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# **Client Privacy Notice - Data protection information (Art. 13 and 14 GDPR)**

Record Asset Management GmbH

May 2025



In this Privacy Notice "RAM", "we", "us" and "our", refer to Record Asset Management GmbH, registered in Germany with registered office at Bockenheimer Anlage 46, 60322 Frankfurt am Main, Germany and registered with the commercial register at the local court (*Amtsgericht*) of Frankfurt am Main under registration no. HRB 133865.

RAM is committed to safeguarding any information relating to an identified or identifiable natural person ("**you**") in the sense of Article 4 (1) of the General Data Protection Regulation (EU) 2016/679 ("**GDPR**"), such as names, contact details and ID data ("**Personal Information**"). To the extent that any Personal Information is collected, it will be held in confidentiality in accordance with the Data Protection Legislation (as defined below).

Please read the following Privacy Notice which explains how we process and protect Personal Information of our clients, investors and all other parties contacting RAM and which contains the information pursuant to Article 13 and 14 GDPR regarding processing of your personal data by RAM.

We will only use Personal Information which is provided to us by you, or otherwise obtained by us (i.e. from third parties), as set out in this Privacy Notice. We will ensure that your Personal Information is handled in accordance with the "**Data Protection Legislation**" (meaning any law applicable from time to time relating to the processing of Personal Information and/or privacy as the same may be re-enacted, applied, amended, superseded, repealed or consolidated, including without limitation the GDPR and the German Federal Data Protection Act (*Bundesdatenschutzgesetz – BDSG*), in each case including any legally binding regulations, directions and orders issued from time to time under or in connection with any such law).

By contacting or otherwise engaging with us, you acknowledge that we may process your Personal Information as set out in this Privacy Notice. RAM reserves the right to change this Privacy Notice from time to time.

If you are applying for work with us (whether as an employee or contractor), you acknowledge that we may also process your Personal Information as set out in our **RAM Candidate Privacy Notice**. This makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for.

If you are visiting the website [www.recordfg.com](http://www.recordfg.com) ("**Website**"), you acknowledge that the operator of the Website, **Record Currency Management Ltd.**, United Kingdom, registered with the Companies House under number 01710736, may process your Personal Information as set out in the **Privacy and Cookies Policy** of the operator, which is available through the Website.

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## 1. Our contact Information / Data controller / Data Protection Officer

The contact person and so-called "controller" within the meaning of the GDPR for the processing of your Personal Information when engaging with us is:

**Record Asset Management GmbH**

Bockenheimer Anlage 46  
60322 Frankfurt am Main  
Germany  
email: ramgdprqueries@recordfg.com

For all questions regarding data protection in relation to our services, you can contact us, or our data protection officer at any time. The Data Protection Officer can be reached at the above postal address and at the e-mail address given above (keyword: "Data Protection Officer"). We expressly point out that if you use this e-mail address, the contents will not be exclusively noted by our Data Protection Officer. If you wish to exchange confidential information, please therefore first contact us directly via this e-mail address.

## 2. Personal Information that we collect from you / Data categories

When you engage with us (e.g. sending us emails, contacting us via telephone or visiting or making an enquiry through the Website), we are likely to receive some Personal Information about yourself, although you might engage with us as a professional or representative of an institutional investor, including:

- your name,
- work contact details (e.g. work address, email address and telephone number),
- tax information,
- investment history and/or bank details
- KYC / AML – data (e.g. name, place of birth, date of birth, nationality, residential address, ID card details and copies of ID card).

The provision of this Personal Information is entirely voluntary, however, we may be unable to carry out some activities necessary to process your application, instructions or other requests without the provision of such information. For example, we may be unable to establish a business relationship with you and / or process application forms or similar requests.

Where you make use of the Website (i.e. by using the contact form or the client log-in), Record Currency Management Ltd., who is the operator of the Website, may also collect information about you and your use of the Website (e.g. your IP address and choice of web browser) (for further information please refer to the Privacy and Cookies Policy of Record Currency Management Ltd., which is available through the Website).

Where you provide Personal Information on behalf of another individual, you are responsible for notifying that individual that you have provided their Personal Information to us and directing them to this Privacy Notice so they can see how we will process their Personal Information.

## 3. Personal Information that we receive from other data sources

We may receive information from third parties who collect Personal Information from you and pass it on to us. For example (i) where we are conducting due diligence or deciding whether to acquire or invest, we may also receive Personal Information concerning key personnel; and (ii) your employer may provide your Personal Information to us in connection with a service they provide to us or in connection with services that we provide to our clients. Where this is the case the third party is responsible for informing you that they have shared your Personal Information with us, directing

you to this Privacy Notice and obtaining any relevant consents from you to ensure you agree with the ways in which your Personal Information will be shared. However, once we are in possession of the Personal Information, we will only handle any person's Personal Information in accordance with this Privacy Notice.

## 4. What we do with your Personal Information / Purposes of data processing

Personal Information is partly collected and processed so we can perform service agreements with institutional investors with whom you are affiliated or employed, partly for the purpose of legal compliance and partly for other purposes of our legitimate business interests (in particular to carry out and improve our business, analyze the use of our services and support our staff, clients and investors). In the context of the data processing by RAM, no decision-making based solely on automated processing (including Profiling) pursuant to Article 22 (1) and (4) GDPR is carried out.

In order to comply with our legal obligations and for training purposes, we record all calls made in relation to investment services on designated employees' landline and mobile telephone lines and on designated video calls.

Where you or your employer (or any other entity you work for) provides services to us, you and/or they may provide us with some of your Personal Information in connection with the provision of the services, such as your name, business contact details and other ID information. We will only process such Personal Information in connection with the provision of the services (such as using your contact details to discuss the services) and in accordance with this Privacy Notice. In addition, where necessary, we may also share your Personal Information with our institutional investors or other third parties in order to provide our services (e.g. if you or your business provides investor administration services, we may share your business contact details with our investors so that they can contact you.)

Where you have explicitly consented at the time we collected your Personal Information, or where we otherwise have a right to do so, we may also use your Personal Information to let you know about any of our services that may be of interest and/or inform you about important changes or developments to our services by email.

If you change your mind about us using your Personal Information in the ways described in this Privacy Notice, please let us know by contacting us at [ramgdprqueries@recordfg.com](mailto:ramgdprqueries@recordfg.com). You may also opt-out of receiving marketing emails from us by following the instructions outlined in the email.

## 5. Legal basis for processing your Personal Information

The law requires us to have a legal basis for collecting and using your Personal Information. We rely on one or more of the following legal bases:

- Performance of a contract with you (Art. 6 (1) b) GDPR: Where we need to perform a contract / agreement we are about to enter into or have entered into with you, or to provide client or investor relations and support to an institutional client or investor with whom you are affiliated.
- Legitimate interests (Art. 6 (1) f) GDPR: We may use your Personal Information where it is necessary to conduct our business and pursue our legitimate interests which are e.g. to prevent fraud and / or enable us to improve our Website and services to give you the best and most secure customer experience. We make sure we consider and balance any potential impact on you and your rights (both positive and negative) before we process your Personal Information for our legitimate interests. We do not use your Personal Information for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law).
- Legal obligation (Art. 6 (1) c) GDPR: We may use your Personal Information where it is necessary for compliance with legal obligations that we are subject to, including in relation to regulatory reporting, applicable anti-money laundering and counter-terrorist financial legislation, as well

as taxation-related reporting such as under the OECD Common Reporting Standards or under the US-FATCA. We will identify the relevant legal obligation when we rely on this legal basis.

- Consent (Art. 6 (1) a) GDPR: We rely on consent only where we have obtained your active agreement to use your Personal Information for a specified purpose.

## 6. Sensitive Personal Information

There are special categories of personal data in the sense of Article 9 (1) GDPR meaning any Personal Information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation ("**Sensitive Personal Information**").

You may provide us with Sensitive Personal Information from time to time in connection with the provision of our services or otherwise (for example, we may need to obtain information as to whether you are a politically exposed person as part of a "know your customer" process or you may give us an indication of your religious and / or political beliefs in telling us your dietary requirements for an event).

When processing Sensitive Personal Information, we require further justification for collecting, storing and using this type of Personal Information. We have in place appropriate safeguards which we are required by law to maintain when processing such data.

When processing your Sensitive Personal Information, we usually rely on the following legal bases:

- Explicit consent (Art. 9 (2) a) GDPR: We rely on your consent only where we have obtained your explicit consent to the processing of those Sensitive Personal Information for one or more specified purpose.
- Public interest (Art. 9 (2) g) GDPR: We may use your Sensitive Personal Information where processing is necessary for reasons of substantial public interest.
- Legal claims (Art. 9 (2) f) GDPR: We may use your Sensitive Personal Information where processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.

In such cases, the provision of this Sensitive Personal Information is entirely voluntary, however, we may be unable to carry out some activities necessary to process your application, instructions or other requests without the provision of such information. For example, we may be unable to establish a business relationship with you and / or process application forms or similar requests. We will use any Sensitive Personal Information in accordance with the purpose for which it was provided (i.e. with your consent or to comply with our legal obligations).

Where we do receive Sensitive Personal Information, we will only keep such information for as long as strictly necessary in order to comply with our rights and obligations under the law.

## 7. Disclosure of your Personal Information / Recipients

Where it is necessary for the performance of our contract with an institutional client or investor with whom you are affiliated or employed or for our internal business processes, we may share your Personal Information with counterparty banks, certain third parties, such as our professional advisers, regulatory bodies, auditors, technology providers and any duly authorized agents or related, associated or affiliated companies of the foregoing for the same purposes.

By submitting your Personal Information to us, you acknowledge that such third parties may receive and process your Personal Information. We ask all third parties to treat your Personal Information securely and in accordance with this Privacy Notice and will take reasonable steps to enforce this. We will never sell your data.

In addition, part of the data processing may be carried out by our service providers and / or by group companies processing your Personal Information on our behalf ("**Processor**"). If we pass on data to our service providers, they may only use the data to perform their tasks. The service providers and Processors have been carefully selected and contracted by us. They are contractually bound to our instructions, have appropriate technical and organizational measures in place to protect the rights of the data subjects and are regularly monitored by us.

In addition, it may be necessary to disclose your Personal Information if we are under a duty to disclose your Personal Information in order to comply with any legal obligation (such as anti-money laundering or anti-terrorism financing obligations), carry out an internal investigation, enforce the terms and conditions of any agreement / contract with you, or protect the rights, property, or safety of RAM, our Funds, our group companies and our clients, directors, employees or other personnel. This includes exchanging information with other companies and organisations for the purposes of fraud protection and prevention.

In exceptional circumstances, if we are merged or enter into a takeover arrangement with another company we may disclose your information to a potential buyer, including your Personal Information and other information concerning your relationship with us so that they can continue to provide the services you have requested.

## 8. Our security measures and information about when we delete data

In principle, we store your Personal Information only for as long as necessary to fulfill the purposes for which we collected the data. Thereafter, we delete the data promptly, unless we still need the data until the expiry of the statutory limitation period for evidentiary purposes for claims under civil law, due to statutory retention obligations or there is another legal basis under data protection law for the continued processing of your data in specific individual cases.

For evidentiary purposes, we must retain contractual data in particular for three years from the end of the year in which the business relationship with you ends. Any claims become statute-barred at this point at the earliest in accordance with the standard statutory limitation period.

Even after this, we still have to store some of your data for accounting reasons. We are obliged to do so because of legal documentation obligations that may arise from the German Commercial Code (*Handelsgesetzbuch*), the German Fiscal Code (*Abgabenordnung*), the German Banking Act (*Kreditwesengesetz*), the German Money Laundering Act (*Geldwäschegesetz*) and the German Securities Trading Act (*Wertpapierhandelsgesetz*). The periods specified therein for the retention of documents are two to ten years.

To determine the appropriate retention period for Personal Information, we consider the amount, nature and sensitivity of the Personal Information, the potential risk of harm from unauthorised use or disclosure of your Personal Information, the purposes for which we process your personal data and whether we can achieve these purposes through other means, and applicable legal, regulatory, tax, accounting or other requirements.

## 9. Transferring Personal Information outside of Germany or EEA

In processing your Personal Information, it may be necessary for us to transfer your Personal Information outside Germany or the European Economic Area ("**EEA**"), e.g. to counterparty banks or to staff of our intra-group service providers in the UK. As explained in this Privacy Notice, we might also use the services of providers who are partly located outside Germany or the EEA or who process personal data outside Germany or the EEA (i.e. any Personal Information provided to RAM will be transferred to and stored on servers used by our Processor **Record Group Services Limited**, United Kingdom, registered with the Companies House under number 01927639.

Your Personal Information may also be accessed by staff operating outside Germany or the EEA who work for us or for one of our suppliers or group companies, in particular in the UK and/or in



Switzerland. This includes personnel engaged in, among other things, the provision of support services to us.

Insofar as this is the case and the European Commission has not issued an adequacy decision pursuant to Art. 45 (3) GDPR ("**Adequacy Decision**") for these countries, we have taken appropriate safeguards as referred to in Article 46 (1) GDPR to ensure an adequate level of data protection for any data transfers, including, among others, the Standard Contractual Clauses of the European Union or binding internal data protection regulations ("**Appropriate Safeguards**").

In the absence of an Adequacy Decision and where none of the Appropriate Safeguards have been provided, we base the data transfer on derogations of Art. 49 GDPR, in particular your explicit consent or the necessity of the transfer for the performance of the contract or for the implementation of pre-contractual measures.

If a third country transfer is intended and no Adequacy Decision or Appropriate Safeguards are in place, there is a risk that authorities in the respective third country (e.g. intelligence services) may obtain access to the transferred data in order to collect and analyze the data and that under such circumstances your data subject rights cannot be guaranteed. When obtaining your consent, you will also be informed of this fact.

By submitting your Personal Information to us, you acknowledge the transfer, storing and/or processing of your Personal Information.

## 10. Your legal rights, especially objection and withdrawal

You shall have the rights of data subjects pursuant to Art. 7 (3), Art. 15 to 21, Art. 77 GDPR at any time, provided that the respective legal requirements are fulfilled:

- Right to withdraw your consent (Art. 7 (3) GDPR);
- Right to object to the processing of your personal data (Art. 21 GDPR);
- Right to access your personal data processed by us (Art. 15 GDPR);
- Right to rectification of your personal data stored by us that is incorrect (Art. 16 GDPR);
- Right to erasure of your personal data (Art. 17 GDPR);
- Right to restriction of the processing of your personal data (Art. 18 GDPR);
- Right to data portability of your personal data (Art. 20 GDPR);
- Right to lodge a complaint with a supervisory authority (Art. 77 GDPR).

To exercise your rights described above, you can contact us at any time using the contact details under item 1 above. This also applies insofar as you wish to receive copies of safeguards demonstrating an adequate level of data protection. Provided that the respective legal requirements are fulfilled, we will comply with your data protection request.

Your request to exercise data protection rights and our responses to them will be stored for documentation purposes for a period of up to three years and, in individual cases, for longer if there are grounds for asserting, exercising or defending legal claims. The legal basis is Art. 6 (1) f) GDPR, based on our interest in defending against any civil claims under Art. 82 GDPR, avoiding fines under Art. 83 GDPR, and fulfilling our accountability obligations under Art. 5 (2) GDPR.

**You have the right to withdraw your consent at any time. This request has the consequence that we will no longer proceed with the data processing based on the legal basis of this consent in the future. The withdrawal of consent does not affect the lawfulness of the processing based on the consent provided before the withdrawal.**

**Insofar as we process your data on the basis of legitimate interests, you have the right to object to the processing of your data at any time on grounds relating to your particular situation. If it is a matter of objecting to data processing for direct marketing purposes, you have a general right of objection, which will be fulfilled by us without giving reasons.**

**If you wish to exercise your right of withdrawal or objection, it is sufficient to send an email to contact details mentioned under item 1 above.**



## 11. Complaints

Finally, you have the right to lodge a complaint with a data protection supervisory authority of your choice. For example, you can exercise this right at a supervisory authority in the member state of your habitual residence, your place of work or the place of the alleged infringement. This also includes the data protection supervisory authority responsible for the controller which is in RAM's case: The Hessian Commissioner for Data Protection and Freedom of Information, P.O. Box 3163, 65021 Wiesbaden, Germany, 0611/1408-0, [poststelle@datenschutz.hessen.de](mailto:poststelle@datenschutz.hessen.de).

We would, however, appreciate the opportunity to address your concerns before you approach any supervisory authorities, so please contact us in the first instance.

## 12. Changes to this Privacy Notice

RAM may amend this Privacy Notice at any time without notice. By continuing making use of our services, you acknowledge that we shall process your Personal Information in accordance with the updated Privacy Notice. If you are not happy with any changes that we make, you should not use our services. Any changes to this Privacy Notice will be posted under the weblink.



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