

Information on data processing

We hereby provide you with information on the processing of your personal data and the claims and rights you have under data protection legislation. Content and scope of data processing are determined largely by the products and services requested by and/or agreed with you.

Who is responsible for data processing and who can you contact?

Gutmann Kapitalanlageaktiengesellschaft (KAG)
1010 Vienna, Schwarzenbergplatz 16
Tel.: +43-1-502 20-0, mail@gutmannfonds.at
Our Data Protection Officer is available at: datenschutz@gutmannfonds.at

What data are being processed and what are the sources of these data?

We process personal data that we receive from you in the course of our business relations with you. In addition, we process data that we have legally acquired from public sources (e.g. companies register, the associations register).

Personal data include your personal details (e.g. name, address, contact details, date and place of birth, nationality), legitimation data (e.g. ID data), authentication data (e.g. specimen signature) and CV data. Also included may be order data, data resulting from the performance of our contractual obligations, documentation data (e.g. conversation logs), images and audio data (e.g. video and telephone recordings), data on client relationship management, information resulting from your electronic communication with KAG (e.g. cookies), processing results generated by us as well as data needed for compliance with legal and regulatory requirements.

For what purposes and on which legal basis are data being processed?

We process your personal data in conformity with the rules of the EU's General Data Protection Regulation (GDPR) and the Austrian Data Protection Act (Datenschutzgesetz 2018)

for the performance of a contract:

- Personal data are processed for the purpose of providing services, including in particular the performance of agreements we have entered into with you, which we provide as part of our activities as a management company (Verwaltungsgesellschaft) in accordance with the

Investment Fund Act (Austrian Investmentfondsgesetz 2011 – InvFG 2011) and the Alternative Investment Fund Manager Act (Austrian Alternative Investmentfonds Manager-Gesetz – AIFMG) (e.g. regarding a special fund mandate). For concrete details concerning the purposes of data processing, please refer to applicable contractual documents.

to comply with legal obligations:

- Personal data may need to be processed to comply with a variety of legal obligations (e.g. under the Banking Act (Bankwesengesetz), the Financial Markets Anti-Money-Laundering Act (Finanzmarkt-Geldwäsche-Gesetz), the Investment Fund Act (InvFG 2011), the Alternative Investment Fund Manager Act (AIFMG), the Stock Exchange Act (Börsegesetz 2018), etc.) as well as supervisory requirements (e.g. European Securities and Markets Authority, Austrian Financial Market Authority (Finanzmarktaufsicht), etc.) which the KAG as an Austrian management company (Verwaltungsgesellschaft) is subject to.

Examples of such cases:

- Establishment of identity, monitoring of transactions, reports to the Financial Intelligence Unit in cases of suspected irregularities in accordance with the provisions of the Financial Markets Anti-Money-Laundering Act;
- Monitoring of transactions to verify compliance with rules on market abuse, provision of information to FMA (the Austrian Financial Markets Authority) under the Investment Fund Act, Alternative Investment Fund Manager Act and Stock Exchange Act 2018;

to pursue legitimate interests:

- Data may be processed to the extent required, beyond the scope needed for the performance of an agreement, to pursue our legitimate interests or those of third parties after careful assessment of such interests. In the following cases, data are processed to pursue legitimate interests:
 - Review and optimisation of procedures for needs analysis and direct approach to clients;
 - Business management activities and the continuing development of services and products;
 - Telephone recordings (e.g. in cases of complaints);
 - Measures to protect KAG's employees, clients and assets (e.g. video surveillance);
 - In the course of legal action.

with your consent:

- In addition, if you have consented to the processing of your personal data, such processing will be limited to the purposes named in the declaration of consent and the scope agreed therein. Any consent given may be withdrawn at any time with effect for the future (e.g. you may object to the processing of your personal data for marketing and promotional purposes if you no longer wish such processing to take place in the future).

Who will receive your data?

Within the Gutmann Group, your data will go to those undertakings, entities and employees that require your data for performing contractual, legal and supervisory duties and protecting legitimate interests. In addition, contractors (especially IT and back-office service providers) will receive your data if they need the data to perform their respective services. All processors are contractually bound to treat your data confidentially and to process them only within the scope of the services rendered by them.

In the case of legal or supervisory obligations, public bodies and institutions (e.g. European Securities and Markets Authority, Austrian Financial Market Authority, fiscal authorities, etc.) may be recipients of your personal data.

To meet contractual obligations or conform to legal regulations, personal data may be passed on to third parties.

How long will your data be stored?

We process your personal data, as far as required, for the whole duration of the entire business relationship (from initiation to the performance and the termination of an agreement) and, beyond that, in accordance with statutory retention and documentation obligations set out, for example, in the Companies Code (Unternehmensgesetzbuch), the Federal Fiscal Code (Bundesabgabenordnung), the Banking Act, the Financial Markets Anti-Money-Laundering Act, the Investment Fund Act and the Alternative Investment Fund Manager Act.

Data storage is moreover subject to statutory limitation periods, e.g. under the Austrian General Civil Code (Allgemeines Bürgerliches Gesetzbuch), and may in certain cases last up to 30 years (the most common limitation period is 3 years).

What data protection rights do you have?

As a matter of principle, you have a right to access, rectification, erasure or restriction of processing of your stored data, the right to object to data processing and a right to data portability in accordance with the provisions of data protection law. Complaints can be addressed to the Austrian Data Protection Authority at dsb@dsb.gv.at.

Are you obliged to provide data?

Within the scope of the business relationship, you have to provide those personal data that are required for starting and maintaining the business relationship and that we are required by law to collect. If you do not make these data available to us, we will, as a rule, have to decline entering into the agreement or executing the agreement or will no longer be able to execute an existing agreement and will consequently have to terminate it. You are not obliged, however, to give your consent to data processing in respect of data that are not relevant to the performance of the agreement or are not required by law and/or regulations.

Cookies

Our website uses several cookies. Cookies are small text files that are created by a website on a visitor's device and may contain both personal and non-personal data.

You may configure your web browser in such a way that it refuses to accept specific or all cookies. Please note, however, that in such a case you may not be able to use all the features of our website to the full.

The www.gutmann.at website uses Piwik, i.e. open-source software for the statistical analysis of user access. For this purpose, a cookie is placed. The information it generates on the use of www.gutmann.at is stored at our server in Vienna, Austria. The IP address is anonymised immediately after processing and prior to storage.

The www.gutmann.at website includes YouTube videos that require a cookie. The responsibility for data collection and processing in this regard rests with YouTube.

The www.gutmannfonds.at website uses a so-called session cookie to keep your session going after successful log-in.

Online Reporting uses a cookie to store your preferred language and the securities account last called up by you.

Logging

Every access to contents of our website is logging. We store these access data for operational purposes, for IT security purposes, for error analyses and usage statistics. We also record each visitor's IP address and port, your browser's user agent string, date and time of access, name of the file requested, the data volume transmitted, a referrer URL, if available, and (after successful log-in), your log-in name.

In addition, Online Reporting records all successful and failed log-in attempts along with all parameters of your visit, such as account numbers and securities account numbers accessed.

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