

DATA PROCESSING AND PRIVACY NOTICE FOR DUE DILIGENCE

1. The data subjects

For service providers falling under the law, Section 18 (1) a) of Act LIII of 2017 on the Prevention and Combating of Money Laundering and Terrorist Financing (hereinafter: '**AML Act**') stipulates that prior to forming a correspondent relationship with a provider established in a foreign country an in-depth analysis must be completed of the service provider established in a foreign country to assess and evaluate the instruments used by them to combat money laundering and terrorist financing (hereinafter: due diligence audit).

OTP Fund Management Ltd., as a controller (hereinafter: '**Management Company**') in accordance with the 'Group-level regulation of the OTP Fund Management Company due diligence process' Administrative Order under reference number 24/2017.-KFO-2201. detailing the protection of personal data and the free movement of such data, and complying with the Regulation of the European Parliament and of the Council (EU) 2016/679 on Repealing Directive 95/46/EC (hereinafter: '**General Data Protection Regulation**') as well as adhering to the provisions of Act CXII of 2011 on the Right of Informational Self-determination and Freedom of Information (hereinafter: '**Infotv.**'), processes personal data of:

- a) official representatives; and
- b) beneficial owners (hereinafter jointly as: '**Data Subject**').

2. Sets of processed data

2.1. The Management Company processes the personal data of Data Subjects:

- a) the data necessary for the identification provided by the official representatives and/or by the beneficial owners to the correspondent service provider.

2.2. The Management Company may collect the personal data of Data Subjects directly from the Data Subject or from the following sources:

- a) publicly available systems or record-keeping systems accessible to the general public, on condition they certify their right or legitimate interest, containing the data relating to the Data Subject;

2.3. During the DD audit no special data¹ is processed.

3. The purposes of the processing

The Management Company processes the personal data of the Data Subject for the **fulfilment of the due diligence and analysis obligations** (due diligence audit) **contained in Sections 16 and 18 of the AML Act.**

4. Legal grounds of processing

In the context of the data processing objective mentioned in paragraph 3, the Management Company processes the Data Subject's personal data defined in paragraph 2.1, which are required to perform the due diligence audit in order to fulfil their legal obligation. In this case the legal ground for the data processing is Act LIII of 2017 on the Prevention and Combating of Money Laundering and Terrorist Financing.

¹ The personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

5. Data retention period

5.1. The Management Company stores the Data Subject's personal data defined in paragraph 2.1 pursuant to the time period defined in Act LIII of 2017:

- the Management Company is authorised to process personal data for a period of eight years following the end of the business relationship or the date of fulfilment of the transaction order.

6. Data Transfer

Data Transfer is carried out as follows: *(the appropriate answer has to be underlined)*

-no Data Transfer is carried out or;

-in case of important correspondent relationship, the data are transferred to OTP Bank Nyrt. (Plc.).

7. Rights of the Data Subject

7.1. The data processing related rights of the Data Subject, including the right to legal remedy, are governed by the General Data Protection Regulation and the provisions of the Infotv.

7.2. The Data Subject can:

- a) request the Management Company to provide information regarding the processing of their personal data, including also the option to request a copy of the recorded data (access right);
- b) request the Management Company to rectify their incorrectly recorded personal data or dispute the accuracy of the personal data recorded (right to rectification);
- c) request the Management Company to erase their recorded personal data (right to erasure);
- d) request the Management Company to restrict the processing of their personal data (right to restriction);
- e) request the Management Company to provide them with the data concerning them or made available by them to the Management Company and processed in an electronic database, in a segmented, widely used, machine-readable format (right to data portability);
- f) object to the processing of their personal data if the legal ground for data processing is in the legitimate interest of a data controller or third party or is a public interest task or a public service, also including profiling in both cases (exercise the right to object);
- g) request human intervention by the controller when applying automated decision-making, stating their position;
- h) object to the decision made with the use of automated decision-making;
- i) file a complaint regarding the processing of their personal data or in relation to the exercising of their rights pursuant to the General Data Protection Regulation.

7.3. The Management Company, prior to the fulfilment of the request, may request the Data Subject to clarify the content of the request and specify the requested information or data processing activities.

7.4. The Management Company shall inform the Data Subject of any measures taken in relation to their request or objection as soon as possible or by no later than within one month from the submission of such requests (objections). This above deadline may, however, be extended by two months if warranted by the complexity of the request or the number of requests.

7.5. If the Management Company has valid doubts about the identity of the person submitting the request, the Management Company may request additional information necessary to confirm the identity of the Data Subject.

7.6. In the event that it is proven that the Management Company is unable to identify the Data Subject, the Management Company may refuse to fulfil the Data Subject's request.

7.7. If the Data Subject's request is clearly unfounded or deemed excessive pursuant to the General Data Protection Regulation, the Management Company may charge a fee by taking into account the following cost elements.

8. Access right

8.1. In the absence of any law or the binding legislation of the European Union, the Data Subject is entitled to be informed of all personal data that the Management Company processes in relation to them.

8.2. At the request of the Data Subject, the Management Company shall also provide information on whether or not the Data Subject's personal data is being processed and, if so, shall provide the Data Subject with a copy of the personal data processed and the following information:

- a) the purpose of data processing;
- b) the categories of personal data processed;
- c) the recipients or categories of recipients to whom the Management Company has communicated or will communicate the personal data of the Data Subject;
- d) the intended duration of the storage of personal data or, if such information is not available, the criteria for determining the duration;
- e) the information on the Data Subject's right to request from the Management Company the rectification or erasure of, or restriction to the processing of the Data Subject's personal data and to object to the processing of such personal data;
- f) the right to submit a complaint to the National Authority for Data Protection and Freedom of Information;
- g) the information about the source of personal data, not relating to the data provided by the Data Subject;
- h) if the Management Company also processes the personal data of the Data Subject for automated decision-making, the logic employed by the Management Company and the information on the significance of such data processing activity as well as the expected consequences thereof for the Data Subject.
- i) the information on guarantees that ensure the proper protection of the personal data of the Data Subject in the event they are transferred to a third country or to an international organisation.

8.3. In the event that the Data Subject requests the above information in multiple copies, the Management Company is entitled to charge a proportionate and reasonable fee for the administrative costs of preparing the additional copies.

8.4. If the right to information (access) of the Data Subject referred to in this paragraph affects the rights and freedom of others detrimentally, in particular the business secrets or intellectual property of others, the Management Company may refuse to fulfil with the request of the Data Subject.

9. Right to rectification

9.1. At the request of the Data Subject, the Management Company shall rectify or supplement any inaccurate or incomplete information concerning the Data Subject. After fulfilling the request of the Data Subject according to their right to rectification, the Management Company shall immediately inform the persons with whom it has communicated the personal data of the Data Subject, providing it is not deemed impossible and does not require a disproportionate amount of effort by the Management Company.

10. Right to erasure

10.1. The Data Subject is entitled to initiate the erasure of personal data relating to them in the following cases:

- a) the personal data requested to be erased are no longer required for the purpose they were collected for or processed differently by the Management Company;
- b) the Data Subject withdraws their consent to the processing of data, provided that the data processing by the Management Company has no other legal ground;
- c) the Data Subject objects to the processing of their personal data, and there is no prevalent legitimate reason for the processing of the data;
- d) the personal data of the Data Subject was processed unlawfully by the Management Company;
- e) the personal data must be erased by the Management Company in order to comply with the obligations imposed on them by law or by a binding legislation of the European Union; or
- f) the personal data were obtained in connection to the provision of services provided directly to children in relation to the information society.

10.2. In the event that the Management Company has previously disclosed the personal data of the Data Subject and is required to erase them, the Management Company shall take all reasonable steps, including the use of technical measures, which are necessary to inform the controllers who gained access to the personal data of the Data Subject as a result of their disclosure, regarding the obligation to erase the personal data. In its notice, the Management Company is obliged to notify other controllers that the Data Subject has requested the erasure of all links, copies or copied documents of their personal data.

10.3. After fulfilling the request of the Data Subject according to their right to erasure, the Management Company shall immediately inform the persons with whom it has communicated the personal data of the Data Subject, providing it is not deemed impossible and does not require a disproportionate amount of effort by the Management Company.

10.4. The Management Company shall not be obliged to erase personal data if the data processing is required:

- a) in order for the Management Company fulfil the obligation to process the personal data by law or according to a binding legislation of the European Union;
- b) to carry out a task in the public interest;
- c) for the purpose of archiving a document of permanent value, for scientific and historical research or for statistical purposes, provided that as a result of the Data Subject exercising their right to be forgotten, the data processing would most likely become impossible or seriously compromised;
- d) for the presentation, enforcement or defence of legal claims.

11. Right to restriction of processing

11.1. The Data Subject has the right to request the restriction of the processing of their personal data, which request the Management Company shall comply with if any of the following criteria apply:

- a) the Data Subject contests the accuracy of their personal data, in which cases the restriction shall only apply to the time period necessary for the Management Company to verify the accuracy of the personal data;
- b) the data processing activity has no legal basis, and the Data Subject does not consent to the erasure of the data but requests the restriction of their use;
- c) the Management Company no longer needs the personal data for data processing purposes, but the Data Subject requests the data for the submission, enforcement or protection of legal claims; or
- d) the Data Subject objects to the data processing; in such cases the restriction shall only apply to the time period necessary to determine whether the Management Company's justified needs precede the Data Subject's justified needs.

11.2. Should the data processing activity be subject to restriction as described above, such personal data shall, with the exception of storage, only be processed with the consent of the Data Subject or for the establishment, enforcement or defence of legal claims, for the protection of the rights of other natural or legal persons or for reasons of important public interest of the European Union or of a Member State.

11.3. The Management Company shall notify the Data Subject in advance regarding the lifting of the restriction on data processing.

11.4. After fulfilling the request of the Data Subject according to their right to restriction, the Management Company shall immediately inform the persons with whom it has communicated the personal data of the Data Subject, providing it is not deemed impossible and does not require a disproportionate amount of effort by the Management Company.

12. Right to object

12.1. If the data processing is required, according to the provisions of the Privacy Notice, for the enforcement of the legitimate interest of the Management Company or any third party, the Data Subject has the right to object to the processing of their personal data for this purpose. In the event that the Management Company is unable to demonstrate that the data processing is justified by legitimate compelling reasons which have priority over the interests, rights and freedoms of the Data Subject or

which relate to the establishment, enforcement or defence of legal claims, the Management Company shall not be allowed to process the personal data any longer for their purpose and shall be obliged to erase them.

13. Right to data portability

13.1. The Data Subject may request the Management Company to provide them with the data concerning them or made available by them to the Management Company in a segmented, widely used, machine-readable format. The Data Subject may exercise these right to portability in relation to data which the Management Company:

- a) processes based on the consent of the Data Subject, or
- b) processes for the performance of a contract concluded between the Data Subject and the Management Company, to which the Data Subject is party, or for the taking of steps at the request of the Data Subject prior to entering into a contract.

13.2. If otherwise technically feasible, upon the request of the Data Subject, the Management Company shall transfer above mentioned personal data directly to another data controller, specified in the request of the Data Subject. The right to the above data portability does not impose any obligation on the Management Company to introduce or maintain a technically compatible data processing system with another data controller. In the case when the right to portability of the Data Subject referred to in this paragraph affects the rights and freedom of others detrimentally, in particular the business secrets or intellectual property of others, the Management Company may refuse to fulfil with the request of the Data Subject.

14. Legal remedies

14.1. The Data Subject may contact the Management Company's data protection officer (see paragraph 14 of this Notice) with regard to any questions, objections or complaints they have about the data processing performed by the Management Company.

14.2. If the Data Subject considers that their rights under applicable data protection laws have been violated, they are entitled to file a complaint with the National Authority for Data Protection and Freedom of Information.

14.3. Contact details of the National Authority for Data Protection and Freedom of Information:

Website: <http://naih.hu/>;

Address: 1055 Budapest, Falk Miksa utca (street) 9-11.; HUNGARY

Postal address: 1363 Budapest, Pf. 9., HUNGARY

Phone: +36-1-391-1400;

Fax: +36-1-391-1410;

E-mail: ugyfelszolgalat@naih.hu

14.4. The Data Subject may enforce their rights with a judicial process. The litigation procedure falls within the jurisdiction of the general court, while the Budapest-Capital Regional Court has competent regarding the lawsuit. The case may be brought before the general court in whose jurisdiction the Data Subject's home address or temporary residence is located (the contact details of the general courts can be found on this link: <http://birosag.hu/torvenyszekkek>).

14.5. Furthermore, the Data Subject also has the right to employ a non-profit organisation or association, which has been established in accordance with Hungarian law and whose statutory objectives are the protection of the public interest and the protection of the rights and freedoms of the data subjects in respect of personal data, for the filing of complaints on behalf of the Data Subject, conducting pre-litigation procedures and, if legislation so permits, for the exercising of their right to compensation.

15. Data of the Controller and the data protection officer

15.1. Contact details of the controller and those of the data protection officer of the controller:

Name of the controller: OTP Fund Management Pte. Ltd.
Registered office: 1026 Budapest, Riadó utca (street) 1-3., HUNGARY
Postal address: OTP Fund Management Pte. Ltd., 1026 Budapest, Riadó utca (street) 1-3., HUNGARY
E-mail address: adatvedelem@otpalap.hu
Phone number: +36 1/412-8300
Website: www.otpalap.hu

Of the data protection officer of the controller:
Name: Nóra Fűgedi dr.
Postal address: 1026 Budapest, Riadó utca (street) 1-3., HUNGARY
E-mail address: adatvedelem@otpalap.hu