



# Privacy Policy

*Effective 30<sup>th</sup> May 2018*

Annam Consulting Limited takes data privacy seriously. This privacy policy explains who we are, how we collect, share and use Personal Information, and how you can exercise your privacy rights.

We recommend that you read this privacy policy in full to ensure you are fully informed. However, to make it easier for you to review the parts of this privacy policy that apply to you, we have divided up the document into sections that are specifically applicable to Contacts (Section 2), Visitors (Section 3), and General Information (Section 4). Sections 1 and 4 are applicable to everyone.

If you have any questions or concerns about our use of your Personal Information, then please contact us using the contact details provided at the end of Section 4.

# 1. The Basics

## A. About Us

Annam Consulting Limited is an independent distributor of investment funds to professional intermediaries and advisers (the "**Services**") Annam Consulting Limited is a company incorporated in the British Virgin Islands and headquartered in Kuala Lumpur, Malaysia ("**we**," "**us**," "**our**," and "**Annam Consulting Limited**").

The Services enable our Contacts to, among other things, be regularly updated on the latest performance updates on the funds we offer as well as providing access to all relevant marketing material via the password protected Client Portal on our website

## B. Key Terms

In this privacy policy, these terms have the following meanings:

"**Contact**" is a person subscribed to the Annam Consulting Limited newsletters who may be contacted by us through our Services.

"**Distribution List**" is the list of Contacts created and held by Annam Consulting Limited.

"**Personal Information**" means any information that identifies or can be used to identify a Contact, or a Visitor, directly or indirectly. Examples of Personal Information include, but are not limited to, first and last name, date of birth, email address, gender, occupation, or other demographic information.

"**Website(s)**" means any website(s) we own and operate (such as [www.annamconsulting.com](http://www.annamconsulting.com)) or any web pages, interactive features, applications, widgets, blogs, social networks, social network "tabs," or other online, mobile, or wireless offerings that post a link to this privacy policy.

"**Visitor**" means any person who visits any of our Websites.

"**you**" and "**your**" means, depending on the context, either a Contact, or a Visitor.

## 2. Privacy for Contacts

This section applies to the information we process about our Contacts as a data controller pursuant to our legitimate business interests, as explained in the "Legal Basis for Processing" section below. Our Services are intended for use by our Contacts. **For purposes of this section, "you" and "your" refer to Contacts.**

### A. Information We Collect

The Personal Information that we may collect or receive about you broadly falls into the following categories:

(i) **Information we collect automatically:** When you interact with an email campaign that you receive from us or browse our website, we may collect information about your device and interaction with an email. We use MailChimp for our email campaigns and they use cookies and other tracking technologies to collect some of this information. The use of cookies and other tracking technologies is discussed more below, and in more detail in their Cookie Statement.

(ii) **Information we collect from other sources:** From time to time, we may obtain information about you from third-party sources, such as social media platforms and third-party data providers. We take steps to ensure that such third parties are legally or contractually permitted to disclose such information to us.

### B. Use of Personal Information

We may use the Personal Information we collect or receive about you for our legitimate business interests, including:

- **To enforce compliance with our Terms of Use and applicable law.** This may include developing tools and algorithms that help us prevent violations.
- **To protect the rights and safety of our Contacts and third parties, as well as our own.**
- **To meet legal requirements,** including complying with court orders, valid discovery requests, valid subpoenas, and other appropriate legal mechanisms.
- **To provide information to representatives and advisors,** including attorneys and accountants, to help us comply with legal, accounting, or security requirements.
- **To prosecute and defend a court, arbitration, or similar legal proceeding.**
- **To respond to lawful requests by public authorities,** including to meet national security or law enforcement requirements.
- **To provide, support and improve the Services.** For example, this may include sharing your information with third parties in order to provide and support our Services or to make certain features of the Services available to our Contacts.
- **Other purposes.** To carry out other legitimate business purposes, as well as other lawful purposes.

## C. Cookies and Tracking Technologies

We and our partners may use various technologies to collect and store information when you interact with an Annam Consulting Limited email campaign, and this may include using cookies and similar tracking technologies, such as pixels and web beacons. For example, MailChimp uses web beacons in the emails we send to our Contacts. When you receive and engage with Annam Consulting Limited's campaign, web beacons track certain behaviour such as whether the email sent through the MailChimp platform was delivered and opened and whether links within the email were clicked. They also allow MailChimp to collect information such as your IP address, browser, email client type, and other similar details. MailChimp uses this information to measure the performance of Annam Consulting Limited's' email campaigns, and to provide analytics information and enhance the effectiveness of our Services.

## D. Legal Basis for Processing

We process Personal Information about you as a data controller as described in this section, where such processing is in our **legitimate interests** and not overridden by your data protection interests or fundamental rights and freedoms. Our legitimate interests typically include: improving, maintaining, providing, and enhancing our technology, products and services; ensuring the security of the Services and our Website; and for our marketing activities.

## E. Other Data Protection Rights

You may have the following data protection rights:

- To **access, correct, update or request deletion** of your Personal Information. Annam Consulting Limited takes reasonable steps to ensure that the data we collect is reliable for its intended use, accurate, complete, and up to date. You may contact us directly at any time about accessing, correcting, updating or deleting your Personal Information, or altering your data, by emailing us at [funds@annamconsulting.com](mailto:funds@annamconsulting.com). We will consider your request in accordance with applicable laws.
- In addition, if you are a resident of the EEA, you can **object to processing** of your Personal Information, ask us to **restrict processing** of your Personal Information or **request portability** of your Personal Information. Again, you can exercise these rights by emailing us at [funds@annamconsulting.com](mailto:funds@annamconsulting.com).
- You have the **right to complain to a data protection authority** about our collection and use of your Personal Information. For more information, please contact your local data protection authority.  
If you no longer want to be contacted by Annam Consulting Limited through our Services, please unsubscribe directly from the Annam Consulting Limited

newsletter or contact Annam Consulting Limited directly to update or delete your data. If you contact us directly, we may remove or update your information within a reasonable time.

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws. We may ask you to verify your identity in order to help us respond efficiently to your request.

## 3. Privacy for Visitors

This section applies to Personal Information that we collect and process through our Website and in the usual course of our business, such as in connection with our recruitment, events, sales and marketing activities. **In this section "you" and "your" refers to Visitors.**

### A. Information We Collect

(i) **Information you provide to us on the Website or otherwise:** Certain parts of our Website may ask you to provide Personal Information voluntarily. For example, we may ask you to provide certain Personal Information (such as your name, contact details, company name, profile information) in order to register with the Annam Consulting Limited Client Portal, apply for a role with Annam Consulting Limited, or otherwise submit inquiries to us. We may also collect Personal Information, such as your contact and job details and feedback, when you attend our events, take part in surveys, or through other business or marketing interactions we may have with you. You may choose to provide additional information when you communicate with us or otherwise interact with us, and we will keep copies of any such communications for our records.

The Personal Information that you are asked to provide, and the reasons why you are asked to provide it, will be made clear to you at the point we ask you to provide your Personal Information. We will also let you know prior to collection whether the provision of the Personal Information we are collecting is compulsory or may be provided on a voluntary basis and the consequences, if any, of not providing the information.

(ii) **Information we collect automatically through the Website:** When you visit our Website, we may also collect certain information automatically from your device. In some countries, including countries in the European Economic Area, this information may be considered Personal Information under applicable data protection laws.

### B. Use of Personal Information

We may use the information we collect through our Website for a range of reasons, including:

- To provide, operate, optimize, and maintain our Websites.
- To send you information for marketing purposes, in accordance with your marketing preferences.
- For recruitment purposes if you have applied for a role with Annam Consulting Limited.

- To respond to your online inquiries and requests, and to provide you with information and access to resources or services that you have requested from us.
- To manage our Website and system administration and security.
- To improve the navigation and content of our Website.
- To identify any server problems or other IT or network issues.
- To compile aggregated statistics about site usage and to better understand the preferences of our Visitors.
- To carry out research and development to improve our products and services.
- To customize content and layout of the Website.
- To carry out other legitimate business purposes, as well as other lawful purposes.

## C. Public Information and Third-Party Websites

- **Social media platforms and widgets.** Our Website includes social media features, such as the Facebook Like button. These features may collect information about your IP address and which page you are visiting on our Website, and they may set a cookie to make sure the feature functions properly.
- **Links to third-party websites.** Our Website includes links to other websites, whose privacy practices may be different from ours. If you submit Personal Information to any of those sites, your information is governed by their privacy policies. We encourage you to carefully read the privacy policy of any website you visit.
- **Contests and sweepstakes.** We may, from time to time, offer surveys, contests, sweepstakes, or other promotions on our Website or through social media (collectively, "**Promotions**").

## Other Data Protection Rights

You have the following data protection rights:

- To **access, correct, update, or request deletion** of your Personal Information. Annam Consulting Limited takes reasonable steps to ensure that the data we collect is reliable for its intended use, accurate, complete, and up to date. You may contact us directly at any time about accessing, correcting, updating, or deleting your Personal Information, or altering your data or marketing preferences by emailing us at [funds@annamconsulting.com](mailto:funds@annamconsulting.com). We will consider your request in accordance with applicable laws.
- In addition, if you are a resident of the EEA, you can **object to processing** of your Personal Information, ask us to **restrict processing** of your Personal Information or **request portability** of your Personal Information. Again, you can exercise these rights by emailing us at [funds@annamconsulting.com](mailto:funds@annamconsulting.com).

- Similarly, if we have collected and processed your Personal Information with your consent, then you can **withdraw your consent** at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your Personal Information conducted in reliance on lawful processing grounds other than consent.
- You have the **right to complain to a data protection authority** about our collection and use of your Personal Information. For more information, please contact your local data protection authority.
- We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws. We may ask you to verify your identity in order to help us respond efficiently to your inquiry.



## 4. General Information

### A. How We Share Information

We may share and disclose your Personal Information to the following types of third parties for the purposes described in this privacy policy (**for purposes of this section, "you" and "your" refer to Contacts and Visitors unless otherwise indicated**):

- (i) **Our service providers:** Sometimes, we share your information with our third-party service providers, who help us provide and support our Services and other business-related functions.
- (ii) **Any competent law enforcement body, regulatory body, government agency, court or other third party** where we believe disclosure is necessary (a) as a matter of applicable law or regulation, (b) to exercise, establish, or defend our legal rights, or (c) to protect your vital interests or those of any other person.
- (iii) **A potential buyer (and its agents and advisors)** in the case of a sale, merger, consolidation, liquidation, reorganization, or acquisition.
- (iv) **Any other person with your consent.**

### B. Legal Basis for Processing Personal Information (EEA Persons Only)

If you are from the European Economic Area, our legal basis for collecting and using the Personal Information described above will depend on the Personal Information concerned and the specific context in which we collect it.

However, we will normally collect and use Personal Information from you where the processing is in our **legitimate interests** and not overridden by your data-protection interests or fundamental rights and freedoms. Typically, our legitimate interests include improving, maintaining and providing products and services; ensuring the security of the Services and our Website; and for our marketing activities.

If you are a Contact, we may need the Personal Information to **perform a contract** with you. In some limited cases, we may also have a **legal obligation** to collect Personal Information from you.

If we ask you to provide Personal Information to comply with a legal requirement or to perform a contact with you, we will make this clear at the relevant time and advise you whether the provision of your Personal Information is mandatory or not, as well as of the possible consequences if you do not provide your Personal Information.

Where required by law, we will collect Personal Information only where we have your **consent** to do so.

If you have questions about or need further information concerning the legal basis on which we collect and use your Personal Information, please contact us using the contact details provided in the "Questions and Concerns" section below.

## C. Your Choices and Opt-Outs

Contacts and Visitors who have opted in to our marketing emails can opt out of receiving marketing emails from us at any time by clicking the "unsubscribe" link at the bottom of our marketing messages.

Also, all opt-out requests can be made by emailing us using the contact details provided in the "Questions and Concerns" section below.

## D. Our Security

We take appropriate and reasonable technical and organisational measures to protect Personal Information from loss, misuse, unauthorised access, disclosure, alteration, and destruction, taking into account the risks involved in the processing and the nature of the Personal Information. If you have any questions about the security of your Personal Information, you may contact us at [funds@annamconsulting.com](mailto:funds@annamconsulting.com)

The Client Portal section of the Annam Consulting Limited website requires a password to log in. Contacts must keep their password secure, and never disclose it to a third party. Because the information in the Client Portal is sensitive and restricted to registered Contacts only, account passwords are hashed, which means we cannot see a Contact's password.

## E. International Transfers

### (i) **We operate in the United States**

Our servers are located in the United States, so your information may be transferred to, stored, or processed in the United States. While the data protection, privacy, and other laws of the United States might not be as comprehensive as those in your country, we take many steps to protect your privacy.

### (ii) **Data transfers from Switzerland or the EU to the United States**

Annam Consulting Limited participates in the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework. We are committed to subjecting all Personal Information received from European Union (EU) member countries and

Switzerland, respectively, in reliance on each Privacy Shield Framework, to each Framework's applicable Principles.

Annam Consulting Limited is responsible for the processing of Personal Information we receive under each Privacy Shield Framework and subsequently transfer to a third party acting as an agent on our behalf. We comply with the Privacy Shield Principles for all onward transfers of Personal Information from the EU and Switzerland, including the onward transfer liability provisions.

With respect to Personal Information received or transferred pursuant to the Privacy Shield Frameworks, we are subject to the regulatory enforcement powers of the U.S. Federal Trade Commission. In certain situations, we may be required to disclose Personal Information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

### (iii) **Members located in Australia**

If you are a Contact who lives in Australia, this section applies to you. We are subject to the operation of the Privacy Act 1988 ("**Australian Privacy Act**"). Here are the specific points you should be aware of:

- Where we say we assume an obligation about Personal Information, we are also requiring our subcontractors to undertake a similar obligation, where relevant.
- We will not use or disclose Personal Information for the purpose of our direct marketing to you unless you have consented to receive direct marketing; you would reasonably expect us to use your personal details for the marketing; or we believe you may be interested in the material, but it is impractical for us to obtain your consent. You may opt out of any marketing materials we send to you through an unsubscribe mechanism or by contacting us directly. If you have requested not to receive further direct marketing messages, we may continue to provide you with messages that are not regarded as "direct marketing" under the Australian Privacy Act, including changes to our terms, system alerts, and other information related to your account.
- Our servers are located in the United States. In addition, we or our subcontractors may use cloud technology to store or process Personal Information, which may result in storage of data outside Australia. It is not practicable for us to specify in advance which country will have jurisdiction over this type of offshore activity. All of our subcontractors, however, are required to comply with the Australian Privacy Act in relation to the transfer or storage of Personal Information overseas.
- If you think the information we hold about you is inaccurate, out of date, incomplete, irrelevant, or misleading, we will take reasonable steps, consistent with our obligations under the Australian Privacy Act, to correct that information upon your request.
- If you are unsatisfied with our response to a privacy matter, then you may consult either an independent advisor or contact the Office of the Australian Information Commissioner for additional help. We will provide our full cooperation if you pursue this course of action.

## F. Retention of Data

We retain Personal Information where we have an ongoing legitimate business or legal need to do so. Our retention periods will vary depending on the type of data involved, but, generally, we'll refer to these criteria in order to determine retention period:

- Whether we have a legal or contractual need to retain the data.
- Whether the data is necessary to provide our Services.

When we have no ongoing legitimate business need to process your Personal Information, we will either delete or anonymise it or, if this is not possible (for example, because your Personal Information has been stored in backup archives), then we will securely store your Personal Information and isolate it from any further processing until deletion is possible.

## G. Changes to this Policy

We may change this privacy policy at any time and from time to time. The most recent version of the privacy policy is reflected by the version date located at the top of this privacy policy. All updates and amendments are effective immediately upon notice, which we may give by any means, including, but not limited to, by posting a revised version of this privacy policy or other notice on the Websites. We encourage you to review this privacy policy often to stay informed of changes that may affect you. Our electronically or otherwise properly stored copies of this privacy policy are each deemed to be the true, complete, valid, authentic, and enforceable copy of the version of this privacy policy that was in effect on each respective date you visited the Website.

## H. Questions & Concerns

If you have any questions or comments, or if you have a concern about the way in which we have handled any privacy matter, please use our [contact form on our website](#) to send us a message. You may also contact us by postal mail or email at:

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