

## Privacy Notice

### This Privacy Notice was last changed 25 MAY 2018

Geiger Counter Limited ("we", "us", "our") is an investment company managed by New City Investment Managers, CQS Cayman Limited Partnership.

The groups of individuals we routinely collect data on are our shareholders, our directors and individuals who work for those who provide services to us. If you fall into one of these categories please read this Privacy Notice to understand how we use your personal data, the legal basis upon which we use it and your rights in connection with our use of your personal data.

Geiger Counter Limited respects data privacy. This notice sets out how we, as data controller, collect and use personal data, why we use it, with whom we share it, the rights to which you, as data subject, may be entitled and your choices about our use of your personal data.

If you have any questions or need any further clarity please get in touch using the contact details set out below in the Contact Us section.

## Your information

### Data Collection and Usage

We will collect and use personal data for the purposes set out in more detail in this section.

Personal data may be shared with some third parties, as further set out in this Privacy Notice.

We collect and use your data for a variety of reasons. Some data processing is required by law under Jersey Company Law and other legislation and regulation. Some data is required in order to meet our obligations to our shareholders and directors under our contract with them. Other data we collect because we have legitimate business interests.

This notice applies irrespective of whether the data is collected directly from the data subject or received from a third party.

	What we collect	How we use it	Why we use it
1.	<p>Information on our shareholders:</p> <ul style="list-style-type: none"><li>information on our individual shareholders including that held in the register of members and any data that is mirrored from the CREST system including names, addresses, numbers of shares held, email addresses, telephone numbers, full date of birth, nationality, bank account details, national insurance number, passport number and overseas identification card numbers, shareholdings and communication method preference;</li><li>information on: share transferees where there is a change of ownership; indirect or beneficial shareholders</li></ul>	<p>We use this information for various purposes including to:</p> <ul style="list-style-type: none"><li>maintain a register of members as is provided by law, under Jersey Company Law;</li><li>to obtain and process information on shareholders under legal obligations such as FATCA or the CRS;</li><li>inform shareholders of changes to our business including its investment strategy;</li><li>send out shareholders circulars including annual report and accounts and interim reports but also circulars relating to corporate</li></ul>	<ul style="list-style-type: none"><li>Legal obligations;</li><li>Performance of a contract; and</li><li>Legitimate interests (e.g. the company needs bank account information in order to meet its obligations to pay to its shareholders any dividends declared).</li></ul>

	What we collect	How we use it	Why we use it
	<p>including indirect shareholders with information rights or obtained under Jersey Company Law; and executors, administrators and legal representatives of a deceased shareholder in relation to a bankruptcy order; and</p> <ul style="list-style-type: none"> <li>information on shareholders obtained under Foreign Account Tax Compliance Act ("FATCA") or the Common Reporting Standard ("CRS").</li> </ul>	<p>actions the company is involved in e.g. calling general meetings, making tender offers and notifying shareholders of significant transactions;</p> <ul style="list-style-type: none"> <li>pay dividends and make other distributions to shareholders including returns of capital; and</li> <li>analyse our shareholder register to understand the types of investor who are buying, selling and holding our shares and take this into account in our strategic decisions.</li> </ul>	
<b>2</b>	<p>Information on our directors and their associates:</p> <ul style="list-style-type: none"> <li>the register of directors;</li> <li>information on directors' interests;</li> <li>personal data relating to the directors held for payroll purposes;</li> <li>information held on the directors as insiders under the Market Abuse Regulation ("MAR") and on directors and their closely associated persons, and their dealings in our shares, also under MAR; and</li> <li>personal data of directors staff, for example name and contact details when liaising with a director's secretary to convene a board meeting.</li> </ul>	<p>We use this information for various purposes including to:</p> <ul style="list-style-type: none"> <li>maintain a register of directors as is provided under Jersey Company Law;</li> <li>to fulfil our obligations under MAR including to draw up a list of all our persons discharging managerial responsibilities (which includes the directors) and their closely associated persons.</li> </ul>	<ul style="list-style-type: none"> <li>Legal obligations;</li> <li>Performance of a contract; and</li> <li>Legitimate interests (e.g. the company has a legitimate interest in receiving and maintaining information on directors' interests declared by directors, and in maintaining bank account details for payment of directors' fees).</li> </ul>
<b>3</b>	<p>Information on individuals who work for those who provide services to us, including:</p> <ul style="list-style-type: none"> <li>New City Investment Managers, CQS Cayman Limited Partnership;</li> <li>R&amp;H Fund Services (Jersey) Limited and</li> <li>Our brokers, registrars, lawyers, printers, depositary, custodian and any other service providers from time to time.</li> </ul>	<p>We use this information to facilitate the service provided by such service provider.</p>	<ul style="list-style-type: none"> <li>Legal obligations;</li> <li>Performance of a contract; and</li> <li>Legitimate interests (e.g. working with third parties to meet our aims, responsibilities and obligations)</li> </ul>

	<b>What we collect</b>	<b>How we use it</b>	<b>Why we use it</b>
<b>4</b>	Information that is provided when you communicate with us, whether in person, through our webpage, via e-mail, over the phone or via any other medium.	We use this information, including to: <ul style="list-style-type: none"> <li>• answer any issues or concerns;</li> <li>• address any requests or other issues arising out of communications with us; and</li> <li>• monitor communications for quality and training purposes.</li> </ul>	<ul style="list-style-type: none"> <li>• Legal obligations; and</li> <li>• Legitimate interests (e.g. to deal with shareholder queries).</li> </ul>

### **How long we keep your personal data**

We will keep your data for as long as it is reasonably necessary. It will depend on a number of factors. The criteria we may use to determine the retention period for certain categories of data include:

- whether there is any ongoing contractual, legal or financial claim that relates to your relationship with us; and
- whether any applicable law, statute, or regulation allows for a specific retention period; and
- what the expectation for retention was at the time the data was provided.

### **Legal requirements**

We need to collect certain types of data for compliance with legal requirements relating to our anti-money laundering and know your customer obligations. If this data is not provided we may not be able to progress our dealings with you.

Your personal data may also be processed if it is necessary on reasonable request by a law enforcement or regulatory authority, body or agency or in the defence of a legal claim. We will not delete personal data if relevant to an investigation or a dispute. It will continue to be stored until those issues are fully resolved.

### **Information we share**

There are certain circumstances where we may transfer your personal data to service providers and to other parties.

- Third parties may process your personal data, for example we are governed by a board of directors (all of whom are non-executive) who have delegated the Company Secretarial and Administrative functions to R&H Fund Services (Jersey) Limited.
- We also have important relationships with third parties such as Computershare Investor Services (Jersey) Limited who provide registrar services to us and therefore maintain our share register.

Our service providers will be required to meet our standards on processing data and security. The data we provide them, including your data, will only be provided in connection with the performance of their function.

- Your personal data may be transferred to other third party organisations in certain scenarios:
  - If we are discussing, merging or selling or transferring part or all of our business – the data may be transferred to prospective counterparties under suitable terms as to confidentiality;

- If we are required to by law, or under any regulatory code or practice we follow, or if we are asked by any public or regulatory authority – for example the Police;
- If we are defending a legal claim your data may be transferred as required in connection with defending such claim.

Your personal data may also be shared if it is made anonymous and aggregated, as in such circumstances the data will cease to be personal data.

### **Where your information will be held**

When we share your data your data may be transferred outside the European Economic Area.

We will only transfer data to jurisdictions outside the scope of the European General Data Protection Regulation (GDPR) where the appropriate safeguards set out in the GDPR are in place.

We are happy to provide you with copies of the regulator-approved SCCs or company rules, which you can request by contacting us as detailed in the Contact Us section.

### **Your Rights**

You may have – in accordance with applicable data protection laws – the following rights when it comes to our handling of your personal data. These rights will only apply in certain circumstances. They will generally not be available if there are outstanding contracts between us, if we are required by law to keep the information or if the information is relevant to a legal dispute.

- **Right of access** – you may have the right to request a copy of the personal data we have about you and to request supporting data explaining how the personal data is used.
- **Right of rectification** – you may have the right to request that we rectify inaccurate personal data about you.
- **Right of erasure** – you may have the right to request that we erase personal data about you.
- **Right to restrict processing** – in some situations, you may have the right to request that we do not use the personal data you have provided (e.g. if you believe it to be inaccurate).
- **Right to data portability** – you may have the right to receive certain of your personal data in a structured, commonly used and machine-readable format and to transmit such data to another controller.
- **Right to withdraw consent** – where we process your personal data based on consent (including direct marketing consents), you have the right to withdraw consent at any time. However, this will not affect the lawfulness of the processing based on consent before its withdrawal. Furthermore, even in case of a withdrawal we may continue to use your personal data as permitted or required by law.

**Right to object:** In addition, where we are processing your personal data based on a legitimate interest (or those of a third party) you may challenge this. However, we may be entitled to continue processing your data based on our legitimate interests or another legal basis or where this is relevant to legal claims.

Please get in touch using the contact details in the Contact Us section if you would like to exercise any of these rights.

## **Security**

We ensure that we or any third party handling your data on our behalf have implemented reasonable technical and organisational measures designed to secure your personal data from accidental loss and unauthorised access, use, alteration or disclosure.

## **Contact Us**

If you have any questions about this policy please contact Lisa Neil: [lisa.neil@rhfsi.com](mailto:lisa.neil@rhfsi.com) or +44 1534 825200, or Ordnance House, 31 Pier Road, St. Helier, Jersey, JE4 8PW.

## **Changes to the policy**

This policy will be changed from time to time.

If we change anything important about this policy (the data we collect, how we use it or why) we will highlight those changes at the top of the policy and provide a prominent link to it for a reasonable length of time following the change.