitutes personal data within the meaning of the Data Protection Legislation. We may also obtain personal data on you from other public sources.

This may include the following information relating to you and/or any individuals connected with you as an investor: name, residential address, email address, contact details, corporate contact information, signature,

nationality, place of birth, date of birth, tax identification, credit history, correspondence records, passport number, bank account details, source of funds details, information about your financial circumstances such as net assets and the size of your investment portfolio, and details relating to your investment activity.

### How we may use your personal data

The Fund, as the data controller, or its delegates or affiliates referred to below, as data processors, may collect, store and use your personal data for lawful purposes disclosed below:

(i) to reflect your ownership of shares in the Fund (i.e. where this is necessary for the performance of the contract to purchase shares in the Fund or to process redemption, conversion, transfer and additional subscription requests or the payment of distributions);

(ii) to discharge anti-money laundering obligations to verify the identity of our customers (and, if applicable their beneficial owners) or to confirm that a customer meets any applicable regulatory criteria or for prevention of fraud or for regulatory or tax reporting purposes or in response to legal requests or requests from regulatory authorities (i.e. where this is necessary for compliance with a legal obligation to which we are subject); and/or

(iii) for direct marketing purposes (that is, us providing you with information on products and services) or for quality control, business and statistical analysis or for tracking fees and costs or for customer service, training and related purposes (i.e. where this is necessary for the purposes of the legitimate interests of us or a third party and such legitimate interests are not overridden by your interests, fundamental rights or freedoms and provided that we are acting in a fair, transparent and accountable manner and have taken appropriate steps to prevent such activity having any unwarranted impact on you and also noting your right to object to such uses, as discussed below).

SEI Investments - Global Fund Services, Limited, (the "**Administrator**") may use your personal data where this is necessary for compliance with a legal obligation to which it is directly subject (i.e. to comply with applicable law in the area of anti-money laundering and counter terrorist financing or where mandated by a court order or regulatory sanction). The Administrator, in respect of this specific use of personal data, acts as a data controller.

Should we wish to use your personal data for other specific purposes (including, if applicable, any purpose that requires your consent), we will contact you.

### **Why we may transmit your personal data**

In certain circumstances we and/or our authorised delegates may be legally obliged to share your data and other financial information with respect to your interest in the Fund with governmental or tax or regulatory authorities and they, in turn, may exchange this information with foreign governmental or tax or regulatory authorities including tax authorities located outside the EEA.

We anticipate that the following affiliates and delegates will process your personal data on our behalf and this may include certain entities located outside the EEA:

- the Administrator; and
- the Fund's alternative investment fund manager, 36 South Capital Advisors LLP (the "AIFM"); and
- the Fund's manager, 36 South Investment Managers (Cayman) Limited (the "Management Company");
- and each of their respective affiliates and delegates.

### **The data protection measures we take**

Any transfer of personal data by us or any of our duly authorised delegates outside the EEA shall be subject to appropriate safeguards being in place in accordance with the conditions in the Data Protection Legislation. Please contact us if you wish to obtain more information on the

appropriate safeguards. See "Getting in touch" below.

Kohinoor Series (Cayman) Fund is itself based outside the EEA. Any transmission of personal data by the Administrator or AIFM to the Fund will be in accordance with the derogation provided for in Article 49(1)(b) of the Regulation. Similarly, any transmission of personal data from the Administrator or AIFM to the Management Company will be in accordance with Article 49(1)(b) of the Regulation.

We and our duly authorised delegates shall apply appropriate information security measures designed to protect data in our/our delegates' possession from unauthorised access by third parties or any form of computer corruption.

We shall notify you of any personal data breach affecting you that is likely to result in a high risk to your rights and freedoms.

### **Your data protection rights**

You have certain rights regarding our use of your personal data summarised as follows:

- the right to access your data (in an easily readable form);
- the right to examine and correct your data;
- the right to data portability;
- the right to restrict the use of your data;
- the right to withdraw any consent given to the processing of your data (where applicable);
- the right to receive information regarding any entities we disclose your data to;
- the right to lodge a complaint with the relevant supervisory authority.

You also have the right to object to the processing of your data where we have considered this to be necessary for the purposes of our legitimate interests.

Please note that the right for your data to be erased (the "right to be forgotten") that applies in some contexts is not likely to be applicable to most, if not all, of the personal data we hold, given the specific nature of the purposes for which we use the data, as described above.

### **Our retention of your personal data**

We or our duly authorised delegates may retain your personal data for a period of up to seven years following your disinvestment from the Fund or the point where your business relationship with us has ceased. Thereafter, we and our duly authorised affiliates and delegates

will refrain from collecting any further personal data on you and shall take appropriate steps to dispose of any records containing your personal data, to the extent this is operationally feasible and proportionate.

### **Getting in touch**

As we do not process personal data on a large scale, we are not required to designate a data protection officer. However, should you have any queries or wish to discuss your data protection rights with us, please contact [compliance@36south.com](mailto:compliance@36south.com).