



**Diagram Capital Ltd
("DCL")**

PRIVACY POLICY

1. Privacy Policy

Diagram Capital Ltd ("DCL", "we", "us" or "our") provides products and services to professional clients, corporations and financial institutions. This Privacy Policy is issued by DCL and explains how DCL processes personal data about people with whom we come into contact (referred to as "you" in this document) in the course of our dealings with clients and other relevant persons. This includes employees, officers, directors, beneficial owners and other personnel of our clients, service providers and other business counterparties (referred to as "Your Organization" in this document)

This Policy may be amended or updated from time to time to reflect changes in our practices with respect to the Processing of Personal Data, or changes in applicable law. We encourage you to read this Policy carefully, and to regularly check DCL website www.diagramcapital.co.uk to review any changes we might make in accordance with the terms of this Policy.

Defined terms used in this Policy are explained in Section 11 below.

2. Diagram Capital Data Protection Officer

For any queries you can contact our Data Protection Officer on the following email address: dataprotectionofficer@diagramcapital.co.uk. Office address: 1st Floor, Cheyne House, 2 Crown Court, EC2V 6JP, London, UK.

3. Processing your Personal Data

Collection of Personal Data: We collect Personal Data about you, subject to applicable law, from a variety of sources as follows:

- We obtain your Personal Data when you provide it to us (e.g., where you contact us via email or telephone or by any other means);
- We collect your Personal Data in the ordinary course of our relationship with you (e.g., in the course of managing your transactions or your investment);
- We collect Personal Data that you manifestly choose to make public, including via social media (e.g., we may collect information from your social media profile(s), to the extent that you choose to make your profile publicly visible);
- We receive your Personal Data from third parties who provide it to us (e.g., your employer; our customers; credit reference agencies; law enforcement authorities; etc.);

- We collect or obtain Personal Data when you visit any of our website or use any features or resources available on or through our website. When you visit our website, your device and browser may automatically disclose certain information (such as device type, operating system, browser type, browser settings, IP address, language settings, dates and times of connecting to a website and other technical communications information), some of which may constitute Personal Data.

Creation of Personal Data:

- We may also create Personal Data about you, such as records of your interactions with us, and details of your accounts, subject to applicable law.

Relevant Personal and Sensitive Personal Data: The categories of Personal Data about you that we may Process, subject to applicable law, are as follows:

- Personal details: given name(s); preferred name; nickname(s), gender; date of birth / age; marital status; Social Security Number; Passport number(s); other Government(s) issued numbers (tax identification number, Green Card(s) number(s) including Driving Licence number); nationality; lifestyle and social circumstances; images of Passports; images of Driving Licences; images of Gun Licence(s); images of signatures; authentication data (mother maiden name) and photograph, visual images, personal appearance and behaviour;
- Family details: names and contact details of family members and dependents;
- Contact details: address; telephone number; fax number; email address; and social media profile details;
- Employment details: industry; role; business activities; names of current and former employers; work address; work telephone number; work fax number; work email address; and work-related social media profile details;
- Education history: details of your education and qualifications;
- Financial details: billing address; bank account numbers; credit card numbers; cardholder or accountholder name and details; instruction records; transaction details; and counterparty details;
- Views and opinions: any views and opinions that you choose to send to us, or publish about us on (including on social media platforms);
- Electronic Identifying Data: IP address cookies, logs, online identifiers, device IDs, geolocation.

Processing your Sensitive Personal Data: We do not seek to collect or otherwise Process your Sensitive Personal Data, except where:

- The Processing is necessary for compliance with a legal obligation;
- The Processing is necessary for the detection or prevention of crime (including the prevention of fraud) to the extent permitted by applicable law;
- You have manifestly made those Sensitive Personal Data public;
- The Processing is necessary to protect the vital interests of any individual; or
- We have, in accordance with applicable law, obtained your prior explicit consent prior to Processing your Sensitive Personal Data (as above, this legal basis is only used in relation to Processing that is entirely voluntary – it is not used for Processing that is necessary or obligatory in any way); or

- Processing is necessary for reasons of substantial public interest and occurs on the basis of an applicable law that is proportionate to the aim pursued and provides for suitable and specific measures to safeguard your fundamental rights and interests.

We only Process Criminal Offences Data, and national identification numbers, to the extent required or permitted by applicable law.

4. Why do we process your personal data?

We process your personal data, as necessary to pursue our legitimate business and other interests, for the following purposes and legal bases for processing.

In most cases we do not rely on consent as the legal basis for processing your personal data. If we do rely on your consent we will make this clear to you at the time we ask for your consent.

AML/KYC: fulfilling our regulatory compliance obligations, including ‘Know Your Client’ checks; and confirming and verifying your identity (including by using credit reference agencies); and screening against government, supranational bodies (including but not limited to the European Union and the United Nations Security Council) and/or law enforcement agency sanctions lists as well as internal sanctions lists and other legal restrictions.

- The Processing is necessary for compliance with a legal obligation; or
- The Processing is necessary in connection with any contract that you may enter into with us, or to take steps prior to entering into a contract with us; or
- We have a legitimate interest in carrying out the Processing for the purpose of protecting against fraud (to the extent that such legitimate interest is not overridden by your interests, fundamental rights, or freedoms); or
- We have obtained your prior consent to the Processing (this legal basis is only used in relation to Processing that is entirely voluntary – it is not used for Processing that is necessary or obligatory in any way).

Client on-boarding: on-boarding new clients; and compliance with our internal compliance requirements, policies and procedures.

- The Processing is necessary in connection with any contract that you may enter into with us, or to take steps prior to entering into a contract with us; or
- We have a legitimate interest in carrying out the Processing for the purpose of on-boarding new clients (to the extent that such legitimate interest is not overridden by your interests, fundamental rights, or freedoms).

Credit worthiness: conducting credit reference checks and other financial due diligence.

- We have a legitimate interest in carrying out the Processing for the purpose of conducting financial due diligence (to the extent that such legitimate interest is not overridden by your interests, fundamental rights, or freedoms); or
- We have obtained your prior consent to the Processing (this legal basis is only used in relation to Processing that is entirely voluntary – it is not used for Processing that is necessary or obligatory in any way).

Provision of products and services to you: administering relationships and related services; performance of tasks necessary for the provision of the requested services; communicating with you in relation to those services.

- The Processing is necessary in connection with any contract that you may enter into with us, or to take steps prior to entering into a contract with us; or
- We have a legitimate interest in carrying out the Processing for the purpose of providing services to you (to the extent that such legitimate interest is not overridden by your interests, fundamental rights, or freedoms); or
- We have obtained your prior consent to the Processing (this legal basis is only used in relation to Processing that is entirely voluntary – it is not used for Processing that is necessary or obligatory in any way).

Marketing / Prospecting: communicating with you via any means (including via email, telephone, text message, social media, post or in person) subject to ensuring that such communications are provided to you in compliance with applicable law; and maintaining and updating your contact information where appropriate.

- We have a legitimate interest in carrying out the Processing for the purpose of conducting marketing and prospecting (to the extent that such legitimate interest is not overridden by your interests, fundamental rights, or freedoms); or
- We have obtained your prior consent to the Processing (this legal basis is only used in relation to Processing that is entirely voluntary – it is not used for Processing that is necessary or obligatory in any way).

Operation of our website: operation and management of our website; providing content to you; displaying advertising and other information to you; and communicating and interacting with you via our website.

- The Processing is necessary in connection with any contract that you may enter into with us, or to take steps prior to entering into a contract with us; or
- We have a legitimate interest in carrying out the Processing for the purpose of providing services to you (to the extent that such legitimate interest is not overridden by your interests, fundamental rights, or freedoms); or
- We have obtained your prior consent to the Processing (this legal basis is only used in relation to Processing that is entirely voluntary – it is not used for Processing that is necessary or obligatory in any way).

IT operations: management of our communications systems; operation of IT security; and IT security audits.

- The Processing is necessary for compliance with a legal obligation; or
- We have a legitimate interest in carrying out the Processing for the purpose of managing and operating our IT systems and ensuring the security of those systems (to the extent that such legitimate interest is not overridden by your interests, fundamental rights, or freedoms).

Health and safety: health and safety assessments and record keeping; and compliance with related

legal obligations.

- The Processing is necessary for compliance with a legal obligation; or
- We have a legitimate interest in carrying out the Processing for the purpose of providing a safe and secure environment at our premises (to the extent that such legitimate interest is not overridden by your interests, fundamental rights, or freedoms); or
- The Processing is necessary to protect the vital interests of any individual.

Security: physical security of our premises (including records of visits to our premises and CCTV recordings); and electronic security (including login records and access details, where you access our electronic systems).

- The Processing is necessary for compliance with a legal obligation; or
- We have a legitimate interest in carrying out the Processing for the purpose of ensuring the physical and electronic security of our business and our premises (to the extent that such legitimate interest is not overridden by your interests, fundamental rights, or freedoms).

Investigations: detecting, investigating and preventing breaches of policy, and criminal offences, in accordance with applicable law.

- The Processing is necessary for compliance with a legal obligation; or
- We have a legitimate interest in carrying out the Processing for the purpose of detecting and protecting against, breaches of our policies and applicable laws (to the extent that such legitimate interest is not overridden by your interests, fundamental rights, or freedoms).

Legal compliance: compliance with our legal and regulatory obligations under applicable law.

- The Processing is necessary for compliance with a legal obligation.

Legal proceedings: establishing, exercising and defending legal rights

- The Processing is necessary for compliance with a legal obligation; or
- We have a legitimate interest in carrying out the Processing for the purpose of establishing, exercising or defending our legal rights (to the extent that such legitimate interest is not overridden by your interests, fundamental rights, or freedoms).

Improving our products and services: identifying issues with existing products and services, planning improvements to existing products and services and creating new products and services.

- We have a legitimate interest in carrying out the Processing for the purpose of improving our products or services (to the extent that such legitimate interest is not overridden by your interests, fundamental rights, or freedoms); or
- We have obtained your prior consent to the Processing (this legal basis is only used in relation to Processing that is entirely voluntary – it is not used for Processing that is necessary or obligatory in any way).

Risk Management: Audit, compliance, controls and other risk management.

- The Processing is necessary for compliance with a legal obligation, and may include recording and/or monitoring telephone conversations which also may assist in maintaining service quality

and security, for staff training and fraud monitoring and to deal with complaints, disputes and potential and/or actual criminal activity. To the extent permitted by law, these recordings are our sole property;

- We have a legitimate interest in carrying out the Processing for the purpose of managing the levels of risk to which our business is exposed (to the extent that such legitimate interest is not overridden by your interests, fundamental rights, or freedoms).

Fraud prevention: Detecting, preventing and investigating fraud.

- The Processing is necessary for compliance with a legal obligation; or
- We have a legitimate interest in carrying out the Processing for the purpose of detecting and protecting against, fraud (to the extent that such legitimate interest is not overridden by your interests, fundamental rights, or freedoms).

If you do not provide information that we request, we may not be able to provide (or continue providing) relevant products or services to, or otherwise do business with, you or Your Organization.

5. Disclosure of Personal Data to third parties

We disclose your personal data, for the purposes set out in Section 3, as follows:

- to Your Organization in connection with the products and services that we provide to it if Your Organization is our client, or otherwise in connection with our dealings with Your Organization;
- to counterparty banks, payment infrastructure providers and other persons from whom we receive, or to whom we make, payments on our clients' behalf;
- to export credit agencies, multilateral agencies, development finance institutions, other financial institutions, governmental authorities and their agents, insurers, due diligence service providers and credit assessors, in each case in connection with the products and services that we provide to Your Organization if Your Organization is our client, including in connection with financings;
- to service providers that provide application processing, fraud monitoring, call centre and/or other customer services, hosting services and other technology and business process outsourcing services;
- to our professional service providers (e.g., legal advisors, accountants, auditors, insurers and tax advisors);
- to legal advisors, government and law enforcement authorities and other persons involved in, or contemplating, legal proceedings;
- to competent regulatory, prosecuting, tax or governmental authorities, courts or other tribunals in any jurisdiction;
- to any relevant party in connection with AML/KYC requirements;
- any relevant third party acquirer(s), in the event that we sell or transfer all or any relevant portion of our business or assets (including in the event of a reorganization, dissolution or liquidation) or the assets or business of our funds;
- to other persons where disclosure is required by law or to enable products and services to be provided to you or our clients; and
- to any relevant third party acquirer(s), in the event that we sell or transfer all or any relevant portion of our business or assets (including in the event of a reorganization, dissolution or liquidation) or the assets or business.

If we engage a third-party Processor to Process your Personal Data, the Processor will be subject to binding contractual obligations to: (i) only Process the Personal Data in accordance with our prior written instructions; and (ii) use measures to protect the confidentiality and security of the Personal Data; together with any additional requirements under applicable law.

Our website may use third party plugins or content. If you choose to interact with any such plugins or content, your Personal Data may be shared with the third party provider of the relevant social media platform. We recommend that you review that third party's privacy policy before interacting with its plugins or content.

6. Where do we transfer your personal data?

We may transfer your personal data to DCL entities, regulatory, prosecuting, tax and governmental authorities, courts and other tribunals, service providers and other business counterparties located in countries outside the European Economic Area (EEA), including countries which have different laws and data protection compliance requirements, including data protection laws of a lower standard, to those that apply in the country in which you are located.

When we transfer your personal data to DCL entities, service providers or other business counterparties in these countries, we will ensure that they protect your personal data in accordance with EEA-approved standard data transfer agreements or other appropriate safeguards.

7. How do we keep your data secure?

We have implemented appropriate technical and organizational security measures designed to protect your Personal Data against accidental or unlawful destruction, loss, alteration, unauthorised disclosure, unauthorised access, and other unlawful or unauthorised forms of Processing, in accordance with applicable law.

You are responsible for ensuring that any Personal Data that you send to us are sent securely.

8. How do we keep your data accurate?

We take reasonable steps designed to ensure that:

- your Personal Data that we Process are accurate and, where necessary, kept up to date; and
- any of your Personal Data that we Process that are inaccurate (having regard to the purposes for which they are Processed) are erased or rectified without delay. From time to time we may ask you to confirm the accuracy of your Personal Data;
- We take reasonable steps designed to ensure that your Personal Data that we Process are limited to the Personal Data reasonably required in connection with the purposes set out in this Policy.

9. How long do we keep your personal data?

We keep your personal data for as long as is necessary for the purposes of our relationship with you or Your Organization or in connection with performing an agreement with a client or Your Organization or

complying with a legal or regulatory obligation.

Notwithstanding the above, we take every reasonable step to ensure that your Personal Data are only processed for the minimum period necessary for the purposes set out in this Privacy Policy. The criteria for determining the duration for which we will retain your Personal Data are as follows:

- (1) we will retain copies of your Personal Data in a form that permits identification only for as long as:
 - a) we maintain an ongoing relationship with you (e.g., where you are a recipient of our services, or you are lawfully included in our mailing list and have not unsubscribed); or
 - b) your Personal Data are necessary in connection with the lawful purposes set out in this Privacy Policy, for which we have a valid legal basis (e.g., where your personal data are included in a contract between us and your employer, and we have a legitimate interest in processing those data for the purposes of operating our business and fulfilling our obligations under that contract; or where we have a legal obligation to retain your Personal Data),

plus:

- (2) the duration of:
 - a) any applicable limitation period under applicable law (i.e., any period during which any person could bring a legal claim against us in connection with your Personal Data, or to which your Personal Data may be relevant); and
 - b) an additional two (2) month period following the end of such applicable limitation period (so that, if a person bring a claim at the end of the limitation period, we are still afforded a reasonable amount of time in which to identify any Personal Data that are relevant to that claim),

and:

- (3) in addition, if any relevant legal claims are brought, we may continue to Process your Personal Data for such additional periods as are necessary in connection with that claim.

During the periods noted in paragraphs (2)a and (2)b above, we will restrict our Processing of your Personal Data to storage of, and maintaining the security of, those data, except to the extent that those data need to be reviewed in connection with any legal claim, or any obligation under applicable law.

Once the periods in paragraphs (1), (2) and (3) above, each to the extent applicable, have concluded, we will either:

- permanently delete or destroy the relevant Personal Data;
- archive your Personal Data so that it is beyond use; or
- anonymize the relevant Personal Data.

10. What are your rights in relation to personal data?

Subject to applicable law, you may have a number of rights regarding the Processing of your Personal Data, including:

- the right to request access to, or copies of, your Personal Data that we Process or control, together with information regarding the nature, processing and disclosure of those Personal Data;
- the right to request rectification of any inaccuracies in your Personal Data that we Process or control;
- the right to request, on legitimate grounds:
- erasure of your Personal Data that we Process or control; or
- restriction of Processing of your Personal Data that we Process or control;
- the right to have your Personal Data that we Process or control transferred to another Controller, to the extent applicable;
- restriction of Processing of your Personal Data that we Process or control;
- where we Process your Personal Data on the basis of your consent, the right to withdraw that consent; and
- the right to lodge complaints with a Data Protection Authority regarding the Processing of your Personal Data by us or on our behalf.

This does not affect your statutory rights.

Subject to applicable law, you may also have the following additional rights regarding the Processing of your Personal Data:

- the right to object, on grounds relating to your particular situation, to the Processing of your Personal Data by us or on our behalf; and
- the right to object to the Processing of your Personal Data by us or on our behalf for direct marketing purposes.

To exercise one or more of these rights, or to ask a question about these rights or any other provision of this Policy, or about our processing of your Personal Data, please use the contact details provided in Section 2.

You can also complain to the relevant data protection authorities in the EEA member state where you live or work or where the alleged infringement of data protection law occurred.

11. Defined terms

Controller: The entity that decides how and why Personal Data is processed. In many jurisdictions, the Controller has primary responsibility for complying with applicable data protection laws.

Data Protection Authority: An independent public authority that is legally tasked with overseeing compliance with applicable data protection laws.

Personal Data: Information that is about any individual, or from which any individual is identifiable.

Process or Processed or Processing: Anything that is done with any Personal Data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Personnel: Any current, former and prospective directors, officers, consultants, employees, temporary staff, individual contractors, interns, secondees and other personnel.

Processor: Any person or entity that Processes Personal Data on behalf of the Controller (other than employees of the Controller).

Sensitive Personal Data: Personal Data about race or ethnicity, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health, sexual life, or any other information that may be deemed to be sensitive under applicable law.

Criminal Offences Data: Personal data about any actual or alleged criminal offences or penalties.