

**OCEAN DIAL INVESTMENT FUNDS 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 2018) (collectively, “**Data Protection Legislation**”) Ocean Dial Investment Funds 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 Apex Fund Services (Ireland) Ltd (the “**Administrator**”), Kroll (Ireland) Management Company Limited (the “**Manager**”), and also any local paying agents appointed by the Fund (together the “**Service Providers**”) together with their affiliates of group companies) 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.

In this regard, 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 on behalf of the Fund 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 administering your holdings in the Fund and any related account on an ongoing basis	Performance of the contract between the Fund and 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 person 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 UCITS Regulations, CBI UCITS Regulations, under tax law and under anti-money laundering/counter terrorist financing legislation;	Compliance with a legal obligation to which the Fund is subject.

Processing Activity by or on behalf of the Fund	Legal Basis for Processing
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;	Pursuing the legitimate interests of the Fund including: <ul style="list-style-type: none"> <li>• dispute resolution, record keeping, security and/or training purposes; and</li> <li>• allowing the fund service providers to comply with legal obligations to which they are subject</li> <li>• documenting and monitoring target investor profiles;</li> <li>• maintaining adequate service levels for its investor base; and</li> <li>• keeping investors informed in respect of their investment.</li> </ul> Further information relating to the balancing test undertaken by the Fund in respect of such processing is available upon request.
Disclosures to the Securities and Exchange Board of India (“SEBI”) or any third party licensed by SEBI to receive such data (including inter alia the designated depository in India and/or any Indian KYC Registration Agent) in order that any sub-fund of the Fund may invest in Indian securities in accordance with the conditions of a foreign portfolio investor (“FPI”) approval granted to that sub-fund by SEBI.	Performance of the contract between the Fund and you.
Disclosure to the designated depository in India in order for it to provide custody services to the Fund relating to Indian investments (which may involve disclosure by the designated depository of such information to market regulators in India, and / or the auditors and / or professional advisors of the designated depository, to the extent required by them to meet their obligations under applicable laws and regulations).	Performance of the contract between the Fund and you.

**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.**

The Administrator and its affiliates may also collect, store, disclose, use or otherwise process your personal data in their capacity as a data controller when it is conducting activity required to comply with:

- (a) applicable law (such as, but not limited to, know your customer checks for anti-money laundering purposes and sanction screening) or as required under applicable regulation or internal policies); and
- (b) any request made by a financial services regulator or other public authority or governmental body having jurisdiction over the Administrator, an approved sub-processor or an associated company.

**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 the GDPR shall be exercisable by you**

**solely against the Administrator.**

### **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 the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 as amended and as may be further amended or replaced from time to time and with UN, EU and other applicable sanctions regimes. The implementation of such PEP screening and financial sanctions screening programmes may result in the Fund or its Service Providers refusing an application for Shares in the Fund or delaying or refusing to make any redemption payment or distribution payment to you if you, your directors or any beneficial owner of your Shares appear on such screening programmes. In the event that you are identified as a PEP as a result of the screening process, you may be required to provide additional information and/or documentation to the Fund or its Service Providers. 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.

### **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 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 within the Administrator’s group(s) 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 and/or the Administrator 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. These countries include India, the United Arab Emirates and Mauritius.

Where data transfers outside of the EEA take place, the Fund and/or the relevant Service Provider have taken the necessary steps to ensure that appropriate safeguards (as detailed in Articles 45, 46 and 47 of GDPR), have been put in place to protect the privacy and integrity of such personal data, in particular the implementation of binding corporate rules or ensuring the implementation of model contracts between companies within the

Administrator's Group or by the Service Providers and their affiliates. Please contact the Administrator should you wish to obtain information concerning such safeguards.

In the absence of such safeguards, the Fund is only permitted to transfer such data pursuant to certain derogations in accordance with Article 49 of GDPR, for example where you explicitly consent to the proposed transfer or where a data transfer to a non-EEA country is necessary for the performance of the contract between the Fund and you provided the transfer of data is occasional. In this context, it may be necessary for certain personal data to be transferred by the Fund or a Service Provider acting on behalf of the Fund (such as the Administrator) to:

- (i) the Securities and Exchange Board of India ("SEBI") or any third party licensed by SEBI to receive such data (including inter alia the designated depository in India and/or any Indian KYC Registration Agent) in order that a sub-fund of the Fund may invest in Indian securities in accordance with the conditions of a foreign portfolio investor ("FPI") approval granted to that sub-fund by SEBI; and
- (ii) the designated depository in India in order that it can provide custody services to the Fund relating to Indian investments of the Fund (which may involve disclosure by the designated depository of such information to market regulators in India, and / or the auditors and / or professional advisors of the designated depository, to the extent required by them to meet their obligations under applicable laws and regulations).

#### **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.
- (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 or a Service Provider 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**

As outlined in the section titled “**Purposes of Processing and Legal Basis for Processing**”, the provision of personal data by you is required for us to manage and administer your holdings in the Fund and so that we can comply with the legal, regulatory and tax requirements referenced above. Where you fail to provide such personal data in order to comply with anti-money laundering/counter terrorist financing or other legal requirements, in certain circumstances, we may be prohibited from making redemption or any applicable dividend payments to you **and/or** may be required to discontinue our business relationship with you by compulsorily redeeming your shareholding in the Fund.

#### **Updates to the Data Privacy Statement**

A copy of this Data Privacy Statement and any updates thereto can be accessed at [www.oceandial.com](http://www.oceandial.com).

#### **Contact us**

If you have any questions about the use of your personal data by the Fund and the Service Providers, please contact the Manager of Ocean Dial Investment Funds ICAV, using the following contact telephone number +353 (01) 472 0760.

If you have any questions about the use of your personal information by the Administrator or its affiliates in its capacity as data controller, please contact the Manager by email at [oceandial@kroll.com](mailto:oceandial@kroll.com).