

REGULATION (EU) 2016/679 (GENERAL DATA PROTECTION REGULATION) POLICY

The following applies only to direct clients and prospective clients of the Adviser based in the European Economic Area (“EEA”). EEA-based investors and prospective investors (and their representatives etc) in Cullen Funds plc (the “UCITS”) should refer to the UCITS’ own Data Protection and Confidential Information Policy

In the ordinary course of its business, the Adviser comes into possession of personal and / or confidential information (“**Data**”) of clients and prospective clients, as well as Data relating to, as appropriate, their respective directors, officers, employees, agents, representatives and personnel (“**Individuals**”).

For the purposes of this policy, Data may include personal information, contracts and related documents between the Adviser and clients or prospective clients and / or their representatives (whether or not Individuals), and between the Adviser and the service providers to the Adviser, and includes any information (whether or not it is sensitive or personal) which relates to a living Individual from which that Individual can be identified (whether from that information alone, or in conjunction with other information which the Adviser has or is likely to obtain) (“**Personal Data**”).

In obtaining and using Personal Data in connection with clients, prospective clients and / or their representatives and the Adviser’s service providers, the Adviser acts as a data controller.

The Data may be held electronically, processed via automated processes, or held in general files, and where processed on the Adviser’s behalf, will be subject to written contracts governing that processing and setting out security and confidentiality measures.

This document sets out the Adviser’s policies and guidelines with regard to the obtaining, storing, processing, use, disclosure, transfer and safeguarding of Data as data controller.

Obtaining and Using Personal and Confidential Data

Current law requires that Personal Data may only be processed if the data subject has given his / her consent, or if the processing is necessary for the performance of a contract to which the data subject is party, for the taking of other pre-contract measures at his / her request, where processing is otherwise necessary for compliance with legal obligations, to protect the vital interests of the data subject; or is otherwise necessary for legitimate interests or on public interest grounds.

Specifically, it is a requirement that Personal Data must be processed fairly and lawfully, in a transparent manner. Personal Data must be collected for specified, explicit and legitimate purposes, and not further processed in a manner which is incompatible with those purposes. In addition, Personal Data must be adequate, relevant and limited to what is necessary in relation to such purposes. Furthermore, Personal Data must be accurate and, where necessary, kept up to date and also kept in a form which permits identification of the data subject for no longer than is necessary for the purposes for which the Personal Data was collected.

The Adviser is required to ensure that Personal Data is processed in a manner that ensures appropriate security of the personal data, including against unauthorised or unlawful processing and against accidental loss or destruction or damage, using appropriate technical and organisational measures. Where service providers process Data for the Adviser pursuant to contracts between the Adviser and the service providers, the service providers act as data processors of the Adviser. The Adviser will therefore ensure that:

- Appropriate due diligence is undertaken on such service providers to confirm that the service providers provide sufficient guarantees to implement appropriate technical and organisational security measures so as to meet the requirements of applicable law and to ensure the protection of the rights of the Individuals with regard to their Personal Data; and
- Any contracts with such service providers impose obligations on the service providers which are required under applicable law.

Storage and Security of Data

Each of the Adviser and the service providers is obliged to implement appropriate technical and organisational measures to protect Personal Data against accidental or unlawful destruction, or accidental loss, alteration, unauthorised disclosure or access. This applies particularly where such Personal Data will be transmitted over a network. Similar security measures should also apply to the other Data.

Breach Notifications

In accordance with applicable data protection laws, the Adviser will be obliged to notify the relevant EU data regulator of any breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of or access to personal data (each a “**personal data breach**”) within 72 hours of becoming aware of same, unless the personal data breach is unlikely to result in risks to Individuals. Furthermore, the Adviser will need to notify any impacted Individuals without undue delay where a personal data breach is likely to result in a high risk to those Individuals unless this would involve disproportionate effort. In such a case, a public communication or similar equally effective notification measure shall be implemented by the Adviser.

Where, having considered the matter, the Adviser comes to a determination that no notification need or will be made to the relevant EU data regulator and / or the affected data subjects, the Adviser shall in any event keep a summary record of each incident which has given rise to the risk of unauthorised disclosure, loss or alteration of personal data, which will include an explanation as to why the Adviser did not consider it necessary to inform the relevant EU data regulator.

Service providers will notify the Adviser without delay of any security incident and provide all reasonable assistance to the Adviser to enable it to comply with its obligations under applicable data protection laws with regard to notification of personal data breaches.

Service providers will also notify the Adviser without delay of any new processing or change in processing arrangements (including implementation of any new technology) to facilitate the Adviser in determining whether the processing is likely to result in high risk to Individuals and shall provide all reasonable assistance to the Adviser to enable it to comply with its obligations under applicable data protection laws with regard to undertaking a privacy impact assessment.

Transfers of Data

The transfer and distribution of Personal Data, whether to an entity related to the Adviser or any of the service providers, or to a third party, is restricted, and is only permitted in limited circumstances. Particular restrictions and limitations apply to the transfer of Personal Data to countries outside of the EEA, where such countries do not have equivalent levels of data protection to that afforded to Personal Data under EU law.