

MARKET ACCESS

Société d'Investissement à Capital Variable
11-13, Boulevard de la Foire, L-1528 Luxembourg
R.C.S. Luxembourg B 78567

Notice to the shareholders

Luxembourg, 13 February 2019

Dear Shareholder,

Capitalized terms used in this notice, and not otherwise defined herein, shall have the same meaning as ascribed to them in the prospectus of the Fund.

Market Access SICAV (the "**Fund**", "**us**") are writing to inform you about the processing and the sharing of your personal details, in the context of delegation of activities by the transfer and registrar agent of the Fund, RBC Investor Services Bank S.A. (the "**Bank**"), within the RBC group.

The Fund, the Management Company, the Bank or any other agent used by them for the purpose of providing you with the services you required, shall keep all your information confidential unless required to disclose such information to third parties by applicable law or under your formal instruction or as further described in this notice.

You are informed that the Fund, the Management Company, the Bank or any other agent used by them for the purpose of providing you with the services you required, may be legally requested to disclose personal details for the processing of cash payment instructions in accordance with the mandatory obligation provided in Article 16 of the Act of November 12, 2004 (as amended) regarding the fight against money laundering and terrorism financing.

You are informed that any personal information relating to you, such as identification data, including your name, contact details (i.e. postal, email address, telephone, fax mobile phone number), date and place of birth, Passport/ID copy (including Passport/ID number, issuing country, expiration date, double nationality, if any), occupation and area of activity, account information, banking details, contractual and other documentation, transactional information, details of shareholding, such as invested amount and holdings in the Fund, either given in the application form and/or otherwise held by the Fund, acting as controller, at any other time (the "**Investor Personal Information**"), will be stored in digital form or otherwise and processed in accordance with the EU Regulation n°2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (the "**General Data Protection Regulation**") and the Luxembourg law of 1st August 2018 organizing the National Commission for data protection and of the general system on data protection, as it may be amended from time to time, (together referred to as the "Data Protection Law"). Where you are a legal person, Investor Personal Information may also include personal data, related to your employees, directors, officers, legal representatives, beneficial owners, trustees, settlors, signatories, shareholders or otherwise.

Investor Personal Information is processed in order to enter into and execute the subscription in the Fund (i.e. to perform any pre-contractual measures as well as the contract entered into by the shareholder), for the legitimate interests of the Fund and to comply with the legal obligations imposed on the Fund. In particular, the Investor Personal Information is processed for the purposes of (i) subscribing in the Fund, (ii) maintaining the register of shareholders, (iii) processing subscriptions, redemptions and conversions of interests and payments of dividends to shareholders, (iv) performing controls on excessive trading and market timing practices, and (v) complying with applicable anti-money laundering rules (AML/KYC) as well

as other applicable regulation (i.e. FATCA/CRS-laws). The “legitimate interests” referred to exercising the business of the Fund in accordance with reasonable market standards.

As per the before said, you:

- (i). are informed that the Fund, as well as, where relevant the Management Company and those companies to which the Fund delegates distribution or investor servicing duties (e.g. the Bank), the distributors or any other service providers such as representatives or third-party agents (the “**Data Recipients**”) will collect, retain, maintain and disclose Investor Personal Information in accordance with the Data Protection Law.
- (ii). understand that the Investor Personal Information supplied will enable the Fund as well as, where relevant, the Data Recipients, to administer its account and provide appropriate services.
- (iii). are informed that Data Recipients may, under their own responsibility, disclose the Personal Data to their agents and/or delegates (the “**Sub-Recipients**”), which shall process the Personal Data for the sole purposes of assisting the Recipients in providing their services to the Fund and/or assisting the Data Recipients in fulfilling their own legal obligations.
- (iv). are informed that Data Recipients and Sub-Recipients may, as the case may be, process the Investor Personal Information as data processors (when processing the Investor Personal Information upon instructions of the Fund), or as distinct data controllers (when processing the Investor Personal Information for their own purposes, namely fulfilling their own legal obligations).
- (v). acknowledge that the Fund, as well as, where relevant, the Data Recipients and/or Sub-Recipients may be required by applicable laws and regulation to provide the Investor Personal Information to tax, supervisory or other authorities in various jurisdictions, in particular those where (i) the Fund is or is seeking to be registered for public or limited offering of its shares, (ii) investors are resident, domiciled or citizens, (iii) the Fund, as well as, where relevant the Recipients and/or Sub-Recipients is/are or is/are seeking to be registered, licensed or otherwise authorised to invest. The Fund or the Recipients and/or Sub-Recipients shall not be liable for any consequences resulting from such disclosure.
- (vi). are informed that Investor Personal Information may be transferred to Data Recipients and/or Sub-Recipients or stored in a country located outside the European Economic Area (the “**EEA**”), which does not have equivalent data protection laws to those of the European Union.
- (vii). waive in favour of the Fund, as well as, where relevant the Data Recipients and/or Sub-Recipients the Luxembourg professional secrecy requirements relating to the financial sector.

When Investor Personal Information is transferred to countries which are not deemed to ensure an adequate level of protection to personal data, it is legally required that the Fund, the Data Recipients and/or Sub-Recipients implement appropriate safeguards. You are informed that the Bank will, in the scope of the delegation of data processing activities as part of its Transfer and Registrar Agent duties, transfer Investor Personal Information to its affiliate (Sub-Recipient) in Malaysia. In such case, and in other cases where the Investor Personal Information is transferred outside of the EEA, appropriate safeguards will consist in the entry into legally binding transfer agreements, in the form of standard contractual clauses approved by the European Commission. In this respect, you have a right to request copies of the relevant document for enabling the Investor Personal Information transfer(s) towards such countries by contacting the Fund using the contact details mentioned on this Agreement.

Investor Personal Information, once disclosed by the Bank as per the previous provisions shall be processed by the Sub-Recipient under the control of the Bank and shall not be subject to the Luxembourg professional secrecy and confidentiality standards applicable to the Bank but to professional secrecy and confidentiality standards applicable to such recipient.

You are aware that, notwithstanding the foregoing, it will be able, at any time, to exercise his/her rights provided for by the General Data Protection Regulation, in accordance with the conditions laid down in the General Data Protection Regulation, by contacting the Fund, using the contact details mentioned in this application form. In this respect, you have the right to: (i) access your Investor Personal Information, (ii) rectify your Investor Personal Information where it is inaccurate or incomplete, (iii) object to the processing of your Investor Personal Information, (iv) restrict the use of your Investor Personal Information, (v) ask for erasure of your Investor Personal Information, (vi) ask for the portability of your Investor Personal Information.

You also acknowledge the existence of your right to lodge a complaint with the Luxembourg commission for data protection (the “CNPD”) at the following address: 1, Avenue du Rock’n’roll, L-4361 Esch-sur-Alzette, Grand-Duchy of Luxembourg; or where you reside in another Member State, with the locally competent data protection supervisory authority.

The exercise of the above mentioned rights may affect the existence or continuation of the provision of services by the Fund. The Fund will reserve the right to redeem your participation to ensure full compliance with the applicable laws and regulations and remain liable for the proper handling and fulfillment of its data protection duties.

Where you are a legal person, you shall inform any relevant individual that personal data relating to him/her may be processed as described in this General Terms and Conditions.

Finally, you are informed that Investor Personal Information shall not be retained for a period longer than necessary for the purpose of their processing subject to any statutory periods of limitation imposed by law.

Document and information retention

You acknowledge and agree that Investor Information will be held by the Fund, the Management Company, the Bank or any other agent used by them and may be subject to data processing.

The Fund, the Management Company, the Bank or any other agent used by them shall not keep the Investor Personal Information for longer than necessary for the purpose of its processing subject to any statutory periods of limitation imposed by law.