

Privacy Notice

Why are we providing this notice?

This Privacy Notice aims to give individuals outside our organisation with whom we interact, including prospective or existing investors or similar contacts (including individuals acting on behalf of such an investor that is a legal entity), visitors to our website, personnel of service providers or other suppliers and others who interact with us whether via our website or by corresponding with us by other means (e.g. by emailing or phoning us) (“**you**”, or “**your**”) information about the categories of your personal data Cheyne Capital may collect, how we collect it, what we use it for and with whom we share it.

“Personal data” means any information relating to you, but does not include data where you can no longer be identified from it such as anonymised aggregated data.

Cheyne Capital comprises of several different legal entities, including Cheyne Capital Management (UK) LLP (London, United Kingdom), Cheyne SVC LLP (London, United Kingdom), Cheyne Capital SMC Limited (Dublin, Ireland), Cheyne Capital Deutschland GmbH (Berlin, Germany), Cheyne Capital (Schweiz) AG (Zurich, Switzerland), Cheyne Capital (MENA) Limited (Dubai, United Arab Emirates), Cheyne Capital US, LP (New York, United States of America) and Cheyne Capital International L.P. (Hamilton, Bermuda).

This Privacy Notice is issued on behalf of the Cheyne Capital group, so references to “**Cheyne**”, “**we**”, “**us**” or “**our**” herein should be read as references to the relevant entity in the Cheyne Capital group responsible for processing your personal data (being the “data controller”). Cheyne Capital Management (UK) LLP is the data controller for this website. Otherwise, the Cheyne entity that was originally responsible for collecting your personal data will be your primary data controller. However, please note that your personal data may be shared across other Cheyne Capital entities also acting as a data controller as part of our group operations.

We may process your personal data ourselves or through others acting as data processors on our behalf.

We may provide supplemental privacy notices on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your personal data. These supplemental notices should be read together with this Privacy Notice.

If you have any questions about this Privacy Notice you can contact cheyneinvestor.relations@cheynecapital.com.

What information do we collect about you and what do we use it for?

Personal data held by us or on our behalf may include, but is not necessarily limited to, your name, address, place of business, email address, other contact details, corporate contact information, job title, signature, employment and job history, correspondence records, details relating to your investment activity or preferences, and information about how you use our website and other technical data such as your IP address, login data for our web portal, browser type and version, time zone setting and location.

The purposes for which we may collect, store and use personal data about you and our ‘lawful basis’ for processing such data are set out in the table below. The law specifies certain ‘lawful bases’ for which we are allowed to use your personal data.

Purpose	Lawful basis for processing
To correspond with you.	Our legitimate interests in responding to your enquiry, contacting you in relation to the services you provide or otherwise communicating with you in the course of our business.
To undertake pre-investment steps, including, but not limited to: <ul style="list-style-type: none"> — determining your eligibility to invest; — required due diligence; and — ascertaining your investment preferences. 	In order to take steps prior to the contract between you and us/the fund in which you may invest, compliance with applicable legal obligations and our legitimate interests in complying with our legal and regulatory obligations and establishing your preferred investment strategies.
To undertake business development and marketing activities in relation to making suggestions and recommendations to you about products or services that may be of interest to you.	Either your consent (where applicable law requires us to obtain your consent for marketing to you) or our legitimate interests in promoting our products and services and growing our business. Individuals can opt-out of receiving such messages at any time by contacting cheyneinvestor.relations@cheynecapital.com .
To comply with any legal obligation imposed on us or in order to pursue our legitimate business interests.	Compliance with applicable legal obligations. Our legitimate interests in conducting our business in a proper manner.
To maintain our records.	Our legitimate interests in conducting our business in a proper manner.
To administer and maintain our website we may record and monitor your use of our website which, may include analysing your use of our website.	Either your consent (for example, where we require your consent for the optional cookies that we use) or our legitimate interests in studying how our services are used, keeping our website updated and relevant, to develop our business and inform our marketing strategy.

In addition to the uses above, please note that we may also process your information where we are required by law to do so or if we reasonably believe that it is necessary to protect our rights and/or to comply with judicial or regulatory proceedings, a court order or other legal process.

Special categories of personal data

There are more limited bases for processing special category personal data (this is personal data which reveals or contains racial or ethnic origin, political opinions, religious and philosophical beliefs, trade union membership, genetic data, biometric data, health data, sex life and sexual orientation) and personal data relating to criminal convictions and offences.

We do not intend to actively collect such data about you. Whilst we will use reasonable efforts to limit our holding of such data, please be aware that we may hold such data incidentally. For example, where you volunteer special category data to us, such as if you send us an email containing special category data.

What if you do not provide the personal data requested?

Unless and until you make a decision to invest or otherwise engage in a business transaction with us or invest in one of our investment products (at which point we will send you a copy of any relevant privacy notice) you are not required to provide us with any information although please note that our website may automatically collect certain technical data (further details on this are in the *'How do we collect this information?'* section).

Change of purpose

We will only use your personal data for the purposes for which we collected it (as identified above in the *'Purpose'* column), unless we reasonably consider that we need to use it for another reason which is compatible with the original purpose. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

How do we collect this information?

We typically collect personal data about you when you provide information to us or others acting on our behalf when communicating or transacting with us in writing by filling in forms or by corresponding with us by post, telephone, email or otherwise. For instance, when you create an account on our webportal, request information from us or otherwise correspond with us.

As you interact with our website, we may automatically collect technical data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. Our website uses Google Analytics, a web analytics service offered by Google to collect standard internet log information and details of visitor behaviour patterns. This information is only processed in a way that does not directly identify anyone. You may learn more about Google's practices with Google Analytics by visiting Google's privacy policy at <http://www.google.com/policies/privacy/partners>. Please note that if you receive email updates from our CRM system (for example, monthly fund updates), we do gather statistics around email opening and clicks using industry standard technologies to help us monitor and improve our email updates.

For further information about our use of cookies and to manage your preferences, please see <https://www.cheynecapital.com/terms-of-use/>.

In addition, we may receive personal data about you from third parties, such as public sources or information vendors, introducers, distributors or other intermediaries who market or provide services to you.

With whom will we share your information?

We may share your personal data with a third party where this is required by law, where it is necessary to perform a contract with you, or where we have another legitimate interest in doing so.

We may need to share your personal data with:

- other entities within our group as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise or for assistance in relation to marketing and business development;

- professional advisers including lawyers, bankers, auditors and insurers to the extent such information is relevant to their performance of their services;
- regulators; and
- any of our service providers where such information is relevant to their performance of such services.

We may also need to share your personal data with a regulator or to otherwise comply with applicable law or judicial process or if we reasonably believe that disclosure is necessary to protect our rights and/or to comply with judicial or regulatory proceedings, a court order or other legal process.

We may transfer the personal data we collect about you to other countries including, in particular, Bermuda, the Cayman Islands, Switzerland, the United Arab Emirates, countries within the European Economic Area, the United Kingdom and the United States of America, where the parties listed above are based for the purposes outlined in the table above. Those countries may not have the same standard of data protection laws as your country.

Where this is the case and where required, we will (or will require a processor to) put in place appropriate safeguards to ensure that your personal data is treated in a manner that is consistent with and respects the laws on data protection in your country. Transfers of personal data within the Cheyne Capital group are covered by our intra-group data processing and transfer agreement which incorporates standard contractual clauses. If you require further information about this you can request it from cheyneinvestor.relations@cheynecapital.com.

How long will we retain your information?

We will retain your personal data for as long as necessary to fulfil the purposes for which it was collected, including for the purposes of satisfying any legal, regulatory, accounting or reporting requirements and our legitimate interests in maintaining such personal information in our records. In doing this we will have regard to the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. Generally, we will keep information relevant to our dealings with you for five years following the last date of activity (or longer if required by applicable laws and regulations).

In some circumstances your personal data may be anonymised so that it can no longer be associated with you, in which case it is no longer personal data.

Once we no longer require your personal data for the purposes for which it was collected, we will securely destroy your personal data in accordance with applicable laws and regulations.

Accuracy of information

It is important that the personal data we hold about you is accurate and current. Please let us know if your personal data which we hold changes during your relationship with us.

Your rights in relation to your information

In certain circumstances (such as if the data controller of your personal data is a Cheyne Capital entity established within the European Economic Area, the United Kingdom or the Dubai International Financial Centre, or if you are an individual in any of those territories), you have rights as an individual which you can exercise in relation to the information we hold about you under certain circumstances. These rights are to:

- request **access** to your personal data (commonly known as a “data subject access request”) and request certain information in relation to its processing;
- request **rectification** of your personal data;
- request the **erasure** of your personal data;
- request the **restriction** of processing of your personal data;
- **object** to the processing of your personal data;
- request the **transfer** of your personal data to another party.

If you would like to exercise one of these rights please contact us at cheyneinvestor.relations@cheynecapital.com.

You also have the right to make a complaint at any time to a supervisory authority for data protection issues.

Fees

You will not usually have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is manifestly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact cheyneinvestor.relations@cheynecapital.com. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose(s) to which you originally consented unless we are required to retain your data for a legal or regulatory purpose.

Changes to this privacy notice

We reserve the right to update this Privacy Notice at any time, and we will make an updated copy of such Privacy Notice available to you and notify you when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal data.

Further information

This Privacy Notice was written with brevity and clarity in mind and is not an exhaustive account of all aspects of our collection and use of personal data. If you require any further information, please do not hesitate to contact cheyneinvestor.relations@cheynecapital.com.