

**Boussard & Gavaudan SICAV**  
*Société anonyme se qualifiant de société d'investissement à capital variable*  
Registered office: 5, allée Scheffer, L-2520 Luxembourg  
Grand Duchy of Luxembourg  
R.C.S. Luxembourg: B 190.584  
(the "**Company**")

## NOTICE TO THE SHAREHOLDERS OF THE COMPANY

Luxembourg, 23 May 2018

### DATA PRIVACY STATEMENT

In accordance with the General Data Protection Regulation (697/2016/EU) (the "**GDPR**") and applicable Luxembourg data protection legislation (collectively, "**Data Protection Legislation**") (the Company being a data controller, must provide you with information on how the personal data that you provide as part of your subscription to shares in the Company will be processed by the Company, its service providers and delegates and their duly authorised agents and any of their respective related, associated or affiliated companies.

In circumstances where Boussard & Gavaudan Asset Management LP (the "**Management Company**") itself uses your personal data for its own purposes, it will also be considered a data controller and all rights afforded to you as a data subject under the GDPR shall be solely exercisable against the Management Company.

As a consequence of your investment, the Company and the Management Company, each acting as a data controller, may itself (or through third parties including but not limited to Caceis Bank, Luxembourg Branch (the "**Administrator**"), and any sub-distributors that may be appointed from time to time (collectively the "**Distributors**"), local paying agents and mailing firms appointed by any of the foregoing (together the "**Service Providers**")) process your personal information or that of your directors, officers, employees, intermediaries and/or beneficial owners. In this regard, please note the following:

## Purposes of Processing and Legal Basis for Processing

The personal data collected from you or provided by you or on your behalf in connection with your holdings in the Company will be collected, stored, disclosed, used and otherwise processed by the Service Providers on behalf of the Company for the purposes outlined in the table below.

Processing Activity by or on behalf of the Company	Legal Basis for Processing
Managing and administering your holdings in the Company and any related account on an ongoing basis	Performance of the contract between the Company and you
Disclosures to third parties such as auditors, regulatory, tax authorities and technology providers in the context of the day to day operations of the Company;	Performance of the contract between the Company and you.
Complying with any applicable legal, tax or regulatory obligations imposed on the Company including legal obligations under Company law, the Management Company Regulations, under tax law and under anti-money laundering / counter terrorist financing legislation	Compliance with a legal obligation to which the Company is subject
Investor communication and the recording, maintaining, storing and using recordings of telephone calls and electronic communications that you make to and receive from the Company, the Service Providers and their delegates or duly appointed agents and any of their respective related, associated or affiliated companies for any matters related to investment in the Company, dispute resolution, record keeping, security and/or training purposes;	Pursuing the legitimate interests of the Company including: <ul style="list-style-type: none"> <li>- dispute resolution, record keeping, security and/or training purposes; and</li> <li>- allowing the fund Service Providers to comply with legal obligations to which they are subject</li> </ul>

The Management Company as a data controller of your personal data may also collect, store, disclose, use or otherwise process your personal data for the purposes outlined in the table below.

Processing Activity by or on behalf of the Management Company	Legal Basis for Processing
Complying with any applicable legal, tax or regulatory obligations imposed on the Management Company	Compliance with a legal obligation to which the Management Company is subject
Investor communication and the recording, maintaining, storing and using recordings of telephone calls and electronic communications that you make to and receive from the Management Company for any matters related to investment in the Company, dispute resolution, record keeping, security and/or training purposes;	Pursuing the legitimate interests of the Management Company including: <ul style="list-style-type: none"> <li>- dispute resolution, record keeping, security and/or training purposes; and</li> <li>- allowing the Management Company to comply with legal obligations to which it is subject</li> </ul>
<u>(i)</u> Carrying out statistical analysis and market research ; and <u>(ii)</u> direct marketing.	Pursuing the legitimate interests of the Management Company including: The distribution of the Management Company's products.

**Please note that where personal data is processed for purposes of legitimate interests, you have a right to object to such processing and the Company and its appointed Service Providers will no longer process the personal data unless it can be demonstrated that there are compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.**

#### **Undertaking in connection with other parties**

By providing personal data to the Company, you undertake to be authorised to disclose to the Company relevant information applicable to the beneficial owner of the investment, to your directors and authorised signatories and to persons that own, directly or indirectly, an interest in the Company. In this respect you confirm that you have provided these persons with all the information required under applicable data protection law, notably regarding their data protection rights, and received from these persons their authorisation for the processing and transfer of their personal data to us.

## **Disclosures to Service Providers and / or Third Parties**

Personal data relating to you which is collected from you or provided by you or on your behalf may be handled by Service Providers appointed by the Company and its or their duly appointed agents and any of related, associated or affiliated companies for the purposes specified above.

These Service Providers will be obliged to adhere to the data protection laws of the countries in which they operate.

The Company and/or the Management Company may disclose your personal data to other third parties where required by law or for legitimate business interests. This may include disclosure to third parties such as auditors and the Commission de Surveillance du Secteur Financier, regulatory bodies, taxation authorities and technology providers.

## **Transfers Abroad**

Personal data collected from you or provided by you or on your behalf may be transferred outside of Luxembourg including to companies situated in countries outside of the European Economic Area (“EEA”) which may not have the same data protection laws as in Luxembourg.

Where data transfers outside of the EEA take place, the Company is required to take the necessary steps to ensure that appropriate safeguards have been put in place to protect the privacy and integrity of such personal data.

## **Data Retention Period**

The Company and its appointed Service Providers will retain all information and documentation provided by you in relation to your investment in the Company for such period of time as may be required by Luxembourg legal and regulatory requirements.

## **Your data protection rights**

Please note that you have the following rights under the GDPR. In each case, the exercise of these rights is subject to the provisions of the GDPR:

- (i) You have a right of access to and the right to amend and rectify your personal data.
- (ii) You have the right to have any incomplete personal data completed.
- (iii) You have a right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you consider that the processing of personal data relating to you carried out by the Company infringes the GDPR.
- (iv) You have a right to be forgotten (right of erasure of personal data).

- (v) You have a right to restrict processing.
- (vi) You have a right to data portability.
- (vii) You also have the right to object to processing where personal data is being processed for direct marketing purposes and also where the Company is processing personal data for legitimate interests.

Where you wish to exercise any of your data protection rights against the Company or against the Management Company, please contact us via the details provided below under “Contact Us”.

The Company, its Service Provider or the Management Company will respond to your request to exercise any of your rights under the GDPR in writing, as soon as practicable and in any event **within one month** of receipt of your request, subject to the provisions of the GDPR. The Company, its Service Provider or the Management Company may request proof of identification to verify your request.

#### **Failure to provide personal data**

As outlined in the section titled “**Purposes of Processing and Legal Basis for Processing**”, the provision of personal data by you is required for us to manage and administer your holdings in the Company and so that we can comply with the legal, regulatory and tax requirements referenced above. Where you fail to provide such personal data in order to comply with anti-money laundering/counter terrorist financing or other legal requirements, in certain circumstances, we may be prohibited from making redemption and/or may be required to discontinue our business relationship with you by compulsorily redeeming your shareholding in the Company.

#### **Contact us**

If you have any questions about our use of your personal information, please contact [bg.gdpr@bgam-fr.com](mailto:bg.gdpr@bgam-fr.com).

Yours faithfully,

The Board of directors