



**EOS INVESTMENT MANAGEMENT LTD &  
EOS IM GROUP**

## **Privacy Policy Statement**

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## Introduction

EOS Investment Management Group (“**EOS IM Group**” or “**we**”) is an independent international fund management group, specialising in alternative asset sectors.

This Privacy Policy (the “**Policy**”) is adopted, approved by and applicable to EOS Investment Management Ltd (“**EOS IM**”), and is applied to the wider EOS IM Group and the General Partners and funds (“**Funds**”) managed/portfolio managed by EOS IM. The entities within the scope of the EOS IM Group are set out in Schedule 1 of this Policy.

This Policy and any applicable agreement entered into by you and the EOS IM Group, sets out the basis on which EOS IM Group and the Funds, collect, use, and share your personal information. Each of these parties acts as a data controller in respect of your Personal Data for the purposes of the applicable national data protection legislation, including Data Protection Act (DPA) 2018, also known as UK GDPR and the European Union’s General Data Protection Regulation (jointly “**GDPR**”).

The collection and processing of data is for the purposes and requirements associated with the ability to conduct the operation of its business and the business activities of the Funds. All service providers appointed by EOS IM Group and the Funds to process Personal Data (“**Data Processors**”) will process Personal Data provided in accordance with EOS IM Group’s instructions and EOS IM Group entities will act as the Data Controller of any such Personal Data.

This Privacy Notice applies to you if:

- (i) you are an investor or potential investor in any of the Funds, where EOS IM or EOS IM Group entities have been appointed in a fund management or related capacity;
- (ii) you are a client or potential client;
- (iii) you have requested to receive any marketing material; and/or
- (iv) you have given your Personal Data for any other purpose.

We are committed to protecting your personal and confidential information and respecting your privacy. Where we hold personal information, it will use this fairly and lawfully. The information is collected in order to facilitate the provision of services to clients and the benefit of underlying investors, through these services.

By using the Website and any services we offer, you are agreeing to be bound by this Policy in respect of the information collected about you via this Website. Where required under the applicable national data protection legislation, EOS IM Group will also obtain your consent.

Please read and consider this Policy carefully.

## What Is Personal Information?

"Personal information" is any information that can be used to identify you or that we can link to you and which we have in our possession or control – i.e., data we collect from you, the way in which it is collected and the purposes for which it is collected and used.

Depending upon the nature of the interaction, the information you provide us with will vary and may include: name, date of birth, nationality, photograph, your gender, government issued identifiers (e.g., passport numbers), home address and home telephone number, mobile telephone number, employer, occupation, job titles, education and qualification details, your CV, and references. There may be additional items required and included in the formal processes for activities such as subscription, applications, and assessment documents.

## Whose Personal Information Is Collected?

We will process personal information that you give to us, including when you email us or contact us through various other channels. We may collect and use information about the following types of individuals, in their capacity as and representing:

- Clients, joint venture partners and other corporate relationships;
- Individuals owning and/or managing prospective and existing portfolio companies, where the fund managed by EOS IM has an interest. For example, through the investment acquisition process conducted by EOS IM in relation to ownership of equity in portfolio companies;
- Investors in funds and beneficiaries (current, prospective, and former). Where the investor is a legal entity, this will usually include any of their directors, officers, employees, partners, shareholders and/or agents;
- Suppliers and service providers;
- Professional advisers and consultants;
- Employees, contractors, and other individuals working with/for EOS IM and/or EOS IM Group entities (current, prospective, and former);
- Recruitment applicants, applying for a role;
- Individuals who contact EOS IM and or EOS IM Group entities by email, phone or otherwise, such as business contacts.

## Where We Receive Personal Information From

The sources of personal information collected will broadly fall into the following types:

- Directly provided by you;
- Related to and arising from services provided to you and/or other interaction with EOS IM Group;
- Received from the owners and/or senior managers of companies that the Funds are considering investing in, have invested in or are selling;
- Received from your representatives or advisers;

- Received from third parties, including administrators of products managed and advised by EOS IM Group; or
- Collected using cookies and other technologies when visiting the Website. Please refer to the “Cookies” section of this Policy for further information.

The Website uses cookies to distinguish you from other Website users and help ensure that the Website is operating smoothly.

If you make a recruitment application to us, to assess your skills and suitability for the work we will require personal information. We may collect personal information relating to past employment, qualifications and education, opinions from third parties about you, past employment history and other details about you, which may be provided to us by a third party that provides background screening services to us. We may also as part of the process collect, store, and use the following “special categories” of more sensitive personal information relating to race, ethnicity, religious beliefs, sexual orientation and political opinions, health, criminal convictions and offences.

If we collect or receive your personal information in the context of our provision of EOS IM Group’s services, we might receive information from third parties such as your firm, other parties relevant to the services we are providing (e.g., a colleague might request sign-up for you for an EOS IM Group educational event) and others such as regulators and authorities. That information could include your name, contact details, employment details and other information relevant to the services that we provide.

## **Purposes for Collecting Personal Information**

EOS IM Group may use the information held about you to:

- Provide services to the Funds managed by EOS IM Group;
- Support and participate in and the control of the investment process, including where permitted the processing of subscription applications and assessment of potential investments;
- Assess your suitability for products or services;
- Engage in activity in relation to our investment management services. This may include sending you products, services, research or events and other information related to the fund management service that may be of interest to you. Information provided and made available to investors, potential investors and clients may include personal data (such as information concerning EOS IM Group individuals);
- Fulfil any contract between you and EOS IM Group;
- Where you have applied for a position with us, review, assess and process your job application in terms of the role requirements;
- Comply with legal or regulatory obligations that we must discharge;
- Establish, exercise, or defend our legal rights, or for the purposes of legal proceedings;
- Log your use of our website or our other online services for our own legitimate business purposes, which may include the analysis of usage, measurement of site performance, generation of reports. This includes ensuring that the Website is effectively presented for you and for your computer or device;



- Look into any complaints or queries;
- Prevent and respond to actual or potential fraud or illegal activities, and
- Collate, process, and share any statistics based on an aggregation of information held by us, provided that any individual is not identified from the resulting analysis and the collation, processing and dissemination of such information is permitted by law.

We may also combine any information that you provide with the information received from other sources. This combined information may be used for the purposes set out above.

## **Personal Information usage by categories of Data Subjects**

This section sets out by categories of Data Subject, what data is collected, what it is used for and the basis of this usage. The explanations are based upon and take into account how EOS IM and the EOS IM Group entities operate and manage the personal data in order to conduct its business as a fund management group.

### Personal information of business contacts

In relation to business contact made with the EOS IM Group, for example through emailing us or meeting us, we may store limited amounts of personal information relating to you, such as your name, job title, employer organisation, contact details and any meeting notes. We will collect and store this personal information for the purposes of:

- maintaining a record of contacts;
- providing periodic business updates as described below;
- arranging and executing contracts with work requirements; and
- inviting you to presentations and events and organising meetings between you and EOS IM Group's representatives.

The personal information we hold about business contacts may be shared with:

- companies who process and store information on EOS IM Group's behalf, such as providers of cloud hosting solutions and third-party outsourced services providers;
- professional advisors, such as accountants, lawyers or other consultants; and
- companies in the EOS IM Group.

In accordance with the Data Protection Laws, the legal basis for collecting and storing personal information about you is that such processing is necessary for our legitimate interests in running and promoting our business. For further information on legal basis, see below.

### Personal information of suppliers and professional advisors

In relation to a supplier, service provider or a professional advisor, we will store limited amounts of personal information relating to you, including your name, job title, qualifications, employer organisation, contact details and any meeting notes. If you have provided presentations, this may include photos, embedded within the documents. We will store this personal information for the purposes of

- administering and maintaining records of potential and services received;
- arranging and executing contracts with work requirements;

- advice we have received; and
- in relation to commissioning further services.

The personal information we hold about suppliers, service providers and professional advisors may be shared with:

- companies who process and store information on EOS IM Group's behalf, such as providers of cloud hosting solutions and third-party outsourced services providers;
- professional advisors, such as accountants, lawyers or other consultants; and
- companies in the EOS IM Group.

In accordance with the Data Protection Laws, our legal basis for storing personal information that you provide to us is that such storage is necessary for our legitimate interests in running and promoting our business. For further information on legal basis, see below.

#### Personal information of actual or potential management teams

For companies/management teams that are potentially, currently or previously involved in a transaction or service, that involve the EOS IM Group and/or the funds concerning the management, advice or other services, we may store personal information relating to the individuals. This might include CV, details of previous employment history and professional activities, information relating to financial status and dealings, nationality information (including copies of identity documents, such as a passport), references provided by third parties, and results of other due diligence carried out.

We collect and store this information for the purposes of:

- assessing potential transactions;
- maintaining records of investments;
- administering any transaction that we enter into;
- assessing suitability for involvement in a transaction, including by verifying identities;
- complying with our regulatory and legal obligations, including assessing and managing risk;
- arranging and executing contracts with work requirements;
- safeguarding our legal rights and interests;
- seeking and receiving advice from our professional advisors, including accountants, lawyers and other consultants; and
- providing periodic business updates, as described below.

The personal information we hold about actual or potential management teams may be shared with:

- companies who process and store information on EOS IM Group's behalf, such as providers of cloud hosting solutions and third-party outsourced services providers;
- professional advisors, such as accountants, lawyers or other consultants; and
- credit reference and identity checking agencies;
- financial intermediaries;
- other persons who have an interest or involvement in, or who are considering an interest or involvement in, a transaction, including co-investors, other providers of finance and investors in funds managed by EOS IM Group various capacities; and
- companies in the EOS IM group.

In accordance with the Data Protection Laws, our legal basis for collecting and storing personal information about you is that such processing is necessary for our legitimate interests in running our business, in particular by:

- considering potential investments: and
- administering transactions that we enter into.

If we enter into a transaction that you are involved in, it will also be necessary for us to process your personal information for the purpose of performing that contract and to comply with our regulatory and legal obligations. For further information on legal basis, see below.

#### Personal information in relation to shareholders in Funds

The EOS IM Group will hold personal details of Fund shareholders, who are direct shareholders, or details retailed to investors behind nominee accounts in which some shareholders hold their shares. The personal information concerning individuals related to entities which are shareholders directly with individuals. This information being primarily held and maintained by the relevant Fund's Central Administrator. This shareholder information is collected and maintained on our behalf for the purposes of:

- supporting the processing new shareholding subscriptions;
- complying with our regulatory and legal obligations;
- communicating with shareholders (including the e-mailing, in physical or electronic format, of Annual Reports, AGM or EGM notices or communications in relation to other corporate actions); and
- facilitating the payment of distributions or dividends.

The personal information we hold about shareholders may be shared with:

- companies who process and store information on EOS IM Group's behalf, such as providers of cloud hosting solutions and third-party outsourced services providers;
- companies who process personal information on Funds' behalf, such as our shareholder registrar;
- identity checking agencies;
- professional advisors, such as accountants, lawyers or other consultants; and
- companies in the EOS IM group.

In accordance with the Data Protection Laws, our legal basis for collecting and storing personal information about you is that such processing is necessary for our legitimate interests in running and operating our business, the operation of the Funds and ensuring effective communications with shareholders. For further information on legal basis, see below.

#### Personal information of EOS IM Group personnel, applicants and contractors

For EOS IM Group personnel and contractors working for the Group, we will store personal information relating to the individuals. This might include CV, details of previous employment history and professional activities, information relating to financial status and dealings, nationality information (including copies of identity documents, such as a passport), references provided by third parties, and results of other due diligence carried out.

We collect and store this information for the purposes of:

- assessing potential personnel and contractors;



- on-going assessment of staff;
- maintaining records of personnel and contractors;
- administering any employment or appointment;
- complying with our human resources regulatory, legal and health & safety requirements;
- safeguarding legal rights and interests;
- seeking and receiving advice from our professional advisors, including lawyers and other consultants; and
- communicating with personnel and contractors and required other parties such as emergency contacts.

The personal information we hold about actual or potential management teams may be shared with:

- companies who process and store information on EOS IM Group's behalf, such as payroll and accounting services providers, providers of cloud hosting solutions and third-party outsourced services providers;
- professional advisors, such as lawyers or other consultants; and
- credit reference and identity checking agencies; and
- companies in the EOS IM group.

In accordance with the Data Protection Laws, our legal basis for collecting and storing personal information about you is that such processing is necessary for our legitimate interests in running our business, in particular by:

- administration and management requirements concerning personnel and contractors; and
- administering applicants for personnel and contracting roles within the EOS IM Group.

If we enter into a apply for or enter into a Personnel / contracting role, it will also be necessary for us to process your personal information for the purpose of performing that contract and to comply with our regulatory and legal obligations. For further information on legal basis, see below.

## Grounds for using your personal information

We rely on the following legal grounds to process your personal information, namely:

- **Performance of a contract** (article 6(1)(b)) - we may need to collect and use your personal information to enter into a contract with you, to perform our obligations under a contract with you and/or the Funds managed by EOS IM Group.
- **Legitimate interests** (article 6(1)(f)) - we may use your personal information for our legitimate interests, some examples of which are given in this Privacy Policy.
- **Compliance with law or regulation** (article 6(1)(c)) – we may use your personal information as necessary to comply with applicable laws/regulations.
- **Consent** (article 6(1)(a)) - we may (but usually do not) need your consent to use your personal information. You can withdraw your consent by contacting us (see below).

If this relates to interactions regarding our regulatory and other legal requirements such as processing for anti-money laundering processing the lawful basis is article 6(1)(c) of the GDPR and UK GDPR. If the interactions relate to establishing, administering servicing, obtaining processing and supporting business and employment relationships the legal basis is article 6(1)(b) of the UK GDPR for any legal obligation or article 6(1)(f) because the processing is within our legitimate interests as a business.

From time to time we may send you information about our services which we think may be of interest to you under article 6(1)(a), based upon our relationship with you and the activities we conduct under article 6(1)(f). You can tell us to stop this at any time by sending an email to [privacy@eosimgroup.com](mailto:privacy@eosimgroup.com) with “UNSUBSCRIBE” as the subject line.

## Disclosure of your information

EOS IM Group may share your personal information within its European network offices for the purposes set out above, except as described in local national requirements and privacy laws.

A data transfer agreement will be applied, incorporating the Standard Contractual Clauses (“SCCs”) approved by the European Commission, to govern the transfer of personal data where (i) the data recipient as processor is based outside the European Economic Area (“EEA”) or the United Kingdom, in a jurisdiction which has not obtained a finding of adequate level of protection by the European Commission.

EOS IM Group may also share your personal information with selected third parties relevant to the services that we provide. This may include, but is not limited to, counterparties to litigation, professional service providers, regulators, authorities, and governmental institutions. The third parties may also include your current, prospective and former employers, in the event of reference checking and screening requirements for recruitment processes.

EOS IM Group may also share your personal information with third parties including in the following circumstances:

- If a Fund sells or buys any business or assets of portfolio companies fully or partly owned by Funds and managed by EOS IM Group, it may be necessary to share your personal information with the prospective seller or buyer;
- If EOS IM or other EOS IM Group entities are acquired by a third party, the personal information held by the applicable EOS IM Group entity will be one of the transferred assets;
- Service providers including lawyers, auditors, accountants, tax advisers, administrators, custodians, depositaries, distribution managers, AML service providers, tax information exchange service providers, event organisers or other agent, adviser, or service provider; or
- If there is a duty to share your personal information in order to fulfil any legal and/or regulatory obligation that applies to an entity in the EOS IM Group.

## Control Over of Your Information

Access to your personal information by EOS IM Group’s staff and third parties is restricted and processed on a need-to-know basis, in accordance with EOS IM Group’s policies and procedures.

A key element of the data protection framework is the implementation of a model whereby the objective is to protect information by both design and default, safeguarding individuals' information and rights.

In essence, this means we integrate or 'bake in' data protection into the processing activities and business practices, from the design stage right through the lifecycle. This is a legal requirement.

Thus, data protection by design is about considering data protection and privacy issues upfront in everything we do. It helps EOS IM and the wider EOS IM Group ensure that they comply with the GDPR and UK GDPR's fundamental principles and requirements, and forms part of the focus on accountability.

### **Where EOS IM Retains Your Personal Information**

The information that EOS IM Group collects from you may be transferred to, and stored at, a destination outside the EEA. It may also be processed by EOS IM Group or EOS IM Group's suppliers operating outside of the EEA for the purposes set out above.

If EOS IM Group sells or buys any business or assets, it may be necessary to share your personal information with the prospective seller or buyer located outside of the EEA.

By submitting your personal information to EOS IM Group, you agree to this transfer, storing or processing. EOS IM Group will take all steps reasonably necessary to ensure that your personal information is treated securely and in accordance with the Policy.

### **Data Retention**

How long we hold your personal information will vary. The retention period will be determined by various criteria, including the purposes for which we are using it (as it will need to be kept for as long as is necessary for any of those purposes) and legal obligations (as laws or regulations may set a minimum period for which we have to keep your personal data).

For example, we may keep some of your personal information for the purposes outlined above and for as long as we maintain an ongoing relationship with you to manage our business relationship or you are lawfully on our database.

After our business relationship is terminated, we may keep your personal data for up to 10 years after that date in order to maintain records in accordance with applicable laws and regulations which apply to the EOS IM Group and to respond to any regulatory requests or questions.

To the extent we are not permitted to delete your Personal Data for legal, regulatory, internal compliance and audit, or technical reasons we may keep your data for longer than 10 years. In addition, personal information data held in, for example automated back systems will not be available for destruction.

In such circumstances, we will ensure your Personal Data and privacy is protected.

## Your Choices and Rights

You have a number of legal rights in relation to the personal information that we hold about you and you can exercise your rights by contacting us using the details set out below.

These rights include:

- Obtaining information regarding the processing of your personal information and access to the personal information which we hold about you, in accordance with GDPR requirements and limitations.
- Please note that there may be circumstances in which we are entitled to refuse requests for access to copies of personal information. In particular, information that is subject to legal professional privilege.
- Requesting that we correct your personal information if it is inaccurate or incomplete.
- Requesting that we erase your personal information in certain circumstances. Please note that there may be circumstances where you ask us to erase your personal information, but we are legally required and/or entitled to retain it.
- Objecting to, and requesting that we restrict, our processing of your personal information in certain circumstances. Again, there may be circumstances where you object to, or ask us to restrict, our processing of your personal information but we are legally required and/or entitled to refuse that request.
- Withdrawing your consent, although in certain circumstances it may be lawful for us to continue processing without your consent if we have another legitimate reason (other than consent) for doing so.
- Lodging a complaint with the relevant data protection authority, if you think that any of your rights have been infringed by us. We can, on request, tell you which data protection authority is relevant to the processing of your personal information.

## Changes to This Policy

Any changes EOS IM Group may make to this Policy will be posted on the Website. Please check back frequently to see any updates or changes to this Policy.

## Cookies

To learn more about our use of cookies in relation to personal data on our Website, this is set out in the cookies summary located on Cookie section on our Website. Users of the Website have the option to easily refuse all cookies, via the cookies section.



## Contact

### General Queries:

General queries should be sent by email to [privacy@eosimgroup.com](mailto:privacy@eosimgroup.com)

The queries will be handled and allocated to the appropriate corporate entity. The Postal addresses of the corporate entities within EOS IM Group are included under Schedule 1.

### Recruitment & HR

If you want to enquire about or submit an application related to an employment or contractual position within EOS IM or the European Network, please contact the relevant office. CV's and personal data should only be sent following this contact and agreement is reached for the relevant office to receive the information.

## Complaints

If you require to make a complaint about our use of personal data, please send an email with the details of your complaint to [privacy@eosimgroup.com](mailto:privacy@eosimgroup.com). We will look into and respond to any complaints we receive.

You also have the right to lodge a complaint with the supervisory authority in your country of residence, place of work or the country in which an alleged infringement of data protection law has occurred within the EU.

### UK:

The Information Commissioner's Office ("ICO") is the UK data protection regulator/supervisory authority.

### Italy:

The Italian Data Protection Authority ("*Garante per la protezione dei dati personali*") is the Italian data protection regulator/supervisory authority.

### Luxembourg:

The National Commission for Data Protection ("*Commission Nationale pour la Protection des Données*" – CNPD) is the Luxembourg data protection regulator/supervisory authority.

## SCHEDULE 1

### Corporate entities within the EOS Investment Management Group

**EOS Investment Management Ltd**

84 Brook Street London W1K 5EH

**Fysis Specialized Asset Management S.à r.l.**

12C rue Guillaume J. Kroll | L-1882 | Luxembourg

**EOS ReNewable Infrastructure GP SARL**

12C rue Guillaume J. Kroll | L-1882 | Luxembourg

**EOS Next Evolution GP SARL**

12C rue Guillaume J. Kroll | L-1882 | Luxembourg

**EOS Next Infra GP SARL**

12C rue Guillaume J. Kroll | L-1882 | Luxembourg

**EOS Energy Partners Ltd**

84 Brook Street London W1K 5EH

**EOS Private Equity Partners Ltd**

84 Brook Street London W1K 5EH

**EOS Capital Partners S.r.l.**

Via Giacomo Puccini 3 | 20121 | Milan

**EOS Private Equity Partners S.r.l.**

Via Giacomo Puccini 3 | 20121 | Milan

**Manage Your Energy S.r.l.**

Via Giacomo Puccini 3 | 20121 | Milan

### Funds<sup>1</sup> connected to the EOS Investment Management Group

**Fysis Fund SICAV-SIF S.C.A.**

12C rue Guillaume J. Kroll | L-1882 | Luxembourg

**EOS Energy Fund II S.C.A SICAV-RAIF**

46A, Avenue J. F. Kennedy | L-1855 | Luxembourg

**EOS Next Transition Fund II S.C.A SICAV-RAIF**

46A, Avenue J. F. Kennedy | L-1855 | Luxembourg

**EOS Next Infrastructure Fund III S.C.A SICAV-RAIF**

46A, Avenue J. F. Kennedy | L-1855 | Luxembourg

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<sup>1</sup> Include subsidiaries of the above listed funds (but excluding private equity operating companies).