

Personal data are processed by the European Investment Fund (“EIF” or “Controller”) in accordance with Regulation (EC) 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, as such regulation may be amended from time to time (“Regulation (EC) 45/2001”).

1. Legal Basis

The legal basis for this processing is Article 2 of the EIF Statutes, which obliges EIF to “contribute to the pursuit of the objectives of the Union”.

With a view to fulfilling its referred task, the EIF provides financial guarantees and equity investments to financial intermediaries for the final benefit of essentially EU-based Small and Medium Sized Enterprises (“SMEs”). In this context, the EIF

- has developed a framework of policies, published on its website¹, which provide general guidance to EIF transactions;
- is entrusted with a variety of mandates from third parties (“Mandate Principals”), which may contain specific policy guidelines to the transactions funded out of such mandates.

The referred policy frameworks complement the statutory mission of the EIF.

2. Data Subjects

Personal data may be processed in relation to

- legal representatives of the respective applicant , financial intermediary and/or
- individuals, who are identified to be instrumental for the commercial success of the respectively proposed transaction

(“Data Subjects”)

3. Purpose

The implementation of the referred policy framework requires a detailed due diligence process, which allows EIF to assess the commercial and policy-related opportunities of a transaction on one hand and the related commercial, legal and reputation risks on the other hand. The financial intermediaries through which EIF implements its statutory tasks may take the form of financial institutions or private equity and equivalent structures.

The personal data referred to herein may be collected with a view to

- allowing a fair and complete assessment of any applicant and of the viability of any envisaged transaction;
- identifying and monitoring potential risks for EIF from a transaction to which EIF has subscribed a commitment, including risks relating to money laundering, terrorist financing, tax evasion and tax avoidance;
- identifying wider reputation risks related to the transaction or the key individual members of the applicant; and
- complying with the “Know-Your-Customer” legal obligation.

Any refusal from the applicants to provide the required personal data in the context of the “Know-Your-Customer” process could result in the rejection of the application.

4. Data Category

The referred personal data comprise essentially information on the identity, the professional education and *curriculum vitae*, as such data are provided by the Data Subject. Such data may be completed by publicly (media) available information.

¹ www.eif.org

The collected personal data may serve as a base for reference calls with contacts agreed upon with the Data Subject.

The collected personal data are used exclusively for the purpose and to the extent of the due diligence process in connection with any envisaged transaction and to allow an efficient monitoring of any transaction to which EIF has subscribed a commitment.

5. Data Recipients

The collected personal data will not be transferred to third parties, with the exception of such third parties by which EIF is mandated with the management of funds for the purpose of performing specific operations and only to the extent adequate protection of personal data, equivalent to the standards of the Regulation (EC) 45/2001, can be ascertained.

The personal data are processed by:

- EIF staff members/consultants of
 - transactional services,
 - the Compliance Division,
 - Risk and Portfolio Management,
 - MIBO,
 - internal audit, and
- the Chief Executive and the Deputy Chief Executive and members of the Board of Directors of EIF.

For specific due-diligence purposes, the aforementioned personal data may be shared with the EIB Group relevant services.

6. Data Retention Period

Any personal data collected and processed in the context herein will be retained by the EIF, as the case may be, for a maximum period of 5 years as from the date of the termination of the business relationship with the financial intermediary or the rejection of the application.

7. Rights of the Data Subject

Any Data Subject is entitled to access and ask for rectification of any inaccurate or incomplete data related to them.

EIF may restrict the application of the Data Subject's right of access and rectification where such restriction may constitute a necessary measure to safeguard *inter alia*:

- the prevention, investigation, detection and prosecution of criminal offences;
- the protection of the data subject or of the rights and freedoms of others;

Any Data Subject is further entitled to request the blocking of their data by addressing him/herself to EIF

- to the extent the accuracy of such data is contested;
- if the EIF no longer needs the data referred to, but confirms that the data might still be stored for purposes of proof;
- data subject prefers to block the data where s/he may, but does not want to request their erasure.

Personal data blocked pursuant to the above shall, with the exception of their storage, only be processed for the purpose of proof, or with the consent of the data subject, or for the protection of the rights of a third party.

8. Recourse

Any Data Subject may exercise these rights by contacting the EIF Data Protection Officer at dpo@eif.org. Furthermore, recourse is open to the European Data Protection Supervisor (www.edps.europa.eu) at any time.