



# MetLife Investment Management UCITS ICAV (the “ICAV”)

DATA PROTECTION NOTICE

## Introduction

The purpose of this document is to provide you with information on our use of your personal data in accordance with the EU data protection regime introduced by the General Data Protection Regulation (Regulation 2016/679) (the "Data Protection Legislation").

In this document, "we", "us" and "our" refer to the ICAV and certain delegates (acting in a data processor capacity pursuant to the Data Protection Legislation).

## Who this affects

If you are an individual investor (or prospective investor in relation to our marketing of the ICAV), this will affect you directly. If you are an institutional investor (or prospective investor in relation to our marketing of the ICAV) that provides us with personal data on individuals connected to you for any reason in relation to your investment with us, this will be relevant for those individuals and you should transmit this document to such individuals or otherwise advise them of its content.

## Your personal data

By virtue of our marketing the ICAV, by virtue of making an investment in the ICAV and your associated interactions with us (including the initial application, and including the recording of electronic communications or phone calls where applicable) or by virtue of you otherwise providing us with personal information on individuals connected with you as an investor (for example directors, trustees, employees, representatives, shareholders, investors, clients, beneficial owners or agents), you will provide us with certain personal information which constitutes personal data about you and persons connected with you as an investor within the meaning of the Data Protection Legislation. We have grouped this personal data together as follows:

- **Identity Data** includes the following information relating to you and/or any individuals connected with you as an investor: name, signature, nationality, place of birth, date of birth, passport number or similar identifier, signature, marital status, title, and gender;
- **Contact Data** includes residential address, email address, contact details, corporate contact information, and correspondence records;
- **Financial Data** includes bank account details, tax identification, credit history, source of funds details, information about your financial circumstances, such as net assets and the size of your investment portfolio, and details relating to your investment activity; and
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.
- **Technical Data** includes your internet protocol (IP) address, login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access our website and/or platform.

We may also obtain personal data on you and persons connected with you from public sources such as sanctions listed published by the EU, the UN Security Council and other public authorities, and market data providers such as Bloomberg and Thomson Reuters.

## How we may use your personal data

The ICAV, as the data controller may collect, store and use the following categories of personal data under the following lawful bases for the lawful purposes disclosed below:

- **Where this is necessary for the performance of a contract with you:** We process your Identity, Contact and Financial Data to reflect your ownership of shares in the ICAV, and for the performance of the contract to purchase shares in the ICAV or to process redemption, conversion, transfer and additional subscription requests or the payment of distributions.
- **Where this is necessary for compliance with a legal obligation to which we are subject:** We process Identity, Contact and Financial Data to discharge Irish and EU member state legal or regulatory obligation to which we are subject, including in order to:
  - I. undertake our client and investor due diligence, and on-boarding checks including in accordance with the Criminal Justice (Money Laundering and Terrorist Financing) Acts 2010;
  - II. carry out verification, 'know your client', terrorist financing, financial sanctions, and anti-money laundering and Politically Exposed Persons checks including in accordance with the Criminal Justice (Money Laundering and Terrorist Financing) Acts 2010, and financial sanctions screening, in order to comply with the financial sanctions regimes imposed by the EU, the United Nations and any other relevant authorities;
  - III. verify the identity and addresses of our investors and their directors, officers and employees (and, if applicable, their beneficial owners, and ensure that beneficial ownership information is held on a central register, pursuant to the relevant applicable law namely, the European Union (Anti-Money Laundering: Beneficial Ownership of Corporate Entities) Regulations 2019 (S.I. 110 of 2019) (modified by the European Union (Modifications of Statutory Instrument No. 110 of 2019) (Registration of Beneficial Ownership of Certain Financial Vehicles Regulations 2020) (S.I. No. 233 of 2020) or the European Union (Anti-Money Laundering: Beneficial Ownership of Trusts) Regulations 2021 (S.I. No. 194 of 2021);
  - IV. comply with requests from EEA regulatory, governmental, tax and law enforcement authorities;
  - V. comply with reporting obligations under the Taxes Consolidation Act 1997;
  - VI. comply with regulatory requirements applicable to carrying on the activities of fund management, portfolio management, investment advice and reception and transmission of orders, in particular under, the European Communities (Undertakings for Collective Investment in Transferable Securities) Regulations 2011, as well as the Central Bank of Ireland's, guidelines and policy updates issued by the Central Bank of Ireland from time to time;
  - VII. maintain statutory registers including in accordance with Companies Act 2014; and/or
  - VIII. comply with Irish and EU member state legal sanctions requirements

If you require further information on the specific legal obligations which it is necessary for us to process your personal data in connection with, please contact us.

**Where this is necessary for the legitimate interests of us or a third party:** We process your for the processing of Identity Data, Contact Data, Financial Data, Marketing and Communications Data and Technical Data, and personal data for direct marketing purposes (that is, us providing you with information on products and services) or for quality control, business and statistical analysis or for tracking fees and costs or for customer service, training and related purposes, for the establishment, exercise or defence of legal claims, including enforcing our contract with you, and/or complying with our legal obligations outside the EU. Where we process personal data on the basis of our legitimate interests, we do so in a fair, transparent and accountable manner and take appropriate steps to prevent such activity having any unwarranted impact on you. We do not process personal data where such legitimate interests are overridden by your interests, fundamental rights or freedoms. You have a **right to** us processing your personal data on the basis of our legitimate interests.

Metlife Investment Management Europe Limited (the "**Manager**") may use your personal data for its own purposes, for example in the provision of its services to us or to discharge the legal or regulatory requirements that apply directly to the Manager. A further explanation regarding how the Manager may handle your

personal data is set out in the Manager's privacy notice, which is available at <https://emea.investments.prv.metlife.com/europe/regulatory-disclosures/#privacynotice>. Please contact the Manager if you want further information on the specific legal obligations in connection with which it is necessary for it to process your personal data.

BNY Mellon Fund Services (Ireland) Designated Activity Company (the "**Administrator**"), may use your personal data where this is necessary for compliance with a legal obligation to which it is directly subject (i.e. to comply with applicable law in the area of anti-money laundering and counter terrorist financing or where mandated by a court order or regulatory sanction). The Administrator, in respect of this specific use of personal data, acts as a data controller. Please contact the Administrator if you want further information on the specific legal obligations in connection with which it is necessary for it to process your personal data. A copy of the Administrator's notice can be found here <https://www.bnymellon.com/emea/en/privacy-policy.html>.

The Bank of New York Mellon SA/NV Dublin Branch (the "**Depositary**") may use your personal data where this is necessary for compliance with its legal obligation to which it is directly subject (i.e., in order to complete cash monitoring and oversight services). The Depositary, in respect of this specific use of personal data, acts as a data controller. Please contact the Depositary if you want further information on the specific legal obligations in connection with which it is necessary for it to process your personal data. A copy of the Depositary's notice can be found at <https://www.bnymellon.com/emea/en/privacy-policy.html>.

None of the Manager, Depositary or the Administrator will at any time be acting as a joint controller with the ICAV. Please contact the Administrator if you require further information on the specific legal obligations which it is necessary for it to process your personal data in connection with.

**Consent:** Should we wish to use your or your connected persons' personal data for other specific purposes (including, if applicable, any purpose that requires your consent), we will contact you.

Where the Fund requires personal data to comply with anti-money laundering or other legal requirements, failure to provide this information means the Fund may not be able to accept you as an investor in the Fund. Identity, Contact and Financial Data is required to assess your application and perform our contract with you. Failure to provide this information means that the Fund may not be able to process your subscription application, accept you as an investor in the Fund and/or perform our contract with you.

## Why we may transmit your personal data

In certain circumstances we and/or our authorised delegates may be legally obliged to share your data and other financial information with respect to your interest in the ICAV with the Irish Revenue Commissioners and they, in turn, may exchange this information with foreign tax authorities including tax authorities located outside the European Economic Area (the "**EEA**").

I. We anticipate that the following affiliates and delegates will process your personal data on our behalf:

- the Administrator, the Manager, the Depositary, auditor, legal counsel, and other service providers who assist us in providing and managing our services and products, including the ICAV's investment manager, MetLife Investment Management, LLC; and/or
- the ICAV's distributors, intermediaries, brokers, and agents, and who assist us in marketing and selling our services and products.

and each of their respective affiliates and delegates.

II. We may be required to disclose your personal data to the following:

- courts, regulators, tax authorities, and other competent authorities, and who require us to disclose your personal data for legal or regulatory purposes; and/or
- other third parties, and who are involved in any merger, acquisition, reorganisation, or transfer of the ICAV or its assets, or in any litigation, dispute, or claim involving the ICAV.

## Where we may transfer your personal data

Any transfers to duly authorised affiliates and delegates located outside the European Economic Area ("EEA") shall be subject to appropriate safeguards being in place in accordance with the conditions in Chapter V of the Data Protection Legislation.

- I. Where we transfer personal data outside of the EEA to a country in respect of which the European Commission has adopted an adequacy decision, we transfer this personal data on the basis of Article 45 of the Data Protection Legislation (Transfers on the basis of an adequacy decision).
- II. Where we transfer personal data outside of the EEA to a country in respect of which the European Commission has not adopted an adequacy decision (e.g. the United States), we transfer this personal data on the basis of Article 46 of the Data Protection Legislation (Transfers subject to appropriate safeguards). We ensure that appropriate safeguards are in place in respect of any such transfer such as standard contractual clauses as adopted by the European Commission in accordance with Article 46(2) of the Data Protection Legislation on 4 June 2021. Please contact [MetLifeInvestmentsEUPrivacyChampion@metlife.com](mailto:MetLifeInvestmentsEUPrivacyChampion@metlife.com) if you wish to receive a copy of our standard contractual clauses.

## The data protection measures we take

We and our duly authorised delegates shall apply appropriate information security measures designed to protect data in our/our delegates' possession from unauthorised access by third parties or any form of computer corruption.

We shall notify you of any personal data breach affecting you that is likely to result in a high risk to your rights and freedoms.

## Updates to personal data

We will use reasonable efforts to keep your personal data up to date. However, you will need to notify the ICAV without delay in the event of any change in your personal circumstances, so that the ICAV can keep the personal data up to date.

## Your data protection rights

You have certain rights regarding our use of your personal data summarised as follows:

- the right to access your data (in an easily readable form);
- the right to examine and correct your data;
- the right to data portability;
- the right to of erasure and/or restrict the use of your data;
- the right to withdraw any consent given to the processing of your data (where applicable) without affecting the lawfulness of the processing carried before withdrawal of consent;
- the right to object to the processing of your data where we have considered this to be necessary for the purposes of our legitimate interests; and
- the right to lodge a complaint with the Data Protection Commission (our lead supervisory authority) or a supervisory authority in the EU member state of your usual residence or place of work.

## Our retention of your personal data

We or our duly authorised delegates may retain your personal data for as long as necessary for the purpose for which it is processed, including to the extent necessary to comply with our legal obligations, resolve disputes, and enforce our legal agreements and policies.

To determine the appropriate retention period for personal data, we consider 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. We or our duly authorised delegates may retain your personal data for a period of up to seven (7) years your disinvestment from the ICAV or following the point where your business relationship with us has ceased or potentially for a longer period where necessary for compliance with a legal obligation or for the establishment, exercise or defence of legal claims.

Thereafter, we and our duly authorised delegates will refrain from collecting any further personal data on you and shall take appropriate steps to dispose of, delete or anonymise any records containing your personal data, to the extent this is operationally feasible and proportionate. Where your personal data has been anonymised, we may retain this information indefinitely.

## Changes to this Privacy Notice

We may need to make changes to this Data Protection Notice from time to time and shall do so by amending the version of this Data Protection Notice published on our website

<https://emea.investments.prv.metlife.com/europe/investment-strategies/ucits-funds/>. We will notify you of any material changes by email, or by posting the updated notice on our website, or by other appropriate means. We encourage you to review this notice regularly to stay informed about how we protect your personal data.

## Getting in touch

As we do not process personal data on a large scale, we are not required to designate a data protection officer. However, should you have any queries or wish to discuss your data protection rights with us, please contact: [MetLifeInvestmentsEUPrivacyChampion@metlife.com](mailto:MetLifeInvestmentsEUPrivacyChampion@metlife.com).