

Privacy Notice

General

The information in this notice is provided for visitors to our website. If you are looking for specific information about how we process information about investors in our funds, please see our privacy notice for investors in GRO Capital funds below.

If you submit information about yourself through this website - for example, by sending an email to one of the addresses displayed on the site - we will only use your information for the intended purpose or purposes for which it has been provided. For example, we will use it for the purposes of responding to your enquiry or if your enquiry requires investigation or research on our part, then to facilitate such purposes. We may also store your information for our internal business purposes (for example, to improve the site and our services generally). We will not disclose your information to other persons outside GRO Capital, except: (i) to service providers, investment advisers, professional advisers and their respective agents and/or employees under strict confidentiality obligations; (ii) exceptionally, where we are required to make the disclosure by law, in connection with legal proceedings or otherwise upon governmental or regulatory request; or (iii) where we believe it is necessary or appropriate to protect the rights or property of GRO Capital.

If, as a consequence of contacting GRO Capital, we use your details to send you information about GRO Capital, which we believe may be of interest to you (other than in response to your original query), you will have the opportunity to tell us that you do not wish to receive that information. Contact GRO Capital at grocapital@grocapital.dk and ask us not to contact you for such purposes and/or not to provide you with such information.

For Investors in GRO Capital Funds

1. This Notice

This notice is provided for the benefit of natural persons (excluding those working for, or within, our organisation) with whom we interact in the course of conducting our business. This includes people who view our website or make contact with us through the website, investors and prospective investors in our various funds or investment vehicles, individuals acting for, or on behalf of, or otherwise providing us with personal data in connection with actual or prospective institutional investors in such funds or investment vehicles and all other persons with whom we interact in the course of our business (“you”).

GRO Capital manages an investment fund business and this Notice is expected to be updated from time to time, e.g., if there are changes in law, or to reflect other changes in our policies and procedures with respect to our handling of your personal data. If you have an ongoing business or investment relationship with GRO Capital, we encourage you to visit our website regularly to review any changes to this Notice.

You may contact GRO Capital if you have any queries about this Notice – please see the contact details below.

2. Data Protection Terminology

Certain words are given specific meanings under data protection legislation. Please note that those divisions, branches, subsidiaries and affiliates of GRO Capital located within the EEA are subject to the GDPR (as defined below), but if you are not resident in the EEA, there may be other laws in your country that are different. Other laws may use different or additional legal terms, or define the same terms differently. The terms listed below are intended to have the following meanings in this Notice:

“adequacy decision” means a decision of the European Commission determining that a country outside the EEA ensures an adequate level of protection for personal data;

“criminal offences data” means personal data about any actual or alleged criminal convictions or offences related security measures;

“data controller” means the GRO Capital entity that decides how and why personal data is processed;

“EEA” means the member states of the European Economic Area;

“EU data protection laws” means all laws and regulations relating to the protection of personal data applicable in the EU, the EEA and, if outside the EU, the UK, including: the Data Protection Directive (95/46/EC), the Privacy and Electronic Communications (EC Directive) Regulations 2003, the Data Protection (Processing of Sensitive Personal Data) Order 2000, Regulation 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (“GDPR”), and any other applicable legal requirement concerning the protection and processing of personal data;

“personal data” means information from which it is possible to identify a natural person (an individual), or information from which any individual is identifiable;

“processing” means anything that is done with personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

“processor” means the person or entity that processes personal data on behalf of a data controller; and

“sensitive personal data” means personal data about an individual’s race or ethnicity, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health, sexual life, criminal offences or any other information that may be deemed to be sensitive under applicable law.

3. Who controls the data we collect?

The general partner of any GRO Capital investment fund in which you are invested is a data controller. If the general partner has engaged a fund manager, an investment adviser, or the investment manager has itself engaged a portfolio manager, these additional entities may also process your data will act as independent data controllers.

4. From whom do we collect personal data?

GRO Capital collects your personal data from a variety of sources:

- a) when you provide it to us, e.g., in telephone conversations, in voicemails, through written correspondence, or via e-mail;
- b) when you engage in business with us, e.g., by subscribing to a fund or investment vehicle (including, in the case of an investment relationship, providing applicable any anti-money laundering identification, verification documentation, and source of funds information), responding to an investor questionnaire, requesting treatment as a professional client, etc.;
- c) when you visit our website, including any registration information or information captured via “cookies”;
- d) when it is available in the public domain, e.g., on the internet, in books, journals, magazines, news reports, in public directories, registries, or any other source available to the public; and

- e) when we receive information about you from third parties e.g.: tax authorities, including those that are based outside the UK and the EEA if the relevant applicant for interests in an GRO Capital fund or other investment vehicle is subject to tax in another jurisdiction; governmental and competent regulatory authorities to whom we may have regulatory obligations; credit agencies; and fraud prevention and detection agencies and organisations.

The information collected in this fashion could relate to you, or your organisation, its officers, directors, partners, employees, shareholders, ultimate beneficial owners or affiliates or to any other data subjects.

GRO Capital may also create personal data by combining or organising our records, or combining information you have provided with information received from other sources. This will include information collected in an online or offline context.

5. What data do we collect?

The types of personal data we collect and share may depend on the nature of your relationship with GRO Capital. With respect to an investment in an GRO Capital fund or other investment vehicle, we may process the following categories of personal data:

- a) names, dates of birth and birth place;
- b) contact details and professional addresses (including physical address, email address and telephone number);
- c) account data, payment instructions, and other information contained in any document you provide to GRO Capital (whether directly or indirectly, e.g., through a financial adviser);
- d) risk tolerance, transaction history, investment experience and investment activity, or if the decision to invest is made by individuals within your organisation, information about their experience, knowledge and expertise in investing in alternative funds;
- e) information regarding your status under various laws and regulations, including social security number, tax status, income and assets;
- f) accounts and transactions with other institutions;
- g) information regarding your interest and holding in GRO Capital funds or other investment vehicles, including ownership percentage, capital investment, income and losses;
- h) information regarding your citizenship and location of residence;
- i) source of funds used to make the investment in the GRO Capital fund or other investment vehicle; and
- j) anti-money laundering, identification (including passport and drivers' license), and verification documentation and, if applicable, additional information for any individual regarded as a politically exposed person.

We will only process sensitive personal data, to the extent required by law, and then only with your express consent.

6. Why do we collect personal data?

GRO Capital needs a lawful basis to process your personal data. Depending on the nature of the data and your relationship with GRO Capital, there can often be more than one lawful basis for processing. The table below describes certain processing activities associated with an investment in a GRO Capital fund and the various lawful grounds for processing that data, including where personal data is provided in connection with an investment by an institutional investor in a GRO Capital fund or other investment vehicle:

7. Description of data processing

Lawful basis for processing:

KYC due diligence, including confirming and verifying your identity (including, if applicable, your credit-worthiness by using credit reference agencies), screening against government, and/or law enforcement sanctions lists; other anti-money laundering and countering terrorist financing due diligence and, conducting “well informed investor” or “professional client” checks in assessing suitability of investors.

The processing is necessary for compliance with a legal obligation to which the controller is subject; the processing is necessary for the purposes of the legitimate interests pursued by the controller, provided that those interests do not override your fundamental rights and freedoms; and (for an investor who is the data subject) the processing is necessary for the performance of a contract with you or to take steps prior to entering into a contract with GRO Capital.

Administering our relationship with the investor and performance of all tasks necessary to provide the investment services and all related communications, both in preparing for admission to a fund (negotiation, preparation and signature of documentation) and all ongoing communications and reporting (whether communicating directly with the investor or to its representatives, advisors and agents), as well as providing information to actual or prospective lenders or their advisors and making any relevant regulatory, tax or other relevant filings (including with respect to portfolio investments of relevant GRO Capital funds or other investment vehicles in which you participate) and generally operating and managing the activities of relevant GRO Capital funds and/or other investment vehicles: the processing is necessary for the purposes of the legitimate interests pursued by the controller, provided that those interests do not override your fundamental rights and freedoms; and (for an investor who is the data subject) the processing is necessary for the performance of a contract with you or to take steps prior to entering into a contract with GRO Capital.

Keeping investors informed about the business of GRO Capital generally, including offering opportunities to make investments in other funds or investment vehicles: (Where the investment contract incorporates an expression of interest in receiving such information) the processing is necessary for the purposes of the legitimate interests pursued by the controller, provided that those interests do not override your fundamental rights and freedoms; (for an investor who is the data subject) the processing is necessary for the performance of a contract with you or to take steps prior to entering into a contract with GRO Capital; and the investor’s express consent.

Maintenance and management of our IT infrastructure and communications systems; operation of IT security; and IT security audits: the processing is necessary for compliance with a legal obligation to which the controller is subject; and the processing is necessary for the purposes of the legitimate interests pursued by the controller, provided that those interests do not override your fundamental rights and freedoms.

If necessary, for the purposes of detecting, investigating and preventing breaches of policy, criminal offences and fraud: the processing is necessary for compliance with a legal obligation to which the controller is subject; and the processing is necessary for the purposes of the legitimate interests pursued by the controller, provided that those interests do not override your fundamental rights and freedoms.

If necessary, for establishing, exercising and defending legal rights: the processing is necessary for compliance with a legal obligation to which the controller is subject; and the processing is necessary for the purposes of the legitimate interests pursued by the controller, provided that those interests do not override your fundamental rights and freedoms.

From time to time, GRO Capital may need to process personal data on other legal bases, including:

with your consent; to comply with a legal obligation; if it is necessary to protect the vital interests of an investor or other data subjects; or if it is necessary for a task carried out in the public interest.

A failure to provide the personal data requested to fulfil the purposes described in this Notice may result in GRO Capital being unable to provide the requested services to you.

8. Recipients of the data

GRO Capital may disclose personal data, where permitted by EU data protection laws, to other entities within the GRO Capital group (including their employees, directors and consultants) and third parties, professional advisers, lenders, data processors and other persons engaged to fulfil the purposes described in this Notice, including, without limitation, the administrators to GRO Capital funds and their external data processing centres and dispatch or payment agents. In addition, GRO Capital may share personal data with regulatory bodies having competent jurisdiction over them, as well as with the tax authorities, auditors and tax advisers (where necessary or required by law).

9. Retention and security of personal data

We employ appropriate technical and organisational measures to protect personal data within our control against accidental or unlawful destruction, loss, alteration, unauthorised disclosure, unauthorised access, and other unlawful or unauthorised forms of processing.

Personal data may be kept for as long as it is required for legitimate business purposes, to perform contractual obligations, or where longer, such longer period as is required by applicable legal or regulatory obligations or for any applicable limitation period under applicable law. Personal data will be retained throughout the life cycle of any investment, however no longer than necessary with regard to the purpose of the investor's relationship with GRO Capital. Some personal data will be retained after a data subject ceases to be an investor in a GRO Capital fund.

10. Data Subject Rights

You have the right:

- (i) to request access to, or copies of, your data; to request rectification of your personal data; to request that the processing of your data is restricted;
- (ii) to request erasure of your personal data;
- (iii) to exercise your right to data portability; where we rely on your consent to process data,
- (iv) to withdraw your consent;
- (v) and the right not to be subject to automated decision-making.

Please note that GRO Capital does not use automated decision-making. The right to erasure is not absolute and it may not always be possible to erase personal data on request, including where the personal data must be retained to comply with a legal obligation. Erasure of the personal data requested to fulfil the purposes described in this Notice, may result in the inability to provide the services to the investor.

11. Complaints

If you have any concerns about the way in which GRO Capital uses your personal data please contact us at: grocapital@grocapital.dk. If you want to complain, you may also contact the data protection authority in your country.