

BLUE DIAMOND ASSET MANAGEMENT DATA PRIVACY NOTICE¹

We, at **Blue Diamond Asset Management** (“Blue Diamond”, “we”, “us”, including its affiliates) value our relationship with each of our customers and business partners (“you”), and we appreciate the trust that you have placed in us. Data protection is of a particularly high value for Blue Diamond.

This notice sets out how Blue Diamond as a data controller collects, uses and processes personal data arising in the context of your business relationship with Blue Diamond in accordance with the Swiss Federal Act on Data Protection (“FADP”), the revised Data Protection Ordinance (September 1, 2023) and where applicable, the General Data Protection Regulation (EU) 2016/679 (“GDPR”), together the “**Applicable Data Protection**”).

This notice is effective as of September 1, 2023. Blue Diamond may amend this Data Privacy Notice unilaterally at any time. The most recent version is available at <https://www.bd-am.com/>.

The controller for the purpose of the Applicable Data Protection, other data protection laws and provisions is: Blue Diamond Asset Management AG, Bahnhofstrasse 2, 6300 Zug, Switzerland, email: dataprivacy@bd-am.com.

We do not disclose any nonpublic personal data to anyone, except as required or permitted by law. Blue Diamond does not sell personal data obtained about you to third parties that are not associated with us for the purpose of marketing their products or services to you.

Definitions

- ***Personal data***: Personal data means any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

¹ For investors in the Blue Diamond Non-Directional Funds, a separate Cayman Island Data Privacy Notice applies and may be obtained from Blue Diamond.

- Controller: Controller or controller responsible for the processing is Blue Diamond. Blue Diamond determines the purposes and means of the processing of personal data
- Processor: Processor is a natural or legal person, or other body which processes personal data on behalf of the controller, e.g. the fund administrator or any other agent appointed by us (together the “**Service Providers**”)

Collection of personal data

Visitors to our website

We do not process personal data when you visit our website www.bd-am.com.

- Technical data traffic, such as the IP address, browser used, operating system, cookies Minutes or similar do not get tracked from our website.

Also, we would like to mention that Blue Diamond does not use automatic decision-making or profiling at this point.

Investors

For investors in the Blue Diamond Non-Directional Funds, a separate Cayman Island Data Privacy Notice has been established, this policy addresses the unique data considerations that pertain to all investment-related data and may be obtained from Blue Diamond.

In the application procedure

As a matter of principle, we process the data that we receive from you or from third parties in the context of your application or obtain ourselves.

We process the following personal data:

- Master data (e.g. name, address, email address, telephone number, date of birth, gender, nationality, social media profiles, copies of IDs)
- Communication data, Data from your CV, references or reference persons
- Extract from the criminal record, extract from the debt collection register or other government information, confirmations, etc.
- Data that we obtain in the context of further clarifications (e.g. creditworthiness information, personal data in media reports, etc.)

It is possible that sensitive personal data will be processed. If your consent is required for this, we will inform you separately.

Business partners & other third parties

We process personal data that we receive as part of the (initiation of the) business relationship with you or with a business partner or in another context. We receive the data directly from you, from third parties or obtain it ourselves.

In particular, we process the following data:

- Master data (e.g. name, address, email address, telephone number)
- Contractual data, i.e. the data we need to process the contractual relationship with you (e.g. type of contract, services, financial data, etc.)
- Communication data

Purposes and legitimate interests

Blue Diamond takes its data protection and privacy responsibilities serious.

We do not rely on your consent as a lawful basis for processing your personal data other than in relation to sending direct marketing communications to you via email. You have the right to withdraw your consent to marketing at any time by contacting us on the details given at the beginning of this notice. We may process your personal data without your knowledge or consent, in compliance with the above rules, if we have a legitimate interest for doing so because we are required by law or contract to do so or if we reasonably believe that it is necessary to protect our contractual rights or to meet our contractual obligations and/or to comply with judicial or regulatory proceedings, a court order or other legal process. This is typically the case if you invest into the Blue Diamond Funds domiciled in Cayman Islands and/or the United States of America, where anti-money-laundering (AML) regulations, trade sanctions regulations or tax reporting obligations (like OECD Common Reporting Standards) arise and we must use your personal data to discharge our contractual and regulatory obligations.

We will only use your personal data for the purposes for which we collected it as identified above, unless we reasonably consider that we need to use it for another reason which is compatible with the original purpose for which you provided it to us.

You are required to provide personal data for statutory, regulatory, tax compliance and contractual purposes. If you do not provide us with certain personal data when requested, we will not be able to perform all or part of the contract we have entered into with you, or we may be prevented from complying with our legal obligations. This may result in terminating our relationship with you.

Forwarding and processing of data

The personal data we collect about you may be transferred outside of Switzerland or Europe including to Service Providers. Some data may also be transferred to other countries worldwide. If such a transfer occurs, we are required to ensure that the processing of your personal data is done so with physical, electronic and procedural safeguards in place that are reasonably designed to protect your personal data from unauthorized access and use in order to ensure that your personal data is treated in a manner that is consistent with the Applicable Data Protection laws.

Retention of personal data

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, accounting or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. Once we no longer require your personal data for the purposes, we collected it for, we will securely destroy your personal data in accordance with applicable laws and regulations.

Protecting the confidentiality of your personal data

All Blue Diamond's employees are instructed to use strict standards of care regarding the confidentiality of your nonpublic personal data. We maintain physical, electronic and procedural safeguards that comply with applicable laws to protect your personal data.

Your rights in relation to your personal data

You have rights as an individual which you can exercise in relation to the information we hold about you under certain circumstances. These rights are to:

- Request **access** to your personal data (commonly known as a "data subject access request") and request certain information in relation to its processing
- Request **rectification** of your personal data
- Request the **erasure** of your personal data
- Request the **restriction** of processing of your personal data
- **Object** to the processing of your personal data
- Request the **transfer** of your personal data to another party
- Request to **withdraw** data protection consent

If you want to exercise one of these rights, please contact us at dataprivacy@bd-am.com.



BLUE DIAMOND

asset management

If you have any questions or comments about our data privacy notice, please contact us by email at dataprivacy@bd-am.com.

Last update: September 1, 2023

