

Lutetia Capital ICAV

DATA PRIVACY STATEMENT

In accordance with the General Data Protection Regulation (697/2016/EU) (the “**GDPR**”) and applicable Irish data protection legislation (currently the Irish Data Protection Acts 1988 to 2003) (collectively, “**Data Protection Legislation**”) Lutetia Capital ICAV (the “**Fund**”) being a data controller, must provide you with information on how the personal data that you provide as part of your subscription to shares in the Fund will be processed by the Fund, its service providers and delegates and their duly authorised agents and any of their respective related, associated or affiliated companies.

As a consequence of your investment, the Fund acting as a data controller may itself (or through third parties including but not limited to Lutetia Capital SAS (the “**AIFM**”) and, BNY Mellon Fund Services Ireland) Designated Activity Company (the “**Administrator**”), together with any distributors that may be appointed from time to time (collectively the “**Distributor**”), local paying agents and mailing firms appointed by any of the foregoing (together the “**Service Providers**”)¹ process your personal information or, to the extent that you are a non-natural person, that of your directors, officers, employees, intermediaries and/or beneficial owners. Save where otherwise expressly provided, any reference in this Data Privacy Statement to “you” or “your” in the context of processing personal data of data subjects shall be understood to mean and relate to the personal data of your directors, officers, employees, intermediaries and/or beneficial owners as the context may require.

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. In circumstances where the Administrator acts as a data controller in respect of the information that has been provided to it by you, all rights afforded to you as a data subject under GDPR shall be exercisable by you solely against the Administrator.

BNY Mellon Trust Company (Ireland) Limited (the “**Depository**”) 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 Depository, in respect of this specific use of personal data, acts as a data controller. In circumstances where the Depository acts as a data controller in respect of the information that has been provided to it by you, all rights afforded to you as a data subject under GDPR shall be exercisable by you solely against the Depository.

Please note the following:

Purposes of Processing and Legal Basis for Processing

The personal data collected from you or provided by you or on your behalf in connection with your holdings in the Fund will be collected, stored, disclosed, used and otherwise processed by the Service Providers for the purposes outlined in the table below.

Processing Activity by or on behalf of the Fund	Legal Basis for Processing
Where you are a natural person, managing and	Performance of the contract between the Fund and

¹ A full list of all categories of processors who will process data on behalf of the Fund should be provided

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Processing Activity by or on behalf of the Fund	Legal Basis for Processing
administering your holdings in the Fund and any related account on an ongoing basis.	you
Where you are a natural person, disclosures to third parties such as auditors, regulatory authorities, tax authorities and technology providers in the context of the day to day operations of the Fund.	Performance of the contract between the Fund and you.
Where you as an investor are a non-natural person, disclosures to third parties such as auditors, regulatory bodies, tax authorities and technology providers in the context of the day to day operations of the Fund.	Pursuing the legitimate interests of the Fund in managing and administering the holdings of the non-natural persons in the Fund and any related account on an ongoing basis.
Complying with any applicable legal, tax or regulatory obligations imposed on the Fund including legal obligations under Fund law the AIFM Regulations and the AIF Rulebook, under tax law and under anti-money laundering / counter terrorist financing legislation.	Compliance with a legal obligation to which the Fund is subject
Recording, maintaining, storing and using recordings of telephone calls and electronic communications that you make to and receive from the Fund, the Service Providers and their delegates or duly appointed agents and any of their respective related, associated or affiliated companies for any matters related to investment in the Fund, dispute resolution, record keeping, security and/or training purposes.	<p>Pursuing the legitimate interests of the Fund.</p> <p>Further information relating to the balancing test undertaken by the Fund in respect of such processing is available upon request.</p>

Please note that where personal data is processed for purposes of legitimate interests, you have a right to object to such processing and the Fund and its appointed Service Providers will no longer process the personal data unless it can be demonstrated that there are compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

Profiling and Screening

The Fund and its appointed Service Providers may engage in PEP screening and financial sanctions screening programs defined by the European Union (“EU”), the United Nations (“UN”), Her Majesty’s Treasury (“HMT”) and the Office of Foreign Assets Control (“OFAC”) for the purposes of complying with for the purposes of complying with the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 as may be amended or replaced from time to time and with UN, EU and other applicable sanctions regimes. Such processing, which may reveal your political opinion, is considered lawful on the grounds of substantial public interest permitted under Article 9(2)(g) of the GDPR. Further information is available in the prospectus for the Fund.

Undertaking in connection with other parties

By providing personal data to the Fund, you undertake to be authorised to disclose to the Fund relevant information applicable to the beneficial owner of the investment, to your directors and

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authorised signatories and to persons that own, directly or indirectly, an interest in the Fund. In this respect you confirm that you have provided these persons with all the information required under applicable data protection law, notably regarding their data protection rights, and received from these persons their authorisation for the processing and transfer of their personal data to us.

Disclosures to Service Providers and / or Third Parties

Personal data relating to you which is collected from you or provided by you or on your behalf may be handled by Service Providers appointed by the Fund and its or their duly appointed agents and any of related, associated or affiliated companies where required for the purposes specified above.

These Service Providers will be obliged to adhere to the data protection laws of the countries in which they operate.

The Fund may disclose your personal data to other third parties where required by law or for legitimate business interests. This may include disclosure to third parties such as auditors and the Central Bank of Ireland, regulatory bodies, taxation authorities and technology providers.

Transfers Abroad

Personal data collected from you or provided by you or on your behalf may be transferred outside of Ireland including to companies situated in countries outside of the European Economic Area (“**EEA**”) which may not have the same data protection laws as in Ireland.

Where data transfers outside of the EEA take place, the Fund has taken the necessary steps to ensure that appropriate safeguards have been put in place to protect the privacy and integrity of such personal data, in particular the implementation of binding corporate rules and/or ensuring the implementation of model contracts by the Service Providers and their affiliates.

Data Retention Period

The Fund and its appointed Service Providers will retain all information and documentation provided by you in relation to your investment in the Fund for such period of time as may be required by Irish legal and regulatory requirements, being at least six years after the period of your investment has ended or the date on which you had your last transaction with us.

Your data protection rights

Please note that you have the following rights under the GDPR. In each case, the exercise of these rights is subject to the provisions of the GDPR:

- (i) You have a right of access to and the right to amend and rectify your personal data.
- (ii) You have the right to have any incomplete personal data completed.

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- (iii) You have a right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you consider that the processing of personal data relating to you carried out by the Fund infringes the GDPR.
- (iv) You have a right to be forgotten (right of erasure of personal data).
- (v) You have a right to restrict processing.
- (vi) You have a right to data portability.
- (vii) You also have the right to object to processing where the Fund is processing personal data for legitimate interests.

Where you wish to exercise any of your data protection rights against the Fund, please contact us via the details provided below under “Contact Us”.

The Fund or its Service Provider will respond to your request to exercise any of your rights under the GDPR in writing, as soon as practicable and in any event **within one month** of receipt of your request, subject to the provisions of the GDPR. The Fund or its Service Provider may request proof of identification to verify your request

Failure to provide personal data

Please see the prospectus for the Fund for further information on failure to provide personal data.

Contact us

If you have any questions about our use of your personal information, please contact Stéphane Dumas at the following email address (sd@lutetiacapital.com).