



ACM EUROPE & NAVIGATE FUNDS SICAV PLC

PRIVACY POLICY

Address:
NU BIS CENTRE,
Triq il- Mosta
LJA
LJA 9012
Malta

PRIVACY POLICY

This privacy policy sets out how each of ACM Europe Limited (ACMEL) and Navigate Funds SICAV Plc acting in their individual capacities as data controllers, process the personal data that you give us.

We are committed to ensuring that your personal data is protected. Should you provide us with any personal data you can be assured that it will only be used in accordance with this Privacy Policy.

This Privacy Policy applies to personal data we process about you (the data subject), or your directors, partners, members, officers, employees, contractors, consultants, family members, trustees, beneficiaries, powers of attorney, representatives, agents or any other related individual as appropriate. For the purpose of this Privacy Policy, "you" or "your" means you or any of the above listed individuals as appropriate.

When you supply any personal data to us, we will meet our legal obligations to you in the way that we deal with that information. In accordance with the applicable laws and regulations, we are required to collect the information fairly and to let you know how we will use it and whether we will pass the data on to anyone else.

We may change this policy from time to time by updating this page. You are required to check this page from time to time to ensure that you accept all changes.

1. HOW DO WE COLLECT YOUR PERSONAL DATA?

We may receive personal data about you from one or more of the following sources:

- **Directly from you:**
 - When you fill in forms or applications and when you request any products or services.
 - Through your interactions with us by post, email, telephone, in person, via our websites, secure portals or by any other means by your interactions with us.
 - By the way you use the financial products you hold or take out with us.
 - From your use of our website.
- **From other ARIA group companies.**
- From individuals or firms acting on your or our behalf (e.g. powers of attorney, solicitors, accountants, financial advisers, platform providers or custodians).
- Data aggregators, marketing and analytics agencies which, in themselves, receive personal data from other parties and sources including publicly available sources.
- Credit reference agencies and identification, verification and screening tools service providers which receive information from other parties, including publicly available sources.
- Our existing clients, connections or affiliates who refer us to you.
- Public sources such as the electoral roll as well as news or social media.
- When carrying out due diligence on an organisation that we intend to acquire, books of business or teams that we intend to acquire where it is not possible to anonymise the information.
- From individuals or firms setting up a trust of which you may be a related party (e.g. settlor, protector, trustee or beneficiary).

2. WHAT DATA DO WE COLLECT AND PROCESS FROM YOU?

The personal data that we may collect and process about you includes, but is not limited to, the following data:

1. Details of your visits to our website for traffic overview. This information is collected in line with our Cookie Policy.
2. Information that you provide by filling in your details in the Contact form.
3. Information that you provide when you communicate with us by any means.
4. Contact information such as your name, address, email address, phone number and other contact information.
5. Personal identifiers such as tax identifier number, date of birth, place of birth, personal identification numbers, identity and verification documents.
6. Financial information, account number, information about your wealth, assets, credit position, the products you have invested in, tax residency, details of any payments you make or receive, household income, employment status and details of your business interests. This includes information about the source of your wealth and source of funds.
7. Credit worthiness, open-source media including adverse media and potential criminal or regulatory investigations or conviction information resulting from any due diligence checks we will undertake about you.
8. Information about your lifestyle, hobbies, interests and family, next of kin or other relationships where necessary.
9. Information that we need to be able to provide you with help and support if you require it.
10. Details of third parties connected to you such as your professional advisers (e.g. accountants or solicitors) or connections who you may introduce to us.
11. Information we obtain from you about the way you do business with us, such as when you use our telephone services; websites (including IP address(es), device types used and country of access); our client portals; applications; when you write to us; when you apply for our products or services or enter into competitions or promotions; or any other time you contact us, including through social media.
12. Any other information about you that you disclose to us when completing your Account Application or during the course of our relationship in providing services to you including information about the way you use and manage your account(s).
13. The personal information that we collect about you may also include more sensitive types of information such as your racial or ethnic origin, criminal or alleged criminal offences or your health and wellbeing.

3. How will we use the personal data we collect about you?

We use the personal data about you for a number of reasons:

- Where necessary to perform or enter into a contract with you.
- To provide you with products and services and administer your account as set out in the contract between us.
- To manage the client relationship.
- To communicate with you.
- To provide corporate benefits services.
- Where necessary to comply with a legal obligation, including Anti-Money Laundering, Anti-Bribery and the Markets and Financial Instruments Directive, Economic Sanctions regimes and any other applicable legislation and regulations that require data retention and/or use. Processing for this purpose could result in processing of information about actual or alleged criminal convictions.
- For verification purposes (e.g. as required by applicable Money Laundering Regulations and other applicable financial crime legislation). For example, in order to satisfy our obligations under anti-money laundering laws and legislation we are required to verify the identity of all clients and, where relevant, beneficial owners of such clients as well as relevant related parties (for example, if you are a trustee, executor or person of interest under a trust or a partnership; or if you are a company then your directors, officers, shareholders, members and/or trustees and trust beneficiaries as relevant) and other information (including but not limited to details of any nationality, citizenship or rights of residence you hold). We may do this using an electronic verification system that we consider suitable or by asking you for suitable documentary evidence.
- We are also required under financial crime laws and regulations including the Money Laundering Regulations to verify certain other information about your source of wealth and source of funds in certain circumstances and may ask for documentary evidence or use third party service providers to do so.
- The detection and prevention of financial crime.
- To prevent fraud and money laundering, and to verify identity, in order to protect our business and to comply with laws that apply to us.
- To take measures to comply with applicable laws and regulations so we can counter the risk of being used for financial crime purposes.
- In connection with legal claims, (including disclosure of personal data in connection with legal process or litigation). The latter may include special category information contained in documents, telephone or video recordings.

- To fulfil our obligations under any reporting agreement entered into with any tax authority or requirement from the regulator(s) from time to time.
- We are required to maintain backups of our systems in the event that live data is lost, unrecoverable or compromised.
- For reporting purposes, including to report details of non-Irish and non-US resident account holders to the Revenue Commissioners (i.e. the Irish Tax authorities).

If we, or a fraud prevention agency, determine that you pose a fraud or money laundering risk, we may refuse to provide the services or financing you have requested, or to employ you, or we may stop providing existing services to you.

A record of any fraud or money laundering risk will be retained by the fraud prevention agencies, and may result in others refusing to provide services, financing or employment to you. If you have any questions about this, please contact us on the details below.

If you fail to provide us with this information that we need to know about you for the above purposes, the consequences are that we may not be able to provide any services to you.

- Where it is in our or a third party's legitimate interests, as listed below, and where these interests are not overridden by your fundamental rights and freedoms
- For security and training purposes.
- **To monitor or record telephone and video conversations or other communications between you and us. Recordings of telephone and video conversations may take place without the use of a warning tone. We use these recordings (or transcripts of them):**
 - To check your instructions to us
 - To analyse, assess and improve our services to clients
 - For training and quality purposes
 - To help us investigate any complaint you may make
 - As evidence in any dispute or anticipated dispute between you and us
 - Where required by applicable regulation
 - As required in internal investigations
- To improve how we interact with you through our website, services, communications and products, and to improve our website user experience (e.g. by enabling user feedback on our website).
- To better understand how clients interact with our secure portals to further improve them.

- **To develop new products and services, including:**
 - To analyse our client base in order to establish whether it (as a collective) may be interested in new products and services highlighted by market trends.
 - To develop new products and services which would be suitable for you based on wider information, including trade frequency, client log ins and account values.
 - To test software and system improvements by using pseudonymised/anonymised information where possible.
 - The use of machine learning contained within our environment, to create efficiencies in our products and services.
- To offer new investment products or financial services to you that we think may be of interest, based on what we know about you.
- To invite you to and manage events and inform you of our and our group companies' relevant products and services by email, telephone, letter and other digital methods unless you ask us not to - you can determine the extent of our communication to you through the links or instructions in any email we send you, or by contacting us using the details below.
- To prepare research and anonymised or pseudonymised statistical reports, including reports on what our typical clients are like.
- As part of profiling in order to better understand you, our clients and prospective clients (including the products and services you may be interested in). We work with third party organisations who provide additional insight, such as information about your wealth, profession and attributes and information about you that is publicly available.
- In relation to clients, we use information we already hold about you in combination with information we obtain with third party organisations and public sources to better understand you and your network.
- In relation to prospective clients, we use information that we obtain or learn from our existing clients and connections (e.g. our clients' professional advisers) in combination with information we obtain with third party organisations and public sources to identify you, better understand you and to market to you using the methods described above.
- To identify potential prospective clients based on what we know about you and your network (where you are a client).
- To gain an understanding of the typical ARIA client and typical prospective clients in order to identify those who may be interested in our and our group's services and to tailor our marketing to prospective clients accordingly.

- If you are a client, to obtain referrals from you based on your networks and connections and if you are a prospective client, to obtain introductions to you from our clients and other connections.
- To follow up with you after you request information to see if we can provide any further assistance.
- To ensure that complaints are investigated, and/or to conduct internal investigations.
- To prevent or detect abuse of our services or any of our rights, and to protect our (or others') property or rights.
- To share information with relevant third parties in the context of a sale or potential sale of a relevant part of our business, subject always to confidentiality obligations.
- Auditing, assurance and compliance monitoring.

We will collect only the personal data for agreed purposes.

For the purpose of opening an account with us or providing investment services by us, we will request the personal data from you. We are also obliged to comply with the laws and regulations related to anti-money laundering, counter terrorist financing and other financial crimes. We process many categories of personal data, including as appropriate for the services we are providing to you:

- Contact details, such as your title, name, residential address, email address, telephone number.
- Investments and other financial and transactional data, such as bank account information.
- Other personal data such as date of birth, Tax Identification Number, passport number and any information provided to Us as part of declarations, platform agreement, subscription forms or by filling in any forms.
- Record of correspondence and communication with you as required by various regulations in relation to provision of financial services.
- Details of your access to certain ACME services, including your IP address, information viewed or searched for, page response times, lengths of visit, login information, browser type and version, traffic data, location data, weblogs and other communication data, and the resources that you access, so We may compile statistics relating to your use of ACME service.

For certain services provided by us, the provision of your full name, postcode, e-mail address, date of birth, tax identification number, primary passport country, nationality and country of birth, together with confirmation of whether you are a US Person (as defined in the ACME Terms and Conditions) and/or a PEP are all required from you in order to register you on ACME.

- When submitting general enquiries, your name and e-mail address are required from you to enable Us to respond to your enquiry.
- We will inform you at the point of collecting information from you, whether you are required to provide any other information to Us.
- If we start to collect any other data that is not in line with the above, this Privacy Policy shall be updated.

4. WHY DO WE COLLECT THIS DATA?

We may use your personal information for the following purposes:

1. We may use personal information collected about you from any applications or forms you may complete for the purposes of establishing a client relationship with you.
2. We may also use the information we collect in order to inform you about changes to our site.
3. We may also use the information to respond to your enquiries or comments submitted through the website.

Your information may be used for legal and regulatory compliance purposes, including as necessary: to respond to governmental or regulatory entities requests; to comply with our legal obligations under current Anti-Money Laundering Laws and Regulations and current local and international tax Laws including the Common Reporting Standards and the Foreign Account Tax Compliance Act in relation to the exchange and automatic forwarding of tax related information; to identify misuse of our systems and any fraud or other illegal or unlawful activity or any other activity which is or may be contrary to our legal and regulatory compliance obligations.

If we start to collect any other data for purposes that are not in line with the above, this Privacy Policy shall be updated.

5. MARKETING

In addition to the above uses We may use your personal data to notify you about additional services provided by us which may be of interest to you. For such uses We will only contact you by electronic means (e-mail) if you have provided Us with your email address when We collect your personal data or if you have provided us with your consent to do so.

If you do not want us to use your personal data in this way please either (i) tick the relevant box situated on the form or page on which We collect your personal data (for example, a registration form or a website page); (ii) unsubscribe from our electronic communications using the method indicated in the relevant communication; or (iii) inform Us at any time by contacting us at the contact details set out below.

6. COOKIES

ACMEL uses cookies to help provide the best website experience and make our website easy to use.

A cookie is a small text file that is downloaded onto your device (like a tablet or computer) when you access our website. It allows our website to recognise your device and store some information on your preferences and past actions.

Where you are a person who has not attained the required age to provide valid consent to the processing of your personal data (as determined by applicable law), any processing of your personal data will be subject to the consent of your appointed legal guardian.

This website uses cookies. We use cookies to personalise content and ads, to provide social media features and to analyse our traffic. We also share information about your use of our site with our social media, advertising and analytics partners who may combine it with other information that you've provided to them or that they've collected from your use of their services.

Cookies are small text files that can be used by websites to make a user's experience more efficient.

The law states that we can store cookies on your device if they are strictly necessary for the operation of this site. For all other types of cookies we need your permission.

This site uses different types of cookies. Some cookies are placed by third party services that appear on our pages. You can at any time change or withdraw your consent from the Cookie Declaration on our website.

Learn more about who we are, how you can contact us and how we process personal data in our Privacy Policy. Please state your consent ID and date when you contact us regarding your consent.

Your consent applies to the following domains: ariacm.com Cookie declaration last updated on 02/04/2024 by Cookiebot:

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Necessary (7)

Necessary cookies help make a website usable by enabling basic functions like page navigation and access to secure areas of the website. The website cannot function properly without these cookies

Name	Provider	Purpose	Expiry	Type
grecaptcha	Google	"This cookie is used to distinguish between humans and bots. This is beneficial for the website, in order to make valid reports on the use of their website."	Persistent	HTML Local Storage
GRECAPTCHA	Google	"This cookie is used to distinguish between humans and bots. This is beneficial for the website, in order to make valid reports on the use of their website."	180 days	HTTP Cookie
CookieConsent	ariacm.com	Stores the user's cookie consent state for the current domain	1 year	HTTP Cookie
re:a	Google	"This cookie is used to distinguish between humans and bots. This is beneficial for the website, in order to make valid reports on the use of their website."	Persistent	HTML Local Storage
rc:b	Google	This cookie is used to distinguish between humans and bots.	Session	HTML Local Storage
rc:c	Google	This cookie is used to distinguish between humans and bots.	Session	HTML Local Storage
rc:d-15#	Google	This cookie is used to distinguish between humans and bots.	Persistent	HTML Local Storage

Statistics (8)

Statistic cookies help website owners to understand how visitors interact with websites by collecting and reporting information anonymously.

Name	Provider	Purpose	Expiry	Type
clck	Microsoft	"Collects data on the user's navigation and behavior on the website. This is used to compile statistical reports and heatmaps for the website owner."	1 year	HTTP Cookie
clsk	Microsoft	"Registers statistical data on users' behaviour on the website. Used for internal analytics by the website operator."	1 day	HTTP Cookie
cltk	Microsoft	"Registers statistical data on users' behaviour on the website. Used for internal analytics by the website operator."	Session	HTML Local Storage
_ga	Google	"Registers a unique ID that is used to generate statistical data on how the visitor uses the website."	2 years	HTTP Cookie
ga#	Google	"Used by Google Analytics to collect data on the number of times a user has visited the website as well as dates for the first and most recent visit."	2 years	HTTP Cookie
c.gif	Microsoft	"Collects data on the user's navigation and behavior on the website. This is used to compile statistical reports and heatmaps for the website owner."	Session	Pixel Tracker
CLID	Microsoft	"Collects data on the user's navigation and behavior on the website. This is used to compile statistical reports and heatmaps for the website owner."	1 year	HTTP Cookie
td	Google	"Registers statistical data on users' behaviour on the website. Used for internal analytics by the website operator."	Session	Pixel Tracker

Marketing (9)

Marketing cookies are used to track visitors across websites. The intention is to display ads that are relevant and engaging for the individual user and thereby more valuable for publishers and third party advertisers.

Name	Provider	Purpose	Expiry	Type
ANONCHK	Microsoft	"Registers data on visitors from multiple visits and on multiple websites. This information is used to measure the efficiency of advertisement on websites."	1 day	HTTP Cookie
MR [x2]	Microsoft	"Used to track visitors on multiple websites, in order to present relevant advertisement based on the visitor's preferences."	7 days	HTTP Cookie
MUID [x2]	Microsoft	Pending	1 year	HTTP Cookie
rc:f	Google	This cookie is used to distinguish between humans and bots.	Persistent	HTML Local Storage
SM	Microsoft	"Registers a unique ID that identifies the user's device during return visits across websites that use the same ad network. The ID is used to allow targeted ads."	Session	HTTP Cookie
SRM_B	Microsoft	"Tracks the user's interaction with the website's search-bar-function This data can be used to present the user with relevant products or services."	1 year	HTTP Cookie

7. THIRD PARTY MARKETING

We will not sell, share or pass your personal data to a third party for marketing purposes unless you have expressly consented to Us doing so.

If you do not wish to be contacted about or receive marketing information from us send an e-mail to admin@navigate-pa.com or write to us at the address set out above. Alternatively, please follow the unsubscribe link located within the e-mail marketing correspondence.

8. DATA RETENTION

Personal data will be retained for as long as it is necessary for the purposes set out above and in accordance with our legal and regulatory obligations. Thereafter, personal data will be irretrievably destroyed or rendered anonymous.

9. WHERE WE STORE YOUR PERSONAL DATA

The data is stored on the servers located in the EU, United Kingdom and UAE. We do not intend to transfer your personal data to any other jurisdiction, however if we do, we will ensure that we have implemented the required transfer safeguards prior to the transfer. Should you wish to receive more information on, or a copy of, the safeguards implemented, please contact us at the contact details listed below.

10. DISCLOSURE OF INFORMATION

If you opened an account with us before 1st February 2024, our Custodian, SEI Investments (Europe) Limited and our custody agent, Fusion Wealth Limited may also be a Data Controller in relation to your personal data processed using the ARIA Investment Platform Service. For more information on how SEI Investments (Europe) Limited processes your personal data, you can review their policy here: [SEI GDPR Privacy Policy](#). For more information on how Fusion Wealth Limited processes your personal data, you can review their policy here: [Fusion Privacy Policy](#).

If you open an account with us after 1st February 2024, our Custodian, Interactive Brokers Ireland Limited may also be a Data Controller in relation to your personal data processed using ARIA Investment Platform Service. For more information on how Interactive Brokers Ireland Limited processes your personal data, you can review their policy here: <https://www.interactivebrokers.co.uk/en/accounts/legalDocuments/privacy.php>

Please note that by clicking on these links, you will be taken to the websites provided by third parties over which We have no control and which will be subject to separate terms and conditions.

We may also share your personal data with our group companies and competent authorities. Prior to sharing your personal data, we ensure that we have identified a lawful basis for the disclosure.

- We may disclose your personal data to external service providers for operational and compliance purposes, for example, if it is necessary to provide you with something which you have requested. These service providers include:

- Custodian and other financial services providers which we partner with in order to provide the services in line with our agreement with you. In addition to these, we may pass your personal data to our third party service providers, agents, subcontractors and associated organisations for the purposes of: (a) completing tasks and providing services to you on our behalf and (b) storing, protecting and securing your personal data.
- Other ARIA Group companies (for example, to satisfy our anti-money laundering requirements and account opening purposes).
- Our service providers who act only on our instructions (e.g. service and software providers, IT and hosted services, compliance monitoring services) including their sub-contractors.
- We may also disclose your personal data to third parties if we are under a duty to disclose or share your personal data in order to comply with any legal or other regulatory obligation, including the orders of the FCA, MFSA or any court of competent jurisdiction and/or to protect our rights, property, or safety or that of our affiliated entities and our users and any third party we interact with to provide our services.
- IT Service Providers.
- Google Analytics (a web analytics service provided by Google Inc, which uses the information to evaluate your use of the Site, compile reports on site activity and provide other site activity and internet related services); We may also transfer your data if we are under a duty to disclose or share your personal data in order to comply with any legal or regulatory obligation. If we start to

disclose data to any other party not in line with the above, this Privacy Policy shall be updated.

- o Third parties who provide services to you and/or us (e.g. independent financial advisers, platform providers and custodians) including their sub-contractors, your advisers or anyone you have confirmed has your permission to deal with your accounts.
- o Third parties who assist us with background checks for due diligence purposes and ongoing anti-money laundering and financial crime monitoring as required by law (e.g. Refinitiv).
- o Our professional advisors (e.g. suppliers, professional advisors, solicitors, auditors, insurers).
- o Data aggregators.
- o Parties to a complaint or internal investigation where required.
- o Website optimisation technologies (e.g. GetSiteControl, HotJar).
- o Statistics and research providers (e.g. Nisus).
- o Websites that help us to identify new prospective clients such as Meta Pixel by Facebook, Google Tag Manager and LinkedIn Insight Tag.
- o The representatives of a potential buyer, transferee, merger partner or seller if we wish to buy, sell, transfer or merge part or all of our business or assets.
- o Another client where we collected your information as part of providing services to that client (e.g. relatives, partners or spouses).
- o Owners of other linked accounts where you have authorised this.
- o Prospective clients you refer to us (we may tell them that you referred us).
- o Irish Revenue. Under the Common Reporting Standard (CRS), Irish financial institutions report details of non-Irish and non-US resident account holders to the Revenue Commissioners (i.e. the Irish Tax authorities). Information reported includes name, address, Tax Identification Number (TIN), date of birth, place of birth (if recorded by us), the

account number, account value at year end, and payments made with respect to the account during the calendar year). The Revenue Commissioners share this information with the tax authorities in the account holder's country of residence, including, where applicable, tax authorities outside the EU. You can obtain further information about the CRS and the exchange of information between tax authorities on the website of the Revenue Commissioners here: <https://www.revenue.ie/en/companies-and-charities/international-tax/aeoi/index.aspx>.

11. THIRD PARTY LINKS

On occasion we may include links to third party websites on our website. Once you have used these links to leave our site, we do not have any control over that other website. Therefore, we are not responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this privacy policy. You should review the privacy policy of these websites before providing any personal data to them.

12. WHAT ARE YOUR RIGHTS?

- Right to Transparent Information - you have the right to be informed in a clear manner on any personal data pertaining to you that may be processed by us. Such information is being provided to you in this Privacy Policy.
- Right of Access to Information – you have the right to request confirmation from us whether personal data relating to you is being processed and if so to access such personal data.
- Right to Rectification – you have the right to request from us the rectification, without delay, of any inaccurate personal data pertaining to you.
- Right to Be Forgotten – in certain circumstances, including where you have provided us with your personal data on the basis of your consent or where you think that the personal data we hold is no longer necessary, you have the right to request from us the erasure of all personal data pertaining to you without delay.
- Right to Restrict Processing – you have the right to request from us the restriction of processing where you are of the view that the data is inaccurate, the processing is unlawful, the data is no longer needed and/or the you have exercised your right to object.

Right to Data Portability – you have the right to receive from us personal data which you have provided to us and to transmit that data to another controller without hindrance from us. This right applies where the data is being processed with your consent, or for the performance of a contract, and when processing is carried out by automated means.

- Right to Object – you have the right to object at any time to the processing of personal data pertaining to you and your particular situation.
- Right to withdraw Consent – you have the right to withdraw your consent at any time where our processing of your personal data is based on your consent. In order to withdraw your consent, please contact us at the contact details below. Your withdrawal of consent will not affect the lawfulness of processing prior to the withdrawal.

The rights set out above are not absolute and can only be accepted by us where your exercise of these rights comply with applicable data protection laws.

13. CONTACTING US AND COMPLAINTS

If you have any questions about our Privacy Policy or any other aspect of this website or any services provided by ACM Europe Limited, Navigate Funds SICAV Plc or affiliated companies, please contact us at:

ACM Europe Limited, Nu Bis Centre, Mosta Road, Lija LJA 9012, Malta. Telephone: +356 2755 5069, E-mail: Naomi@fexservfunds.com

The General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority in member state where you work, normally live or where any alleged infringement of data protection laws occurred.

- The supervisory authority in Ireland is the Data Protection Commission who may be contacted at <https://www.dataprotection.ie/>.
- The supervisory authority in Malta is the Office of the Information and Data Protection Commissioner who may be contacted at <https://idpc.org.mt/en/Pages/Home.aspx>.
- The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or telephone: 0303 123 1113.

How to reach us

ACM EUROPE LIMITED is authorised and regulated by the Malta Financial Services Authority (www.mfsa.mt) and registered with the Central Bank of Ireland for conduct of business rules. Malta company number: C 26673. Registered office: NU BIS CENTRE, Triq il- Mosta, LIJA, LJA 9012, Malta

Tel: +356 2755 5069

Email: admin@navigate-pa.com

Website: www.navigate-pa.com