

## DATA PRIVACY STATEMENT

In accordance with the General Data Protection Regulation (697/2016/EU) (the “**GDPR**”) the Irish Data Protection Acts 1988 to 2018 as amended, updated or supplemented from time to time) and any other applicable legislation or regulations implementing Directive 95/46/EC (collectively, “**Data Protection Legislation**”), the Company being a data controller, must provide you with information on how the personal data that you provide as part of your subscription for shares in the Company will be processed by the Company, 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 Company acting as a data controller may itself (or through third parties including but not limited to Amundi Ireland Limited (the “**Manager**”) BNY Mellon Fund Services (Ireland) Designated Activity Company (the “**Administrator**”) and Polen Capital Management, LLC as investment manager and distributor together with any sub-investment manager or sub-distributors that may be appointed from time to time (collectively the “**Investment Manager**”), local paying agents and mailing firms appointed by any of the foregoing (together the “**Service Providers**”)) 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 certain circumstances, The Bank of New York Mellon SA/NV, Dublin Branch (the “**Depository**”), The Bank of New York Mellon, The Bank of New York Mellon, London Branch, BNY Mellon Performance & Risk Analytics Europe Limited and the Administrator may use your personal data as data controllers for the purposes outlined in their data privacy statement outlined here: <https://www.bnymellon.com/emea/en/data-privacy.html>. In such circumstances, all rights afforded to you as a data subject under the GDPR shall be solely exercisable against the Depository The Bank of New York Mellon, The Bank of New York Mellon, London Branch, BNY Mellon Performance & Risk Analytics Europe Limited and the Administrator (together the “**extended SPs**”).

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 application for Shares in the Company 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 Company	Legal Basis for Processing
Where you are a natural person, opening your account with the Company and managing and administering your holdings in the Company and any related account on an ongoing basis.	Performance of the contract between the Company and you
Providing you with access to a virtual data room to view documents related to a potential investment in the Company.	Compliance with a legal obligation to which the Company is subject.
Where you are a natural person, disclosures to third parties such as auditors, regulatory, tax authorities and technology providers in the context of the day to day operations of the Company.	Performance of the contract between the Company and you.
Complying with any applicable legal, tax or regulatory obligations imposed on the Company including legal obligations under Company 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 Company is subject
Where you are a non-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 Company.	Pursuing the legitimate interests of the relevant Fund in managing and administering the holdings of the non-natural person in the Fund and any related account on an ongoing basis.
Recording, maintaining, storing and using recordings of telephone calls and electronic communications that you make to and receive from the Company, 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 Company, dispute resolution, record keeping, security and/or training purposes.	Pursuing the legitimate interests of the Company including, for the Company to enjoy the benefit of, enforce or defend its rights and perform its obligations in connection with the contract between the Company and you.

Where the pursuit of the legitimate interests of the Company is indicated above to be the legal justification relied upon to process your personal data, a balancing test has been carried out to weigh the legitimate interests of the Company against the potential risks posed to your interests, fundamental rights and freedoms as a data subject. Further information relating to the balancing test undertaken by the relevant Fund in respect of such processing is available upon request.

**Please note that where personal data is processed for purposes of legitimate interests, you have a right to object to such processing and the Company 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 Company 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 may be 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 Company or its Service Providers delaying or refusing an application for Shares in the Company 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 Company 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 accepting to provide personal data to the Company, you undertake to be authorised to disclose to the Company 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 Company. 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 as well as the extended SPs appointed in respect of the Company and its or their duly appointed agents and any of related, associated or affiliated companies within the Company's or the extended SPs' groups, as applicable, for the purposes specified above.

These Services Providers and extended SPs will be obliged to adhere to the data protection laws of the countries in which they operate.

The Company and these extended SPs 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 the United States of America, Canada and Malaysia.

Any such transfers outside of the EEA are made in accordance with the requirements of Articles 44 to 49 of the GDPR. Where such transfers are made to countries that do not have an adequacy decision in place, the Company will 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 between companies within the Company's or the Service Providers' groups, as applicable, and/or ensuring the implementation of model contracts by the Service Providers and their affiliates. Please contact [privacy@polencapital.com](mailto:privacy@polencapital.com) should you wish to obtain information concerning such safeguards.

### **Data Retention Period**

The Company and its appointed Service Providers will retain all information and documentation provided by you in relation to your investment in the Company 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 Company 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 personal data is being processed for direct marketing purposes and also where the Company is processing personal data for legitimate interests.

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

The Company 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 Company or its Service Provider may request proof of identification to verify your request.

Where you wish to exercise any of your data protection rights against any of the extended SPs or you have any questions about their use of your personal data, please refer to their data privacy statement here:<https://www.bnymellon.com/emea/en/data-privacy.html>.

#### **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 Company 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 Company.

#### **Contact us**

If you have any questions about our use of your personal information, please contact us by email at [privacy@polencapital.com](mailto:privacy@polencapital.com)

I/we acknowledge that I/we have been made aware of and have read the Data Privacy Statement which provides an outline of my/our data protection rights and the Company's data protection obligations as they relate to my/our investment in the Company.