

EMKAP LTD

PRIVACY POLICY



Introduction:

We are committed to protecting the information we hold about you. Storing your data securely and confidentially is a priority for us to deliver high standards of Services. The purpose of this privacy policy is for our clients to be aware on how we collect and process their personal data in accordance with the General Data Protection Regulation (“GDPR”) – (EU) 2016/679 which came into effect on 25th of May 2018. We strictly abide by the Regulation, which lays down rules relating to the protection of natural persons with regard to the processing of personal data and rules relating to the free movement of personal data.

The GDPR gives individuals in the EU more control over their data and how they are used and places certain obligations on businesses that process the information of those individuals.

Who we are: EMKAP Ltd is a Cyprus -based, CySEC licensed investment firm (#77/06) (hereinafter the “Company”).

The Company has a predominantly fixed income focus, specifically within the emerging market Eurobond sphere.

How do we collect Personal Data?

We collect and process different types of personal data which we received from data subjects or via their representatives, via our alternative channels of communication such as our website online form or via email., in the context of our business relationship.

We may also collect and process personal data which we lawfully obtain not only from our clients but also from other 3rd parties such as other service providers that may introduce you to us.

We may also collect and process personal data from publicly available sources (e.g. the Department of Registrar of companies, the bankruptcy archive, commercial registers, the press, media and the internet) which we lawfully obtain and we are permitted to process.

What categories of personal data do we collect?

We collect and use several types of information from individuals we co-operate with, including information by which you may be personally identified and that is

defined as personal data under the provisions of the AML Law - 188(i)2007-2021 - The Prevention and Suppression of Money Laundering and Terrorist Financing Law as amended, and the CySEC AML Directive, such as your first and last name, ID card, Passport, Utility Bill, list of authorised traders & signatories, list of Directors & shareholders, email, phone number.

If you are a prospective client, or a counterparty in a transaction of a client (e.g. over-the-counter transactions) or an authorized representative/agent or beneficial owner of a legal entity or of a natural person which/who is a prospective customer, the relevant personal data which we collect may include:

Name, address, contact details (telephone, email), identification data, birth date, place of birth (city and country), if you hold/held a prominent public function (for PEPs), FATCA / CRS info, authentication data [e.g. signature]

What lawful reasons do we have for collecting, processing and disclosing personal data?

To proceed with a business relationship our clients must provide their necessary personal data for the required commencement, execution, a continuation of the business relationship and the performance of our contractual obligations. We are furthermore obligated to collect such personal data given the provisions of the money laundering law which require that we verify your identity before we enter into a contract or a business relationship with you or another person. Depending on the circumstances, you might have to provide us with your identity card/passport, your full name, place of birth (city and country), and your residential address so that we may comply with our statutory obligation as mentioned above.

Failure to provide us with personal data prevents us from continuing a business relationship with the clients.

In accordance with GDPR we rely on the following lawful reasons when we collect and process personal data to operate our business.

- **Compliance with Legal obligation:** We may process your personal to meet legal and regulatory obligations such as Anti-Money Laundering Law, Tax Law and the regulations of various supervisory authorities that we are subject to for anti-money laundering purposes and due to diligence purposes.

- **For the performance of a contract:** We process personal data in order to offer financial services based on contracts with our clients or others but also to be able to complete our acceptance procedure so as to enter into a contract with prospective customers or others. The purpose of processing personal data depends on the requirements for each product or service and the contract terms and conditions provide more details of the relevant purposes.
- **Consent:** We rely on your freely given consent at the time you provided your personal data to us to establish co-operation with us. You have the right to withdraw consent at any time. However, any processing of personal data will not be affected prior the receipt of the withdrawal.
- **Legitimate Interests:** We rely on the legitimate interests based on the evaluation that the processing of your personal data is private, reasonable and sensible. A legitimate interest translates to when there is a business reason to use our client's information.

Why are your Personal Data needed?

EMKAP Ltd processes your personal information to meet our legal, statutory and contractual obligations and to provide you with our services. We will never collect any unnecessary personal data from you and do not process your information in any way, other than already specified in this notice.

The Company will use, store, process and handle Your Personal Data in accordance with the General Data Protection Regulation ("GDPR"), the Law for the Protection of Natural Persons with regard to the Processing of Personal Data and for the Free Movement of such Data (Law 125(I)/2018).

The processing of your personal data is necessary for the performance of a contract to which you are a party, as well as for compliance of the Company with its legal obligation to which it is subject. The personal data is processed lawfully, fairly, and in a transparent manner. The collected data is adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed and more specifically for the purposes of establishing a Business Relationship with the Company, opening an account, and verification of the clients` identity and the



relevant source of funds. All data is kept in a form which permits identification of the clients for no longer than is necessary for the purposes, for which the personal data is processed. Your personal data may be stored for longer periods insofar, when/if requested by a Competent Authority.

Furthermore, the Company ensures, that your personal data is processed in a manner, which ensures appropriate security, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').

Your personal data (not publicly available information and/or already possessed by the Company without abiding with the provisions of the general data protection regulation), will be collected and processed explicitly and specifically only for the purposes that have been collected for ('purpose limitation') while the Company must require only the information necessary in relation to the purposes for which they have been collected.

Do we change this privacy policy?

We may change our privacy policy from time to time, so as to reflect to our current privacy practices and applicable laws. Anytime there is a change to our privacy policy, we will revise the updated date at the top of this page. We suggest you periodically review this privacy policy that can be found into our website www.emkap.com to be informed on how EMKAP Ltd is protecting your personal data.

What are your data protection rights?

GDPR law gives you certain rights regarding the Personal Data we collect, process or disclose and that is related to you, including the:

i. Right to access your personal data (Article 15 GDPR)

You have the right to request access to the personal data we hold about you. This includes:

- Confirmation of whether your personal data is being processed
- Access to your personal data
- Information regarding the purposes of processing, categories of data, recipients, and retention periods.

ii. Right to correct personal data concerning you (Article 16 GDPR)

If your personal data is inaccurate or incomplete, you may request that it be corrected.

iii. Right to Data Portability (Article 20 GDPR)

Right to receive the Personal Data provided by you in a structured, commonly used and machine-readable format and to transmit those Personal Data to another data controller

iv. Right to object (Article 21 GDPR)

Right to object to the use of your personal data where such use is based on our legitimate interests or on public interests.

v. Right to Erasure (Right to Be Forgotten) (Article 17 GDPR)

You can request the deletion of your personal data if:

- It is no longer necessary for the purpose it was collected or processed.
- You withdraw consent, and there is no other legal basis for processing.
- You object to processing, and there is no overriding legitimate interest
- The data was unlawfully processed or must be erased to comply with legal obligations.

vi. Right in some cases to restrict the processing of your personal data (Article 18 GDPR)

You can request restricted processing in these situations:

- You contest the accuracy of your data.
- Processing is unlawful, but you oppose erasure
- We no longer need your data, but you require it for legal claims.
- You have objected to processing, pending verification of legitimate interests

vii. Right to withdraw the consent given to us regarding the processing of your personal data at any time.



If we process your data based on consent, you can withdraw this consent at any time by contacting us.

We might request for specific information from you to confirm your identity and ensure your right to access the information or to exercise any of your rights. This is to ensure that your personal data is not disclosed to any non-related person.

How Long We Keep Your Data

In its aim to comply with the provisions of the AML Law - 188(I)2007-2021 - The Prevention and Suppression of Money Laundering and Terrorist Financing Law as amended, and the CySEC AML Directive, the Company is obliged to request, collect and maintain for at least five (5) years after the termination of the business relationship, all records associated with Your account.

Consequences of Not Providing Your Data

You are not obligated to provide your personal information to EMKAP Ltd, however, as this information is required for us to provide you with our service, we will not be able to offer our services without it.

We might request for specific information from you to confirm your identity and ensure your right to access the information or to exercise any of your rights. This is to ensure that your personal data is not disclosed to any non-related person.

Changes to our policy

We may change our privacy policy from time to time, so as to reflect on our current privacy practices and applicable laws. Anytime there is a change to our privacy policy, we will revise the updated date on the top of this page. We suggest you periodically review this privacy policy that can be found on our website www.emkap.com to keep informed on how we protect your personal data.

Lodging a Complaint

EMKAP Ltd only processes your personal information in compliance with this privacy notice and in accordance with the relevant data protection laws. If, however you wish to raise a complaint regarding the processing of your personal data or are unsatisfied with how we have handled your information, you have the right to lodge a complaint with the supervisory authority.

Commissioner for Personal Data Protection



1 Iasonos str., 1082 Nicosia

P.O.Box 23378, 1682 Nicosia

Tel: +357 22818456

Fax: +357 22304565

Email: commissioner@dataprotection.gov.cy

For more information about the GDPR, you can visit the Information Commissioner's Office website at <http://www.dataprotection.gov.cy/>

The Information Commissioner's Office is an independent organisation that upholds information rights in the public interest.