

JK Funds PLC DATA PRIVACY NOTICE

This notice sets out how the Company will process personal information as a Data Controller.

Where your details are provided to the Company as a consequence of your investment in the Company, then the Company, acting as a data controller may itself (or through a third party such as Apex Fund Services (Ireland) Limited (the "**Administrator**") acting in its capacity as the Company's administrator) process your personal information or that of your directors, officers, employees and/or beneficial owners.

In accordance with the General Data Protection Regulation (697/2016/EU) (the "**GDPR**") and applicable Irish data protection legislation (currently the Irish Data Protection Acts 1988 to 2003) (collectively, "**Data Protection Legislation**"), the Company being the data controller for the purposes of your investment in the Company, must provide you with information on how the personal data that you provide to the Company will be processed. In connection with this, please note the following:

1. Contact details

The Company, as data controller, has appointed the Administrator as a data processor. If you have any questions about our use of your personal information, the Company can be contacted via the Administrator at the following address:

JK Funds plc in respect of JK Global Opportunities Fund (the "Sub-fund")

Administrator

Apex Fund Services (Ireland) Limited
Office 5, Building A1
Fota Business Park, Carrigtwohill
Co.Cork, Ireland

Tel: +353 21 4633366

2. Purposes of processing and legal basis for processing

The personal data collected from you or provided by you or on your behalf in connection with your investment in the Company may be processed by the Company or the Administrator (or any of their affiliates, agents, employees, delegates or sub-contractors) for the following purposes:

Performance of the contract

- (a) to facilitate the management and administration of your holdings in the Company and any related account on an on-going basis (the "**Services**") which are necessary for the performance of your contract with the Company, including without limitation the processing of redemption, conversion, transfer and additional subscription requests and the payment of distributions;
- (b) to update and maintain records and fee calculation;
- (c) circulating periodic reports relating to the Company.

Compliance with a legal obligation

- (d) in order to carry out anti-money laundering checks and related actions which the Company considers appropriate to meet any legal obligations imposed on the Company relating to the prevention of fraud, money laundering, terrorist financing, bribery, corruption, tax evasion and to prevent the provision of financial and other services to persons who may be subject to economic or trade sanctions, on an on-going basis, in accordance with the Company's and the Administrator's anti-money laundering procedures;
- (e) to report tax related information to tax authorities in order to comply with a legal obligation.

Pursuing the legitimate interests of the Company including:

- (f) in relation to the prevention of fraud, money laundering, terrorist financing, bribery, corruption, tax evasion and to prevent the provision of financial and other services to persons who may be subject to economic or trade sanctions, on an on-going basis, in accordance with the Company's and the Administrator's anti-money laundering procedures;
- (g) carrying out statistical analysis and market research;
- (h) recording, maintaining, storing and using recordings of telephone calls that you make to and receive from the Company, the Administrator, or the Investment Manager and their delegates or duly appointed agents and any of their respective related, associated or affiliated companies for (i) processing and verification of instructions, (ii) investigation and fraud prevention purposes, (iii) for crime detection, prevention, investigation and prosecution, (iv) to enforce or defend the Company and its affiliates' rights itself or in order to comply with any legal obligation imposed on the Company, (v) to pursue the Company's legitimate interests in relation to such matters or (vi) where the processing is in the public interest;
- (i) to monitor and record calls for quality, business analysis, training and related purposes in order to pursue the legitimate interests of the Company to improve its service delivery;
- (j) to disclose information to other third parties such as service providers of the Company, auditors, regulatory authorities and technology providers;
- (k) to retain AML and other records of individuals to assist with the subsequent screening of them by the Administrator including in relation to other funds or clients of the Administrator in pursuance of the Administrator's and its clients' legitimate interests;
- (l) for direct marketing purposes (that is, us providing you with information on products and services) i.e. where this is necessary for the purposes of the legitimate interests of us or a third party and such legitimate interests are not overridden by your interests, fundamental rights or freedoms and provided that we are acting in a fair, transparent and accountable manner and have taken appropriate steps to prevent such activity having any unwarranted impact on you.

Please note that where personal data is processed for purposes of legitimate interests, you have a right to object to such processing and the Company will no longer process the personal data unless the Company can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

3. Direct Marketing

From time to time, one or more of the Company and/or its delegates (which may include, without limitation, the Administrator, the Investment Manager and the depositary of the Company, SMT Trustees (Ireland) Limited (the "**Depositary**") may send you information about other products and services that they offer by letter, by telephone, by email or by other reasonable means of communication. You have a right not to receive such information. You can update your marketing preferences by contacting the Company c/o the Administrator at the address above. You also have a right object to the processing of your personal data for direct marketing purposes.

4. Profiling and Screening

The Company and its appointed data processors engage in OFAC and politically exposed person screening for the purposes of complying with anti-money laundering and counter terrorist financing legislation and with the UN, EU and other applicable sanctions regimes.

5. Disclosures to Data Processors and / or Third Parties

The Company may disclose your personal information as follows:

- (a) to third parties identified in the Prospectus and to entities that are companies within the same group of companies as such third parties in order to process the data for the above mentioned purposes.

These third parties will handle your information in accordance with applicable Data Protection Legislation;

- (b) to other third parties such as the auditors to the Company or agents of the Administrator who process the information for anti-money laundering purposes or for compliance with foreign regulatory requirements; and
- (c) to competent authorities (including tax authorities), courts and bodies as required by law or requested or to affiliates for internal investigations and reporting.

6. Transfers Abroad

The disclosure of personal information to the third parties set out above may involve the transfer of data to jurisdictions outside the European Economic Area ("**EEA**") in accordance with the requirements of the GDPR. Such countries may not have the same data protection laws as your jurisdiction. The Company has authorised the Administrator as its agent to put in place Standard Contractual Clauses with relevant parties to whom personal data will be transferred.

7. Retention period

The Company and the Administrator will retain your personal information for as long as required for the Company or the Administrator to perform the Services or perform investigations in relation to same depending on whether additional legal/regulatory obligations mandate that the Company retains your personal information.

8. Your data protection rights

Please note that you have the following rights under the GDPR in relation to your personal information. In each case, the exercise of these rights is subject to the provisions of the GDPR:

- (a) You have a right of access to and the right to amend and rectify your personal data.
- (b) You have the right to have any incomplete personal data completed.
- (c) You have a right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you consider that the processing of personal data relating to you carried out by the Company infringes the GDPR.
- (d) You have a right to request that your personal information is erased (in certain specific circumstances).
- (e) You have a right to restrict processing (in certain specific circumstances).
- (f) You have a right to data portability (in certain specific circumstances).
- (g) You also have the right to object to processing where personal data is being processed for marketing purposes and also where the Company is processing personal data for legitimate interests.

9. Failure to provide personal data

The provision by you of personal data, as outlined in the section above titled "Purposes of processing and legal basis for processing" is required for us to manage and administer your holdings in the Company and so that we can comply with the legal, regulatory and tax requirements referenced above. Where you fail to provide such personal data we may be required to discontinue our business relationship with you.

10. Other Data Controllers - Depositary

The Depositary shall be a separate controller of the Personal Data (as described above) of Shareholders, applicants for Shares, beneficial owners, directors and officers of Shareholders and applicants for Shares which they obtain as a result of their respective contracts with the Company:

- (i) to the extent that it is necessary for either of them, respectively, to comply with their own obligations under anti-money laundering legislation (on the basis of their respective legal obligations); and
- (iii) in the case of the Depositary, in the discharge of its statutory oversight and monitoring obligations (on the basis of its legal obligations).

The Depositary may share the Personal Data with their respective delegates and agents. Where those delegates are located outside the EEA or a third country in respect of which the European Commission has not issued a finding of adequacy with regard to data protection, appropriate model clauses will be implemented. The Personal Data will be held by the Depositary in accordance with anti-money laundering legislation as relevant. In general, the Depositary will hold Personal Data which it has in the discharge of its statutory oversight and monitoring obligations for a period of seven years, unless it is obliged to hold it for a longer period under law or applicable regulations or otherwise.

The rights which you have in relation to your Personal Data as described above will apply directly in respect of the Depositary to the extent that each acts as data controller.