

**SKY HARBOR GLOBAL FUNDS**  
(the “Company”)  
**PRIVACY NOTICE**

The purpose of this notice is to provide you with information on our processing of personal data provided by you to the Company or obtained by the Company from you or through a third party in accordance with the Regulation (EU) 2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (the “GDPR” and together with any other applicable national laws and regulations, the “Data Protection Law”).

This notice explains how the Company processes personal data about investors (which may include non-individual investors subscribing in their capacity as nominees, intermediaries, authorised participants or in other such capacities) and, if applicable, individuals who invest in the Company or who apply to invest in the Company. For such purposes, the Company is the data controller.

Where the applicant, or investor, is a non-individual investor, then the Company will process personal data about the directors, officers, trustees, employees, representatives, shareholders, investors, clients and ultimate beneficial owners or agents of the non-individual investor. This notice also explains how the Company processes personal data about these individuals and you should transmit this notice to such individuals or otherwise advise them of its content.

In this privacy notice, “you” is used to refer to any of these people.

**What personal data does the Company process?**

By applying for an investment or when making an investment in the Company, you will provide the Company with information that qualifies as personal data within the meaning of the Data Protection Law.

This includes information such as name, address, email address, date of birth, telephone numbers, business contact information, current employment, career history, current investments, historic investments, investment preferences and credit history, details relating to investment activity, contact and payment details, from which a data subject can be directly or indirectly personally identified, and includes information such as identification and account numbers and online identifiers.

Please note that we may also process personal data obtained by the Company through public sources.

**Why does the Company process personal data?**

The Company processes personal data:

- i. where this is required by law:
  - to prevent money laundering and terrorism financing and to prevent and detect crime and fraud that require the Company (either directly or through its administrator) to screen your application against sanctions lists, as well as against other information obtained from publicly available

sources and including information about criminal convictions; and

- to disclose information to regulators, government bodies and tax authorities. This includes the disclosure to the Luxembourg Commission de Surveillance du Secteur Financier, the US Securities and Exchange Commission and the US Internal Revenue Service and other regulators and authorities as may be required from time to time for compliance with the US Foreign Account Tax Compliance Act (FATCA) and the EU Directive 2014/107/EU on the automatic exchange of information in the field of taxation.

ii. where the processing is necessary for the Company to perform a contract with you, or to take steps at your request prior to entering into a contract:

- the Company will process your subscription application, administer your investment in shares of the Company and will maintain a shareholders' register to reflect your ownership of shares in the Company;
- to process, manage and administer the investor's Share(s) and any related accounts on an on-going basis;
- the Company will inform you about your investment in Shares of the Company;
- to fulfill the terms and conditions of, and any services required by, you in relation to the account application form and the holding of the Share(s) and to execute all tasks that are carried out under the account opening form and in relation to your Share(s);

iii. where the processing is in the legitimate interests of the Company, or another person, unless your interests, fundamental rights or freedoms outweigh these interests and provided that we are acting in a fair, transparent and accountable manner and have taken appropriate steps to prevent such activity having any unwarranted impact on you and also noting your right to object to such uses. These interests are:

- protecting the rights and property of the Company or its affiliates;
- statistical analysis and market research, including for direct marketing purposes (providing information on products and services);
- protecting the security of the Company and its service provider's information technology; and
- preventing and detecting fraud.

### **With whom does the Company share personal data?**

The Company shares your personal data with:

- the management company, investment manager, and principal distributor of the Company; and
- where applicable, third party marketers and sub-distributors of the Company's shares; and
- where applicable, the board of directors of the Company including independent directors and

where applicable the company that employs such independent director; and

- the service providers of the Company, including the administrator, paying agent, domiciliary, listing agent, registrar, transfer agent, company secretary and depositary for the Company, and companies which such service providers appoint to assist them in administering the Company. These service providers may each further process personal data, acting as a data processor, for the provision to the Company of the services agreed under the relevant agreements; and
- the service provider which carries out sanctions checks on the Company's behalf. This service provider may also keep personal data which the Company provides, or which you provide to it direct, in order for it to provide identity verification services to other organisations; and
- regulators, government bodies and tax authorities.

### **Transfers of personal data**

The Company transfers personal data to countries outside the European Economic Area (the "EEA") that may not be deemed by the EU to have the same level of protection as EU data protection law. The Company ensures that such transfers are made in accordance with the conditions in the Data Protection Law (such as they are protected by standard contract clauses, or ensures that the recipient of the personal data participates in the EU-US Privacy Shield or uses Binding Corporate Rules).

You may obtain a copy of these safeguards by contacting [abalog@skyhcm.com](mailto:abalog@skyhcm.com) or the Company at: 6, route de Trèves, L-2633 Senningerberg, Luxembourg.

### **Personal data protection measures**

The Company applies data security measures aimed at protecting personal data from unauthorised third party access under any form. The Company will inform you in case of personal data breach in relation to your personal data.

### **For how long does the Company process personal data?**

The Company keeps your personal data for the purposes outlined above and for as long as you are invested in the Company. After you fully redeem your investment in the Company and unless the Company is obliged to hold it for a shorter or longer period under applicable law, we may keep your personal data for up to 10 years after that date in order to maintain records in accordance with laws and regulations which apply to the Company and to respond to any regulatory requests or questions.

To the extent we are not permitted to delete your data for legal, regulatory or technical reasons we may keep your data for longer than 10 years. In such circumstances, we will ensure your data and privacy is protected.

## **Your rights**

You have a right to access your personal data and, if it is inaccurate, to request corrections to it. You may also ask the Company to transfer some of your personal data to other organisations, in structured and machine readable form.

You have a right to ask the Company to erase or ‘restrict’ your personal data in some circumstances. Where the Company has asked for your consent to process your personal data you may withdraw your consent at any time. However, if this means that the Company cannot carry out its obligations under required AML-KYC requirements or to conduct sanctions checks, then it will not be able to process your application. If you withdraw consent, this will not affect the lawfulness of any processing which the Company has already carried out. Where the Company processes personal data because the processing is in its, or a third parties, legitimate interests, then you may object to this processing.

Investors also have a right to complain to a supervisory authority for data protection. This may either be the supervisory authority in the place of your habitual residence, your place of work, or the place where you consider that there has been a breach of data protection law. In Luxembourg, the supervisory authority is the *Commission nationale pour la protection des données*. These rights may be limited – for example, where the Company is required by law to process your personal data. Where the Company must process personal data in order to comply with law or in order to perform or enter into a contract with you, then the Company will not be able to process your application unless the personal data are provided.

## **Contact information**

To exercise any of these rights you should contact the Company at [abalog@skyhcm.com](mailto:abalog@skyhcm.com) or Mr. Aron Balog, SKY Harbor Capital Management GmbH, An der Welle 4, 60322 Frankfurt, Germany (the Principal Distributor).

This privacy notice may be amended from time to time and a copy of the most recent version of this privacy notice can be obtained at the above website or from the Principal Distributor or from the Company.

Before investing in the Company, you should also carefully read and consider the privacy disclosures contained in your account opening form and in the Company’s prospectus.

A copy of this privacy notice is available at [www.skyharborglobalfunds.com](http://www.skyharborglobalfunds.com) or from [abalog@skyhcm.com](mailto:abalog@skyhcm.com) or the Company at: 6, route de Trèves, L-2633 Senningerberg, Luxembourg.