

# FINDLAY PARK PARTNERS LLP

## PRIVACY POLICY

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**At Findlay Park Partners LLP we are committed to protecting your privacy and ensuring your personal data is collected and used appropriately, lawfully and transparently. This privacy policy will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.**

Please see the Glossary to understand the meaning of some of the terms used in this privacy policy.

### **Important information and who we are**

#### **Purpose of this privacy policy**

This privacy policy aims to give you information on how Findlay Park Partners LLP collects and processes your personal data, including any data you may provide through our website.

Our website is not intended for children and we do not knowingly collect data relating to children.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements the other notices and is not intended to override them.

#### **Controller**

Findlay Park Partners LLP is the controller and responsible for your personal data ("Findlay Park", "we", "us" or "our" in this privacy policy).

We have appointed a Data Protection Manager who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact the Data Protection Manager using the details set out below.

#### **Contact details**

Our full details are:

Full name of legal entity: Findlay Park Partners LLP  
Name or title of Data Protection Manager: Rashid Adam  
Email address: DPM@findlaypark.com  
Postal address: 28 King Street, London, SW1Y 6QW  
Telephone number: 020 7968 4900

If you wish to raise a complaint about how we have handled your personal data, you have the right to contact the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk) or 0303 123 1113). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

## Changes to the privacy policy and your duty to inform us of changes

We reserve the right, at our discretion, to change, modify, add to, or remove portions from this privacy policy. We will notify you of any material changes where we are required to do so. Any such notifications may be made by way of our website.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

## Third-party links

Our website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

## The data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- **Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title and, if applicable, details of your company's shareholders, officers and authorised signatories.
- **Contact Data** includes delivery address, email address and telephone numbers.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our website.
- **Profile Data** includes your username and password, preferences, feedback and survey responses.
- **Usage Data** includes information about how you use our website, products and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us, your communication preferences, and data received from telephone conversations, emails and instant messaging.

We may also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sexual orientation, political opinions, trade union membership,

information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

We make use of CCTV at our offices and may retain recordings.

### **If you fail to provide personal data**

Where we need to collect personal data by law, or under the terms of a contract we have with you or any third party and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

### **How is your personal data collected?**

We use different methods to collect data from and about you including:

- **Direct interactions.** You may give us your Identity and Contact Data by filling in forms or by corresponding with us by post, phone, email, instant messaging or otherwise. This includes personal data you provide when you:
  - apply for our products or services directly or on behalf of a third party;
  - create an account on our website;
  - subscribe to our service or publications;
  - request marketing to be sent to you; or
  - give us some feedback.
- **Automated technologies or interactions.** If you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies and other similar technologies. Please see our cookie policy for further details.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:
  - your financial adviser;
  - any platform through which you invest; and
  - from service providers or agents appointed by Findlay Park Funds ICAV.
- **Identity and Contact Data** from publicly available sources such as Financial Conduct Authority's financial services register, LinkedIn, company websites, Companies House and the Electoral Register based inside the EU.

Please note that we may record telephone (both mobile and landline) conversations and keep copies of electronic communications. We may retain copies of these recordings and electronic communications for a period of at least five years (or longer if required for legal and regulatory purposes).

### **How we use your personal data**

We will only use your personal data in accordance with applicable laws. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you or in relation to the provision of products or services to you or in relation to an existing or proposed investment you or your clients may have in Findlay Park Funds ICAV.
- Monitoring or recording telephone calls with you to resolve any queries or issues.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligations, for example, confirming your identity for regulatory purposes or detecting and preventing fraud, money laundering, terrorist financing or bribery.

Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third party direct marketing communications to you via email. You have the right to withdraw consent to marketing at any time by [contacting us](#).

### Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please [contact us](#) if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a new client or contact	(a) Identity (b) Contact	Performance of a contract with you or the provision of services to you.
To manage our relationship with you which will include: (a) Sending you newsletters, factsheets, podcasts and other communications relating to the investment funds we manage or advise (b) Notifying you about changes to our terms or privacy policy (c) Asking you to leave a review or take a survey (d) Responding to your questions	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you or the provision of services to you.  (b) Necessary to comply with a legal or regulatory obligation  (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)

To administer and protect our business and any website (including troubleshooting, data analysis, testing, development system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)  (b) Necessary to comply with a legal or regulatory obligation
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile	Necessary for our legitimate interests (to develop our products/services and grow our business)

## Opting out

You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by [contacting us](#) at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of product/service experience or other transactions.

## Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of our website may become inaccessible or not function properly. For more information about the cookies we use, please see our cookie policy (set out below).

## Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please [contact us](#).

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## Disclosures of your personal data

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- Internal Third Parties as set out in the *Glossary*.
- External Third Parties as set out in the *Glossary*.
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We only allow our third-party service providers to process your personal data for specified purposes and in accordance with our instructions.

## International transfers

Some of our external third parties may have operations based outside the UK so their processing of your personal data may involve a transfer of data outside the UK. We currently transfer data to the following countries outside of the UK:

United States of America  
South Africa  
Canada  
Ireland

We may update this list from time to time and any changes will be communicated to you via an update to this privacy policy.

Whenever we transfer your personal data out of the UK, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data.
- Where we use certain service providers, we may use specific contracts approved for use in the UK which give personal data the same protection it has in the UK.

Please [contact us](#) if you want further information on the specific mechanism used by us when transferring your personal data out of the UK.

## Data security

We have put in place appropriate technical and organisational security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## Data retention

### How long will you use my personal data for?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect of our relationship with you.

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 unauthorised 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.

Details of retention periods for different aspects of your personal data are available in our retention policy which you can request by [contacting us](#).

In some circumstances you can ask us to delete your data: see below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

## Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

You have the right to:

- **Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may

demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

- **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please [contact us](#).

### **No fee usually required**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Time limit to respond**

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.



## Glossary

### LAWFUL BASIS

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data 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). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by [contacting us](#).

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

### THIRD PARTIES

#### Internal Third Parties

Findlay Park Investment Management Limited (based in the United Kingdom) which provides IT and system administration services.

#### External Third Parties

- Professional advisers and service providers acting as processors or joint controllers including lawyers, bankers, brokers, auditors and insurers based inside or outside the UK who provide consultancy, banking, trading, legal, insurance, IT, system administration services and accounting services.
- HM Revenue & Customs, regulators and other authorities.
- Agencies and organisations working to prevent fraud in financial services

## Important Information

This document has been prepared by Findlay Park Partners LLP (“**FPP**”), the investment manager of Findlay Park American Fund, a sub-fund of Findlay Park Funds ICAV (“**Fund**”).

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