



## **PRIVACY NOTICE**

### **1. PURPOSE OF THIS DOCUMENT**

- 1.1 This notice (**Privacy Notice**) applies to information Keon Foundation Ltd. or any of its subsidiaries, affiliates or entities 'sponsored' such as investment funds and partnerships (collectively referred to as the **Keon**) holds about you as an investor or user of its technology, whether you are a past, present or prospective investor, as well as its officers.
- 1.2 This Privacy Notice also covers Keon's website <https://keonfoundation.org> (**Website**) and any personal information we collect from you when you use it. Please note that the Website is hosted in Singapore by Microsoft Azure. Some of the links on the Website may lead to third party websites with their own privacy notices, which may be different to this Privacy Notice, and you should read those notices carefully.
- 1.3 Wherever we have said "we", "our" or "us", we mean Keon. "You" or "yours" refers to you as a past, present or prospective investor, an officer of Keon or Keon products, or a user of the Website.
- 1.4 This Privacy Notice explains what information Keon collects about you and individuals connected to your business, how we'll use that information, who we'll share it with, the circumstances when we'll share it, and what steps we'll take to make sure it stays private and secure. It continues to apply even if your relationship with us ends. It should also be read alongside your other documentation you have with Keon products and the associated Funds (such as contracts, terms and conditions, subscription agreements and the like) as these may include sections relating to the use and disclosure of information. Where there is any conflict between the terms of this Privacy Notice and any other document in relation to data protection the terms of this Privacy Notice shall prevail, although its contents are not contractual.
- 1.5 An "*individual connected to your business*" could be any guarantor, a director, officer or employee of a company, partners or members of a partnership, any substantial owner, controlling person, or beneficial owner, trustee, settlor or protector of a trust, account holder of a designated account, recipient of a designated payment, your attorney or representative (e.g. authorised signatories), agent or nominee, or any other persons or entities with whom you have a relationship that is relevant to your relationship with us. Whenever we say "you", "*individuals connected to your business*" should be read as included as well.



1.6 For the purpose of this Privacy Notice, Keon will act as data controller in accordance with the Bermuda Personal Information Protection Act 2016 (as amended from time to time) (**Law**). Keon may also process personal data from other entities of the group from time to time.

1.7 Please ensure that any relevant individuals are made aware of this Privacy Notice and the individual rights and information it sets out, prior to providing their information to us or our obtaining their information from another source. If you, or anyone else on your behalf, has provided or provides information on an individual connected to your business to us (or any member of the group), you or they must first ensure that you or they have the authority and appropriate legal basis to do so.

## 2. INFORMATION WE COLLECT

2.1 This Privacy Notice is concerned with personal information (also called personal data) we collect about you. Personal data means any data by which you as an individual can be directly or indirectly (e.g. if several pieces of data are combined) be identified. Data which is completely anonymised or de-personalised will not count as personal data.

2.2 Some of the personal data we hold about you will have been supplied by yourself. Other personal information may come from your financial advisor, solicitors, broker, employer or other intermediary, other members of the group, or other sources you've asked us to obtain information from. We might also get some of it from publicly available sources.

2.3 We will usually collect personal information such as:

2.3.1 personal details (e.g. name, previous names, gender, date and place of birth, occupation and/or source of wealth);

2.3.2 identification materials we may need for our compliance obligations (e.g. a copy of your passport or national identity card, national insurance number, utility bills, financial details etc.);

2.3.3 contact details (e.g. address, email address, position in company, landline and mobile numbers);

2.3.4 other information about you which you may have provided us with during the course of our relationship with you, e.g. by filling out forms or during face-to-face contact, telephone, email and the like;

- 2.3.5 financial information and information about your relationship with us, including your ways of interacting with us, your investments and interactions with Keon, transactions records, bank feeds, market trades, sort code and account numbers of relevant accounts or payments made by us into your account;
  - 2.3.6 complaints or disputes you may have had with us or other members of the group and details of the underlying transaction (where applicable);
  - 2.3.7 information about you which is a matter of public record or readily obtainable and which we deem relevant in relation to your dealings with Keon (media, court judgements, credit checks etc.);
  - 2.3.8 sales and marketing information (e.g. offers you have received from us and how you reacted to them);
  - 2.3.9 records of correspondence and other communications between you and your representatives and Keon, including email, telephone calls, letters and the like;
  - 2.3.10 information that we need to support our regulatory obligations (e.g. information about transaction details, detection of any suspicious and unusual activity and information about parties connected to you or these activities);
  - 2.3.11 information from third party providers who assist us to combat fraud, money laundering and other crimes; and
  - 2.3.12 information you asked and authorised us to collect for or about you, such as information about your accounts from your bankers.
- 2.4 In addition to the above in relation to the Website we may also collect:
- 2.4.1 information that you provide to us, such as when you fill out a contact or web form, or if you register to receive alerts or updates;
  - 2.4.2 information that we obtain or learn, such as information about the browser or device you use to access this site, how you use this site and the pages you visit, traffic and location data;
  - 2.4.3 information you provide to us if you experience problems when using the Website. We may also ask you to complete surveys for research purposes, although you don't have to respond to these; and
  - 2.4.4 if we have an existing relationship with you, and we are able to identify you from information obtained or provided by your use of the site, we may associate



those sets of information, for example to enable us to respond to a query you have submitted.

2.5 Please note that the Website is not designed or intended for children and we do not knowingly collect data relating to children.

2.6 We may also collect certain types of sensitive or special category data about you, such as details about any criminal records or information about your health, political affiliations, ethnicity or religious beliefs.

### **3. HOW WE WILL USE PERSONAL DATA**

3.1 We will only use your personal information when the Law allows us to. Most commonly, we will use your personal information in the following circumstances:

3.1.1 Where we need to perform the contract we have entered into with you.

3.1.2 Where we need to comply with a legal or regulatory obligation.

3.1.3 Where it is necessary for legitimate interests pursued by us or a third party and your interests and fundamental rights do not override those interests.

3.1.4 Where we need to protect your interests (or someone else's interests).

3.1.5 Where it is needed in the public interest or for official purposes (such as compliance with a court order or regulatory direction).

3.2 Based on the reasons for using your data noted in 3.1 above, the purposes for which we use your information as an investor commonly include:

3.2.1 to carry out your instructions as an investor via Keon Products(contractual performance, legitimate interests);

3.2.2 to make offers and promotions to you (legitimate interests);

3.2.3 to pay out dividends or make other payments to you (contractual performance, legal obligation);

3.2.4 to communicate with you regarding your investments and relationship with Keon Products (contractual performance, legitimate interests);



- 3.2.5 to undertake data analytics to better understand our users' motivations and strategies and as a result improve or adjust strategy and performance of Keon (legitimate interests);
  - 3.2.6 to protect our legal rights and complying with our legal obligations, including combatting financial crime (legal compliance, public interest);
  - 3.2.7 to conduct market research (legitimate interest);
  - 3.2.8 to conduct risk management (legitimate interest, public interest, legal obligation);
  - 3.2.9 to verify your identity and/or whether you are a politically exposed person in accordance with our legal obligations to undertake screening (legal obligation);
- 3.3 Based on the reasons for using your data noted in 3.1 above, the purposes for which we use your information as an employer, officer or contractor commonly include:
- (a) paying you, providing with benefits which may include pension, private health insurance, life insurance or permanent health insurance and administering the contract we have entered into with you (contractual performance);
  - (b) deducting tax and social security contributions (legal obligation);
  - (a) determining the terms on which you are appointed and about your continued engagement (legitimate interests); and
  - (b) Updating you as to relevant board meetings and providing you with information about the performance of Keon's products (legitimate interests; legal obligation).
- 3.4 In addition in relation to the Website we may use information provided or obtained to:
- 3.4.1 respond to your queries and reports (for example, if you've asked a question or submitted a report via the Website);
  - 3.4.2 provide you with information, products or services you have requested or which we think may interest you, unless you tell us otherwise;
  - 3.4.3 carry out our obligations from any contracts entered into between you and us;
  - 3.4.4 allow you to participate in any interactive features of the Website;
  - 3.4.5 notify you about changes to the Website;



- 3.4.6 provide you with alerts or updates where you've consented to receive these by registering on the Website. You can opt out of these at any time by clicking the "unsubscribe" link at the bottom of each email we send you;
- 3.4.7 ensure site content is presented in the most effective manner for the device you're accessing it from (e.g. your mobile phone, personal computer or other electronic device); and
- 3.4.8 detect and prevent misuse or abuse of the Website or our services.

#### **4. INFORMATION ABOUT THE WEBSITE**

##### **4.1 IP addresses**

We may collect information about your computer (or mobile device), including where available your IP address, operating system and browser type, for system administration or for our own commercial purposes. This is statistical data about our users' browsing actions and patterns, and does not identify any individual.

##### **4.2 Cookies**

We use cookies and similar technologies to distinguish you from other users of this site, to improve your experience when accessing this site, and to improve the site. Detailed information on the cookies we use and the purposes for which we use them are set out in our Cookie Policy at <https://Keonfoundation.org>.

#### **5. WHO WE MIGHT SHARE YOUR PERSONAL DATA WITH**

##### **5.1 We may share relevant personal information of yours with other parties where it is lawful to do so, including where:**

- 5.1.1 it is necessary to comply with our contractual obligations or with your instructions;
- 5.1.2 we have a public or legal duty to do so (e.g. to assist with detecting and preventing fraud, tax evasion and financial crime or compliance with a court order);
- 5.1.3 we are obligated to in connection with regulatory reporting, litigation or asserting or defending legal rights and interests;



- 5.1.4 Keon has a legitimate business reason for doing so (eg to manage risk, verify identity, enable another business to provide you with services you've requested, or assess your suitability for investing with a Keon Product );
- 5.1.5 where we work with third parties who perform AML, KYC or other regulatory-related outsourced services on behalf of or directly for Keon and its products;
- 5.1.6 we have asked you if we can share it, and you gave consent;
- 5.2 Parties we might share your personal information with can include (without limitation):
  - 5.2.1 fund managers, brokers, sponsors and market makers, registrars, listing agents;
  - 5.2.2 any trustees, beneficiaries, administrators or executors
  - 5.2.3 external technology providers to the Platform;
  - 5.2.4 people who give guarantees or other security for any amounts you owe us;
  - 5.2.5 banks you instruct us to make payments to and receive payments from;
  - 5.2.6 third parties who manage the investments on our behalf, including investment managers, letting agents, stockbrokers;
  - 5.2.7 third parties who host the Website or provide services related to it, including IT security providers;
  - 5.2.8 other financial institutions, lenders and holders of security over any property or assets, tax authorities, stock market authorities, trade associations, credit reference agencies, payment service providers and debt recovery agents;
  - 5.2.9 any people or companies where required in connection with potential or actual corporate restructuring, merger, acquisition or takeover, including any transfer or potential transfer of any of our rights or duties under our agreement with you;
  - 5.2.10 law enforcement, government, courts, dispute resolution bodies, our regulators, auditors and any party appointed or requested by our regulators to carry out investigations or audits of our activities;
  - 5.2.11 other parties involved in any disputes, including disputed transactions;



- 5.2.12 fraud prevention agencies who'll also use personal data to detect and prevent fraud and other financial crime and to verify your identity;
  - 5.2.13 anyone who provides instructions to us on your behalf (e.g. under a Power of Attorney, solicitors, intermediaries, investment managers etc.);
  - 5.2.14 anybody else that you instructed us to share your information with by you;
  - 5.2.15 insurers who may provide cover for your investments with us;
- 5.3 We might share aggregated and/or anonymised or de-personalised data with third parties for analytics, marketing and research purposes. Where we do so, we will ensure that neither you nor any other person will be identifiable from the data.
- 6. RETENTION OF PERSONAL DATA**
- 6.1 Keon keeps personal data only for as long as it is necessary for the specific purpose the data was collected for or as long as we are required by applicable laws and regulation. Keon is generally required to retain its records for at least five (5) years from the date the relationship with an investor ends or potentially longer, depending on the kind of data and relevant laws and regulations applicable to it.
- 6.2 We may keep personal data likewise for longer periods where we have a legitimate interest for doing so, for instance to address complaints, assert or defend our rights in litigation or other dispute resolution procedures or to respond to requests from regulators or assist judicial authorities.
- 6.3 Any information we are not required to hold for any minimum period and for which there is no purpose in us holding it anymore will be deleted, destroyed or returned to you more promptly.
- 6.4 Where Keon shared your personal data with third parties, the privacy notices and laws and regulations of the third party will determine how long they will have to retain your data.
- 7. INTERNATIONAL TRANSFERS OF PERSONAL DATA**
- 7.1 Where we have to transfer personal data outside of the Cayman Islands we will ensure that the transfer is lawful and that the data is appropriately secure and protected. Where necessary, we will ensure that separate and appropriate legal agreements are put in place.



- 7.2 Reasons for having to transfer your personal data outside Bermuda may include:
- 7.2.1 we need to carry out our contract with you;
  - 7.2.2 we have to fulfil a legal obligation;
  - 7.2.3 we need to protect the public interest; and / or
  - 7.2.4 for your or our legitimate interests.
- 7.3 In some countries the law might compel Keon to share certain information (e.g. with tax authorities). We will only share any information with parties who have the lawful authority and right to see it and only to the extent that such parties are permitted to see it.
- 8. INDIVIDUALS' RIGHTS**
- 8.1 As an individual or “data subject”, you have certain rights in relation to your personal data. These rights include:
- 8.1.1 the right to access information we hold about you and to obtain information about how we process it;
  - 8.1.2 the right to object to and withdraw your consent to Keon’s processing of your information. This right can be exercised at any time. However, Keon may continue to process your personal information if there is another legitimate reason or legal obligation for doing so. Please also note that depending on which kind of processing you object to, Keon may no longer be able to perform its contractual obligations with you.
  - 8.1.3 in some circumstances, you have the right to receive certain information you have provided to us in an electronic format and / or request that we transmit it to a third party;
  - 8.1.4 the right to request that we rectify information we hold about you if it is inaccurate or incomplete;
  - 8.1.5 in some circumstances, you have the right to request that erasure and deletion of personal data we hold. We may however continue to retain it if we are entitled or required by law to do so;
  - 8.1.6 the right to object to, and to request that we restrict, our processing of your information in some circumstances. Please note that despite this general right



we may be entitled under law to continue processing the information and / or to refuse that request.

8.2 You also have the right to complain to the data protection regulator in the Cayman Islands, which is the Office of the Privacy Commissioner. You can access their website here: [privacy.bm](https://www.privacy.bm).

8.3 You may also be able to seek redress for any violation of your data protection rights in Bermuda courts or challenge a decision by the regulator.

## 9. MISCELLANEOUS

9.1 Please ensure that any data you give us or ask third parties to provide to us is up to date, accurate and complete in all respects. Please inform us about any changes as soon as reasonably possible.

9.2 We use a range of measures to keep information safe and secure which may include encryption and other forms of security. We require our staff and any third parties who carry out any work on Keon's behalf to comply with appropriate compliance standards including obligations to protect any information and applying appropriate measures for the use and transfer of information. If you wish to know more about our data protection measures, please contact us (details provided below).

9.3 This Privacy Notice is governed by the laws of Bermuda. Any dispute arising from or in connection with this Privacy Notice is subject to the exclusive jurisdiction of Bermuda courts.

## 10. CONTACT US

For any further questions or queries in relation to this Privacy Notice, please get in touch with your usual contact or:

Write to: Data protection Officer, c/o Keon Foundation Ltd.  
100 Reid Street, 4<sup>th</sup> Floor, Hamilton Bermuda HM12  
[info@keonfoundation.org](mailto:info@keonfoundation.org)