

## **Privacy Notice**

### **1. General notes and mandatory information**

We take the protection of your personal data very seriously. We treat your personal data as confidential and in accordance with the statutory data protection regulations.

If you use this website, various pieces of personal data might be collected. Personal information is any data that allows to identify you personally. This privacy policy explains which information we collect and what we use it for. It further explains how and for what purpose we do this.

Please note that data transmitted via the internet (e.g., via email communication) may be subject to security breaches. Complete protection of your data from third-party access is not possible.

#### **1.1 Party responsible for this website**

The party responsible for processing data on this website is:

fundcraft HoldCo S.à r.l.  
12, Rue des Mérovingiens,  
L- 8070 Bertrange  
Luxembourg

Email: [dataprotection@fundcraft.lu](mailto:dataprotection@fundcraft.lu)

Website: <https://fundcraft.lu/>

The responsible party is the natural or legal person alone or jointly with others deciding on the purpose and means of processing personal data.

#### **1.2 Purpose of the processing of personal data**

We process your personal data as a user of this website only to the extent necessary to provide a functional website as well as our contents and services. Your personal data will only be processed with your consent for the specific purpose unless data processing is permitted by law without prior consent. The purposes of the processing are as follows:

- Provision of our public website <https://fundcraft.lu/>, its functions and content
- Answering contact requests and communication with website visitors
- Marketing

#### **1.3 Legal basis for the processing of personal data**

Art. 6 (1a), GDPR serves as the legal basis when we obtain your consent for processing your personal data, e.g., for answering your contact request. If the processing of your data is necessary for a contract to which you are a party, e.g., an employment contract, Art. 6 (1b), GDPR serves as the legal basis. This also applies to processing operations necessary to carry

out pre-contractual measures. If processing your personal data is necessary to fulfil a legal obligation to which we are subject, Art. 6 (1c), GDPR serves as the legal basis. If processing is necessary to safeguard a legitimate interest of our company or of a third party and if your interests, fundamental rights and freedoms do not outweigh the former interest, Art. 6 (1f), GDPR serves as a legal basis.

#### **1.4 Data deletion and storage duration**

Your personal data will be deleted or blocked as soon as the purpose for which it was stored no longer applies. Storage may also take place if this is required by law or other legal provisions binding us. Blockage or deletion of the data is carried out when a storage period prescribed by the aforementioned legal provisions expires unless there is a need for further storage of the data for the conclusion or fulfilment of a contract.

#### **1.5 Rules on the provision of the data and consequences of non-provision**

The provision of your personal data for the use of our website is not required by law or contract. You are not obliged to provide us with your personal data. However, if you do not consent to the processing of your data for certain purposes, e.g., by setting certain cookies, you may not be able to use all functions of this website.

#### **1.6 Automated decision making**

There is no automated decision-making process taking place in connection with your use of the website.

#### **1.7 Your rights as a data subject**

- **Revoking your consent to data processing**

You can revoke a previously granted consent at any time. For this purpose, an informal notification by email to us is sufficient. The legality of the data processing having taken place up to the revocation remains unaffected by the revocation.

- **Right to file complaints with regulatory authorities**

You have the right to lodge a complaint with the Office of the Data Protection Commissioner in Luxembourg (<https://cnpd.public.lu/en.html>) or a Supervisory Authority in the EU member state of your usual residence or place of work or of the place of any alleged breach of data protection legislation.

- **Right to data portability**

You have the right to get your personal data processed by us delivered to you or to a third party in a common, machine-readable format. If you request the transfer of the data to another person, this will only be done to the extent that it is technically feasible.

- **Information, blocking, deletion**

Within the applicable legal provisions, you have the right to obtain information about your stored personal data, its origin and recipients, the purpose of the data processing and, if applicable, a right to correct, block or delete this data. For this purpose, as well as for further questions on the subject of personal data, contact us by using the contact details given in sections 1.1 or 2.

- **Right of objection (Art. 21 GDPR)**

You also have the right to object to the processing of your personal data under certain conditions. This only applies, if the processing is carried out on the basis of Art. 6 (1e) or (1f), GDPR. Then, we no longer process the personal data unless we can prove compelling reasons for processing worthy of protection that outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

In order to exercise this right of objection, you may also send us an informal message stating your intention, stating your email address, via the contact options mentioned under 1.1 or 2.

## **2. Data protection officer**

We have a dedicated data protection officer function which oversees compliance with GDPR. You have the right to make a complaint at any time. If you wish to make use of this right or you have any questions about this privacy notice or how we process your personal data, please contact us at [dataprotection@fundcraft.lu](mailto:dataprotection@fundcraft.lu).

## **3. Data collection**

### **3.1 Contact form**

If you send us inquiries via our contact form, your details from the form, including the contact data you provide there, will be stored by us for the purpose of processing the inquiry and in the event of follow-up questions. We will not pass this data without your consent.

The processing of the data entered in the contact form is exclusively based on your consent (Art. 6 (1a) GDPR). You can revoke this consent at any time via informal notification by email. The legality of the data processing operations carried out up to the time of revocation remains unaffected by the revocation.

The data you enter in the contact form will remain with us until you request us to delete it, revoke your consent for storage, or the purpose for which the data was stored no longer applies (e.g., after your request has been processed). Mandatory legal provisions – in particular in relation to retention periods – remain unaffected.

### **3.2 Personio:**

Certain personal data of third parties will be collected as part of their job application process.

Personio GmbH, Rundfunkplatz 4, 80335 Munich, Germany, is a human resource and applicant management software solution (<https://www.personio.com/legal-notice/>). We collect personal data with Personio as part of our application process.

If you apply for a position at fundcraft electronically, i.e. via e-mail or using our online form, we will collect and process your personal data for the purpose of the application process and preparation of contracts.

By submitting an application via our website, you express your interest in taking up work with us. In this context, you transmit personal data, which we will use and store exclusively for the purpose of your job search / application process.

In particular, the following data is collected during this process:

- name (first and last names)
- e-mail address
- phone number
- LinkedIn profile (optional) together with all information disclosed there
- channel through which you found us

Furthermore, you can choose to upload documents such as a cover letter, your CV and reference letters. These may contain additional personal data such as date of birth, address, etc.

Only authorized HR staff and/or staff involved in the application process have access to the data collected during this process.

The personal data is stored, as a rule, exclusively for the purpose of filling the vacancy for which you have applied.

Your data will be stored for a period of 30 days after the application process has been concluded. This is usually done to fulfill legal requirements and/or defending ourselves against any claims arising from legal provisions. After this period, we are obliged to delete or anonymize your data. In case of anonymization, the data will only be available to us in the form of so-called metadata, without any direct personal reference, for statistical analysis (for example, share of male and/or female applicants, number of applications per specified period of time etc.).

Should you be offered and accept a position with us during the application process, we will store the personal data collected as part of the application process for at least the duration of your employment.

#### Disclosure of data to third parties

Data transmitted as part of your application will be transferred using TLS encryption and stored in a database. This database is operated by Personio GmbH. In this context, Personio is our processor under article 28 of the GDPR. In this case, the processing is based on an agreement for the processing of orders between us as controller and Personio.

### **3.3 Cookies**

Cookies are small text files stored on your computer and saved by your browser. Cookies do not harm your computer and do not contain any viruses. Cookies can help make websites more user-friendly, efficient, and secure.

Most of the cookies we use are so-called “session cookies”. They are automatically deleted after your visit. Other cookies remain in your device’s memory until you delete them. These cookies make it possible to recognize your browser when you next visit the website.

### **3.4 Server log files**

We automatically collect and store information in so-called server log files, automatically transmitted to us by your browser. These are:

- Browser type, browser version and the name of your access provider
- Operating system used
- Referrer URL, name and URL of the retrieved file
- Hostname of the accessing computer
- Date and time of the server request
- IP address

This data will not be combined with data from other sources. The basis for data processing is Article 6 (1f) GDPR, allowing the processing of data to fulfill a contract or for measures preliminary to a contract.

### **3.5 SSL or TLS encryption**

Our website uses SSL or TLS encryption for security reasons and for the protection of the transmission of confidential content, such as the inquiries you send to us as the site operator. You can recognize an encrypted connection in your browser’s address line when the address starts with “https://” and the lock icon is displayed in your browser’s address bar. If SSL or TLS encryption is activated, the data you transfer to us cannot be read by third parties.

## **4. Analytics**

### **4.1 Google Analytics**

This website uses Google Analytics, a web analytics service provided by Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA.

Google Analytics uses Cookies (as defined above). The information generated from Cookies about your usage of our website is transmitted to a Google server in the USA and stored there.

Storing of Google Analytics cookies happens after explicit consent with our cookie notice, when visiting our website, based on von Art. 6 (1) lit. a GDPR.

#### IP anonymization

We have activated the IP anonymization feature on this website. Your IP address will be shortened by Google within the European Union or other parties to the Agreement on the European Economic Area prior to transmission to the United States. Only in exceptional cases is the full IP address sent to a Google server in the United States and shortened there. Google will use this information on our behalf to evaluate your use of our website, to compile reports on website activity, and to provide other services regarding website activity and internet usage for us. The IP address transmitted by your browser as part of Google Analytics will not be merged with any other data held by Google.

#### Objection to the data collection

You can prevent the collection of your data by Google Analytics by reopening the cookie settings on our website (bottom left) and deselecting the performance cookies.

For more information about how Google Analytics handles user data, see Google's privacy policy: <https://support.google.com/analytics/answer/6004245?hl=en>.

### **5. Information disclosure**

The processing of your personal data by all our service providers is only carried out on the basis of a proper data processing agreement in accordance with Article 28, GDPR. Your personal data will not be passed on to third parties.

### **6. Data transfer to recipients outside the European Union**

If we process data in a third country (i.e., outside the European Union (EU) or the European Economic Area (EEA)) or the processing takes place in the context of the use of third-party services or the disclosure or transfer of data to other persons, entities or companies (e.g. Google), this will only be done in accordance with the requirements of the GDPR.

Subject to your express consent or a contractually or legally required transfer, we process or have the data processed only in third countries with a recognized level of data protection, contractual obligations based on the standard contractual clauses of the EU Commission, in the presence of certifications or the existence of binding internal data protection regulations (Art. 44 to 49 GDPR).

The data collected by the products listed within the scope of this declaration from US providers or their affiliated companies, such as Google, may be stored and processed by them in the USA, among other places. We have no influence on further data processing by the US service providers. For a data transfer to a third country, i.e. a country outside the EU or the EEA, appropriate guarantees for the protection of your personal data are generally required. After the European Court of Justice invalidated the Commission's Implementing Decision (EU) 2016/1250 of July 12, 2016, on the adequacy of the protection provided by the EU-US Privacy Shield ("EU-US Privacy Shield"), the EU-US Privacy Shield can no longer be

used as a guarantee for an adequate level of protection in the USA according to EU standards. Thus, there is currently no level of data protection in the U.S. equivalent to that in the EU within the meaning of Art. 45 GDPR and we are also unable to provide appropriate safeguards under Art. 46 GDPR to compensate for this deficit. Thus, data transfer to the USA is only permissible here with your express consent pursuant to Art. 49 (1a) GDPR, which can be granted by you with the cookie notice by selecting optional categories. Possible risks of this data transfer are that access by state authorities, such as security authorities and/or intelligence services, cannot be ruled out and your data could be processed by them, possibly without you being informed separately and without enforceable rights and effective legal remedies being available to you, for reasons of national security, law enforcement or for other purposes in the public interest of the USA.

Otherwise, we will only share your data with third parties if:

1. you have expressly given your consent to this in accordance with Art. 6 (1a) GDPR,
2. the disclosure according to Art. 6 (1f) GDPR is necessary for the assertion, exercise or defense of legal claims and there is no reason to assume that you have an overriding interest worthy of protection in the non-disclosure of your data,
3. there is a legal obligation for the disclosure according to Art. 6 (1c) GDPR or
4. this is legally permissible and necessary for the processing of contractual relationships with you according to Art. 6 (1b) GDPR. The transfer to tax offices and social security institutions will only take place if there is a legal obligation to do so; the legal basis is Art. 6 (1c) GDPR. The transfer to service providers only takes place on the basis of a proper contract processing agreement in accordance with Art. 28 GDPR.

Last update: January 17, 2022