

## 1 Fund Elements

Fund Elements is a registered trading name of Magnetite Change Management Ltd, a company registered in Ireland, number 572108. References in this Statement to "Fund Elements", "we", "our" or "us" are references Fund Elements, a trading name of Magnetite Change Management Ltd.

Fund Elements is responsible for your Personal Data and is committed to protecting your privacy.

## 2 Privacy Statement

Fund Elements Privacy Statement discloses to you how and why Fund Elements processes your personal data.

It is one of a number of documents that sets out the basis your relationship with Fund Elements. Other legal documents include:

- Fund Elements Terms of Use which sets out the basis on which you use our website [www.fundelements.io](http://www.fundelements.io) ("Fund Elements Website") and our Business Intelligence Platform for Investment Funds hosted on the elements.cloud app.
- Fund Elements Commercial Use Agreement which sets out the basis on which clients use the products and services provided by Fund Elements.

The processing of your Personal Data commences when you access and/or register on the Fund Elements Website. Your Personal Data may also be provided to us if you are connected with a client of Fund Elements and our client provides your personal data to Fund Elements in order to use our products and services. Our client will need to have the right to provide us with your Personal Data.

## 3 Fund Elements Website

Fund Elements collects and processes your personal data when you visit our website.

The purpose of the Fund Elements Website is to collect and process your Personal Data for our Sales, Marketing and Customer Relationship Management Activities.

### 3.1 What type of personal data do we collect?

We receive, collect and store any information you enter on our website or provide us in any other way. This may include the collection and processing of the following Personal Data:

- your first and last name;
- your email address;
- your phone number;
- your employers name;
- your job title;
- details of your business activities;
- details of the products and services that are of interest to you; and
- details of the types of communication you would be interested in receiving from us.

In addition, we collect the Internet protocol (IP) address used to connect your computer to the Internet; login; password; computer and connection information and purchase history. We may use software tools to measure and collect session information, including page response times, length of visits to certain pages, page interaction information, and methods used to browse away from the page. We also collect personally identifiable information (including name, email, password, communications); payment details (including credit card information), comments, feedback, product reviews, recommendations, and personal profile.

### 3.2 How do we collect your personal data?

We collect your Personal Data when you conduct a transaction on the Fund Elements Website. As part of the process, we collect personal information relation to your IP address, computer, connection etc and information you give to us such as your name, address, phone number, email address etc. Your Personal Data will only be used for the specific reasons contained in this Privacy Statement.

We may also collect your Personal Data when you:

- attend or express an interest in any of our events;
- when you communicate with employees of Fund Elements;
- if you visit our premises;
- when you provide us with your Personal Data by email, by telephone, by web conference, in person, in written form or otherwise;
- are employed with Fund Elements;
- supply us with products, services or solutions;
- subscribe to our mailing lists, access or enquire about access to any of our restricted content; or
- enquire about or engage us in the delivery of our products or services.

### 3.3 Why do we collect your personal data?

For Sales, Marketing and Customer Relationship Management purposes we may obtain, collect and process your Personal Data where we have a legitimate interest in doing so. We may also collect non-personal data. We have a legitimate interest in:

- providing you with access to the Fund Elements Website and enabling you to use it;
- promoting Fund Elements, our products and services;
- contacting our Visitors and Users with general or personalized service-related notices and promotional messages;
- inviting you to our events and webinars;
- communicating to you updates regarding our product and services, marketing materials, newsletters and other information;
- obtaining feedback and analysing your interest in communications we send you;
- improving, monitoring and testing the effectiveness of the Fund Elements Website;
- developing, maintaining and administering relationship with our clients and business contacts; and
- creating aggregated statistical data and other aggregated and/or inferred Non-personal Information, which we or our business partners may use to provide and improve our respective services.

You have specific rights when we process your Personal Data based on our legitimate interest and these rights are set out in Section 6 Your rights.

### 3.4 How do we store, use, share and disclose your personal data?

Your main interaction with Fund Elements for Sales, Marketing and Customer Relationship Management purposes will be via the Fund Elements Website. The Fund Elements Website is hosted on WIX ([www.wix.com](http://www.wix.com)). WIX provides us with the online platform that allows us to sell our products and services to you. Your data may be stored through WIX's data storage, databases and the general WIX applications (including WIX applications provided by 3<sup>rd</sup> Parties). WIX stores your data on secure servers behind a firewall.

All direct payment gateways offered by WIX and used by us adhere to the standards set by PCI-DSS as managed by the PCI Security Standards Council, which is a joint effort of brands like Visa, MasterCard, American Express and Discover. PCI-DSS requirements help ensure the secure



handling of credit card information by our store and its service providers. Fund Elements uses Stripe ([www.stripe.com](http://www.stripe.com)) to process payments for online purchases made through the WIX Store.

Fund Elements uses software provided by <https://elements.cloud> to build and host the Fund Elements Business Intelligence Platform.

Fund Elements uses software provided by [www.salesforce.com](http://www.salesforce.com) for customer relationship management purposes.

Fund Elements uses software solutions provided by Microsoft ([www.office365.com](http://www.office365.com)) for business administration purposes including the storage of Sales, Market and Customer Relationship Management data including your Personal Data for backup and analysis purposes.

We may disclose your Personal Data to trusted third parties in accordance with contractual agreements we have entered with these third parties including:

- Partners who we work with to provide our products and services;
- Service providers where we out-source sales, marketing and customer relationships management processes (including event management);
- IT Solution providers that supply us with software solutions.

### 3.5 How do we communicate with our site visitors?

We may contact you to notify you regarding your account, to troubleshoot problems with your account, to resolve a dispute, to collect fees or monies owed, to poll your opinions through surveys or questionnaires, to send updates about Fund Elements products, or as otherwise necessary to contact you to enforce our Terms of Use, applicable national laws, and any agreement we may have with you. For these purposes we may contact you via email, telephone, text messages, and postal mail.

### 3.6 How do we use Cookies and other Tracking Tools?

Fund Elements uses Cookies and other tracking devices when you visit our website. The Fund Elements Cookie Policy identifies the Cookies and tracking devices used on our website and sets out how we use them. You can access the Fund Elements Cookie Policy [here](#).

We may collect information about your computer, including where available your IP address, operating system and browser type, for system administration and to collate aggregate information. This is statistical data about how you browse our website. The Fund Elements website uses Google Analytics. Google Analytics uses cookies and web beacons in connection with the services it provides.

Information about your general Internet usage may be obtained by using a cookie file which is stored on the hard drive of your computer. Cookies contain information that is transferred to your computer's hard drive. Web beacons may also be used and these facilitate the transfer of data from our website to the Google Analytics website. Cookies and web beacons help us to improve our website and to deliver a better and more personalised service. They may be used to enable us to:

- To estimate usage numbers, patterns and related activity.
- To store information about how you accessed and use our website and your preferences, and so allow us to customise our website according to your individual interests.
- To recognise you when you return to our website.

Information collected may be transmitted to and stored by Google on servers in the United States. Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf. You may refuse to accept cookies by activating the setting on your browser which allows you to refuse the setting of cookies. However, if you select this setting you may be unable to access certain parts of the website or be

unable to avail of any of our services. Unless you have adjusted your browser setting so that it will refuse cookies, cookies will issue when you log on to our website.

### 3.7 Data Retention

Fund Elements will retain and process your Personal Data for Sales and Market and Customer Relationship Management purposes for a period of six years after its collection.

If you do not want us to process your personal data anymore, for example if you wish to opt-out of marketing and other communication from Fund Elements, please contact us at [privacy@fundelements.io](mailto:privacy@fundelements.io).

## 4 Business Operations

Fund Elements collects and processes your Personal Data so that we can deliver our products and services to you and our clients.

Fund Elements provides a Business Intelligence Platform for Investment Funds. When you or a client of Fund Elements that you are connected with, such as your employer, engages us to provide our products and services, we may collect your Personal Data from you or the client you are connected with in order to deliver out products and services.

### 4.1 What type of personal data do we collect?

Section 3.23.2 above provides details of the types of Personal Data we collect for Sales, Marketing and Customer Relationship Management purposes. To deliver Fund Elements products and services to a client we need contact details for users who are connected with the client so that we can grant access to our Business Intelligence Platform. The Personal Data collected for Sales, Markets and Customer Relationship is sufficient for this purpose.

### 4.2 How do we collect your personal data?

Section 3.3 above provides details of how we collect Personal Data for Sales, Marketing and Customer Relationship Management purposes. Additional information is provided in this section about how Fund Elements collects Personal Data for Business Operational purposes.

Fund Elements collects Personal Data when you are connected to a client of Fund Elements and your Personal Data is provided to us by our client who engages us to provide our products and services. By connected we mean:

- You are an employee of our client;
- You are an employee of a Service Provider to our client and a contract exists between your employer and our client for the provision of services;
- You are an employee of a Solution Provider to our client and a contract exists between your employer and our client for the provision of the solution;
- Where our client is a Service Provider, you are an employee of their client and a contract exists between your employer and our client for the provision of services;
- Where our client is a Solution Provider, you are an employee of their client and a contract exists between your employer and our client for the provision of the solution;
- You are an employee or individual who is otherwise connected to a client of Fund Elements by contract, statutory or regulatory requirement, where Fund Elements and our client have identified you as having a legitimate interest in accessing the Fund Element Website and the Fund Elements Business Intelligent Platform;

provided always, that our client has the right to disclose your Personal Data to Fund Elements.

### 4.3 Why do we collect your personal data?

For Business Operations purposes we may obtain, collect and process your Personal Data where we have a legitimate interest in doing so. We have a legitimate interest in:



- delivering our products and services to you and our clients
- in protecting the security and integrity of our online platforms and IT systems;
- in carrying out administrative and business operational processes within our business;
- protecting the security and integrity of our premises, IT systems, online platforms and other systems;
- providing Users with ongoing customer assistance and technical support; and
- complying with any applicable laws and regulations.

You have specific rights when we process your Personal Data based on our legitimate interest and these rights are set out in Section 6 Your rights.

#### 4.4 How do we store, use, share and disclose your personal data?

Section 3.4 above provides details of how we store, use and disclose Personal Data for Sales, Marketing and Customer Relationship Management purposes. Additional information is provided in this section about how Fund Elements stores, uses and discloses Personal Data for Business Operational purposes.

Your main interaction with the products and services we provide will be via the Elements.cloud app that hosts the content for the Fund Elements Business Intelligence Platform. The Elements.cloud app has been developed by Q9 Elements Inc, a State of Delaware Corporation head-quartered in San Francisco. Q9 Elements Inc is a separate entity to Fund Elements. The use of the Elements.cloud website and app are subject to separate legal agreements.

The Fund Elements Terms of Use provides for free access to the Fund Elements Business Intelligence Platform for personal educational purposes when you subscribe to our mailing list on the Fund Elements Website. The Fund Elements Terms of Use are available [here](#). When you subscribe to our mailing list we will issue you with an invite by email to Fund Elements Business Intelligence Platform on the Elements.cloud app. The invite will be issued from the Elements.cloud app to the email address you provided when subscribing to the Fund Elements mailing list and that email address will be stored on the Elements.cloud app. Access to the Fund Elements Business Intelligence Platform will require you to setup a user account (email address and password) on the Elements.cloud app. You will be required, should you decide to access Fund Elements Business Intelligence Platform, to accept the Elements.cloud agreements as part of the account setup process.

When Fund Elements receives your Personal Data from a client you are connected with, we will use your Personal Data to invite you to our Business Intelligence Platform on the elements.cloud app as outlined in the previous paragraph.

The Elements.cloud app and the Fund Elements Website provide online collaborative features that promote feedback, discussion and communication with and between users through discussion forums. These forums allow users, who have an interest in a topic, join an online group and participate in online discussion. The Fund Elements Website and the Fund Elements Business Intelligence Platform on the Elements.cloud app will allow users access certain Personal Data to facilitate the collaborative features required to support online discussion forums.

We may disclose your Personal Data used for Business Operations to trusted third parties in accordance with contractual agreements we have entered with these third parties including:

- Partners who we work with to provide our products and services;
- Service providers where we out-source business operations and support processes;
- IT Solution providers that supply us with software solutions.

Any request made by you to Fund Elements relating to your Personal Data will be treated as a request to Personal Data stored on the Fund Element Website and on the Fund Element Business Intelligence Platform on the Elements.cloud app unless the request provides otherwise.

#### 4.5 Data Retention

We will retain the Personal Data we process for a period of six years after you or the client that you are connected with ceases to be a client of Fund Elements. We will retain your Personal Data to protect your interests, the interests of the client you are connected with, to protect our interests, in line with any legal or regulatory obligations to which we or the client you are connected with maybe subject.

Section 6 Your rights, provides information on your rights as a data subject. If you wish to exercise your rights as a data subject over any of this Personal Data you may do so by emailing [privacy@fundelements.io](mailto:privacy@fundelements.io).

### 5 Transfer of personal data

Fund Elements may need to transfer your Personal Data outside the European Union (EU).

Fund Elements, a trading name of Magnetite Change Management Ltd, is a company registered in Ireland and provides services to a global market. To support our clients Fund Elements may need to transfer data to entities owned and controlled by Magnetite Change Management Ltd. Fund Elements may also use service providers located outside of the EU.

We will only transfer your Personal Data to a country outside of the EU

- where the European Commission has decided that the non-EU country ensures an adequate level of protection in line with EU data protection standards
- where the non-EU county has appropriate data protection standards in place to safeguard your Personal Data.

Further information on the standard contractual clauses established by the EU for transfer of data to a non-EU Country are available [here](#).

### 6 Your rights

The data protection laws provide you with specific rights in relation to your personal data. These rights relate to your access to and control of your personal data and include:

- ACCESS. You can request access to your personal data.
- CORRECT. You can request the correction of your personal data.
- ERASURE. You can request to have your personal data erased.
- OBJECT. You can object to the processing of your personal data where Fund Elements relies of our legitimate interest or that of a 3rd party to process your personal data.
- RESTRICT. You can request Fund Elements to stop processing your personal data.
- TRANSFER. You can request the transfer of your personal data to you or to a 3rd Party.
- WITHDRAW. You can withdraw your consent at any time when Fund Elements is replying on your consent to process your personal data.

There may be legal obligations and/or regulatory duties that prevent Fund Elements from fully complying with a request from you relating to your rights over your personal data. In such a case we will inform you at the time of your request.

You can exercise your rights in relation to your Personal Data by contacting [privacy@fundelements.io](mailto:privacy@fundelements.io).

You have the right to make a complaint to the Data Protection Commission if you are not happy with the action we have taken following a request by you in relation to your personal data. Details of the complaints process, as well as further information relating to your rights over your personal data, is available on [www.dataprotection.ie](http://www.dataprotection.ie).



## 7 Changes to this statement

Fund Elements reserves the right to modify this Privacy Statement at any time at our sole discretion. You should check this statement from time to time to keep updated on any changes as these will be binding on you.

Changes and clarifications will take effect immediately upon their posting on the website. If we make material changes to this Privacy Statement, in particular, if we decide to use your Personal Data in a way that is significantly different than set out in this statement, we will notify you by email in advance of the update.

You will have the choice as to whether we use your personal data in the new way.

## 8 Contact

If you have any questions about this Privacy Statement or would like to: access, correct, amend or erase any of your personal data, you are invited to contact us at [privacy@fundelements.io](mailto:privacy@fundelements.io).