

Mercer Delegated Solutions Europe

# Privacy Statement

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# Contents

Introduction.....	2
Scope of Privacy Statement.....	2
Sensitive Personal Data.....	2
Use of Personal Data and Basis of Processing.....	2
Recipients of your Personal Data.....	5
International Transfers.....	6
Third Party Providers of Information.....	7
Updates to Personal Data.....	7
Retention of Personal Data.....	7
An Individual's Rights in relation to Personal Data.....	9
Contacting Mercer.....	10

# Introduction

Mercer Global Investments Management Limited (“**MGIM**”) acts as management company or alternative investment fund manager, Mercer Global Investments Europe Limited (“**MGIE**”) acts as investment manager and distributor, and Mercer Limited (“**Mercer Limited**”) acts as sub-distributor, to MGI Funds plc, Mercer PIF Fund plc, Mercer QIF Fund plc, Mercer QIF CCF and Mercer UCITS Common Contractual Fund (collectively the “**Funds**”). MGIE and Mercer Limited also engage with professional investors directly to provide a range of investment services such as discretionary portfolio management and/or investment advice related to investment into the Funds. MGIM, MGIE and Mercer Limited are part of the Marsh McLennan group of companies. Each of the above Mercer entities, including the Funds, is involved in providing Mercer Delegated Solutions.

## Scope of Privacy Statement

This Privacy Statement explains how each of the Funds (or MGIM in the case of Mercer QIF CCF and Mercer UCITS Common Contractual Fund), MGIM, MGIE, and Mercer Limited (collectively and individually (as the case may be), “**Mercer**”) will manage personal information relating to Individuals (as described below) (“**Personal Data**”), why Mercer uses it, and how Individuals may contact Mercer in relation to the use of Personal Data.

MGIM is a joint controller with each of MGI Funds plc, Mercer PIF Fund plc and Mercer QIF Fund plc in respect of the Personal Data of Individuals for the purposes set out in this Privacy Statement. This means that MGIM, MGI Funds plc, Mercer PIF Fund plc and Mercer QIF Fund plc jointly determine how and why Personal Data will be processed and for the purposes. It also means that they have a documented policy in place, known as an “**arrangement**”, to ensure the proper handling Personal Data in a responsible manner and in accordance with applicable data protection laws. This arrangement reflects their respective roles and responsibilities in relation to Individuals' Personal Data. The arrangement also gives effect to Individuals' data protection rights. If you would like more information on this arrangement, you can contact the Data Protection Officer through the “**Contacting Mercer**” section below.

MGIE and Mercer Limited are separate controllers of the Personal Data of Individuals for the purposes the provision of investment services (such as discretionary portfolio management and/or investment advice related to investment into the Funds) directly to professional investors.

Personal Data means any information which Mercer has or obtains, or which an Individual provides to Mercer or the Funds' service providers from which that Individual can be directly or indirectly personally identified. Personal Data may include information such as name,

address, email address, date of birth, identification and account numbers, tax identifiers and residency information, and online identifiers.

Mercer will collect and process the Personal Data of natural persons who are:

- (i) clients and prospective clients, registered shareholders, applicants for shares, beneficial owners of registered shareholders and applicants for shares, personal representatives, financial advisors, directors, officers, employees, agents, trustees and / or authorised signatories of registered shareholders and applicants for shares in the Funds; and/or
  - (ii) the directors, officers, employees, agents, representatives and personnel of clients of and service providers to Mercer,
- (each an “**Individual**”).

**Where Mercer processes Personal Data in connection with a client or registered shareholder’s contract in respect of a Fund or in anticipation of an applicant for shares becoming a registered shareholder in a Fund, or where Mercer has a legal obligation to collect certain Personal Data relating to an Individual (for example, in order to comply with AML obligations), Mercer will not be able to deal with the registered shareholder or applicant for shares if the Individual does not provide the necessary Personal Data and other information required by Mercer.**

## **Sensitive Personal Data**

Mercer may, in limited circumstances, collect and process Personal Data relating to an Individual's political affiliations (“**Sensitive Personal Data**”) in connection with its obligations under applicable AML laws for compliance with Mercer’s legal obligations reflected in those AML laws. Any Sensitive Personal Data will only be used and disclosed, as necessary, for such purpose.

## **Use of Personal Data and Basis of Processing**

Mercer will use the Personal Data:

1. **for the purposes of performing the contract with a client, registered shareholder, or in anticipation of an applicant for shares becoming a registered shareholder, namely:**

- a) for the purposes of providing services to the client or registered shareholder, and setting up and administering the applicant's or registered shareholder's account(s), as the case may be;
- b) for the collection of subscriptions and payment of redemptions, distributions and dividends; and/or
- c) to deal with queries or complaints from clients or registered shareholders.

**2. for compliance with Mercer's legal obligations, including:**

- a) anti-money laundering and anti-terrorist financing (collectively "AML") and fraud prevention purposes, including OFAC and PEP screening for these purposes and to comply with UN, EU and other applicable sanctions regimes;
- b) compliance with applicable tax and regulatory reporting obligations;
- c) compliance with regulatory obligations in relation to fitness & probity checks (where applicable);
- d) where Mercer is ordered to disclose information by a court with appropriate jurisdiction; and/or
- e) recording of telephone calls and electronic communications in order to comply with applicable law and regulatory obligations.

**3. where use is for a legitimate purpose of Mercer, including:**

- a) for day to day operational and business purposes;
- b) to take advice from Mercer's external legal and other advisors;
- c) board reporting and management purposes;
- d) in the event of a merger or proposed merger of a Fund or any sub-fund of a Fund, or any other restructuring or reorganisation of the Funds or any sub-fund of a Fund or relating to the assets of the Funds or any sub-fund of a Fund; and/or
- e) in the event of a merger, reorganisation or disposal of, or a proposed merger, reorganisation or disposal of MGIM, MGIE, Mercer Limited.

Before Personal Data are processed to pursue Mercer's legitimate interests for the above purposes, an assessment is conducted to determine if such processing is necessary and to consider the impact of the processing activities on Individuals' fundamental rights and freedoms. On balance, it has been determined that the processing is necessary to pursue Mercer's legitimate interests and that the processing does not adversely impact on these rights and freedoms. Individuals' have a right to object to processing of Personal Data based on Mercer's legitimate interest.

**4. where use or sharing is for a legitimate purpose of another company in the Marsh McLennan group of companies, or of a third party to which Mercer provides the Personal Data, including:**

- a) for day to day operational and business purposes;
- b) investor relationship management; and/or
- c) calculation and payment by the recipient of commissions and rebates.

5. **where necessary to establish, exercise or defend its legal rights or for the purpose of legal proceedings** (applicable to the processing of Sensitive Personal Data); and/or
6. **where an Individual has consented to use for a particular purpose:** If an individual gives consent for Mercer to use his / her Personal Data for a particular purpose, that Individual has the right at any time to withdraw consent to the future use of his / her Personal Data for some or all of those purposes by contacting Mercer through the “Contacting Mercer” section below.

## Recipients of your Personal Data

Mercer will not disclose any Personal Data to any third party, except as outlined above and / or as follows:

1. **Administrator:** to enable Mercer to carry out the obligations under the contract with a client or registered shareholder or in anticipation of an applicant for shares becoming a registered shareholder;
2. **Service providers / agents:** to anyone providing a service to Mercer or acting as agent for any of them (which may include MGIE and Mercer Limited for some processing activities, sub-investment managers and companies within their group of companies, the administrator, and its or their sub-contractors), as data processors, for the purposes of providing services to the Funds or MGIM and on the understanding that they will keep the Personal Data confidential;
3. **Depository:** where Personal Data needs to be shared with the depository appointed to the Funds, in order to enable it to discharge its legal and regulatory obligations;
4. **Advisors of Individuals:** where the registered shareholder or applicant for shares is a client of another company in the Marsh McLennan group of companies, a third party financial advisor or investment manager, or a company within its or their group of companies, with such company or advisor for the purposes outlined above;
5. **Advisors of Mercer:** where Mercer needs to share Personal Data with its auditors, and legal and other advisors;
6. **Merger Parties in a Fund:** in the event of a merger or proposed merger, any (or any proposed) transferee of, or successor in title to, the whole or any part of the Funds, to extent necessary to give effect to such merger;

7. **Merger Parties in Mercer:** in the event of a merger or proposed merger, any (or any proposed) transferee of, or successor in title to, the whole or any part of MGIM's, MGIE's or Mercer Limited's business, and their respective officers, employees, agents and advisers, to the extent necessary to give effect to such transaction; or
8. **Regulatory, legal or judicial bodies:** the disclosure is required by law or regulation, or court or administrative order having force of law, or is required to be made to any of Mercer's regulators.

Details of the Funds' administrator, depositary and sub-investment managers are available in the prospectuses of the Funds.

In any case where Mercer shares Personal Data with a third party data controller (including, as appropriate, other members of the Marsh McLennan group of companies), the use by that third party of the Personal Data will be subject to the third party's own privacy policies. This also applies to in limited circumstances, where the administrator to the Funds is subject to a separate legal obligation requiring it to act as an independent controller of the Personal Data, including where it is required to use the Personal Data for the discharge of its own AML obligations.

## International Transfers

Personal Data may be transferred outside Ireland or, in the case of Mercer Limited, the UK, in connection with administering a registered shareholder's account(s) and / or in anticipation of an applicant for shares becoming a registered shareholder, in accordance with an Individual's instructions, where an Individual has explicitly consented, and / or as otherwise required or permitted by law.

Many of the countries will be within the European Economic Area (the "EEA"), or will be ones which the European Commission has approved as "adequate" (such as the UK), and will have data protection laws which are the same as or broadly equivalent to those in Ireland. However, some transfers may be to countries which do not have equivalent protections, and in that case Mercer shall use reasonable efforts to implement contractual protections for the Personal Data (such as the European Commission's approved standard contractual clauses 2021). While this will not always be possible where Mercer is required to transfer Personal Data in order to comply with and perform the contract with an investor or where it has a legal obligation to do so (in such a case, Mercer relies on one or more derogations in Article 49 of the General Data Protection Regulation), any transfers will be done in accordance with applicable data protection laws, including through the implementation of appropriate or suitable safeguards in accordance with such applicable data protection laws.

MGIM, MGIE and Mercer Limited may transfer Personal Data to other companies in the Marsh McLennan group of companies in accordance with the binding corporate rules adopted by the Marsh McLennan group (as approved by the UK Information Commissioner's Office). For the avoidance of doubt, safeguards in the form of the EU Commission approved standard contractual clauses 2021 will be implemented where personal data is transferred by the

administrator or depositary of the Funds to a non-EEA country for processing. Further information in relation to international transfers can be obtained by contacting Mercer through the “Contacting Mercer” section below.

## **Third Party Providers of Information**

Mercer may obtain Personal Data relating to Individuals from someone other than that Individual. This may include Personal Data relating to beneficial owners, partners, directors, officers, employees, advisors or other related persons of an investor or of the person providing the Personal Data. The Personal Data may be obtained from a variety of sources, such as financial advisors to investors, employers of Individuals, and / or direct and indirect service providers to the companies, such as vendors providing AML and sanctions checking databases.

The person providing the Personal Data will be asked to warrant that it will only do so in accordance with applicable data protection laws, and that it will ensure that before doing so, the Individuals in question are made aware of the fact that the company will hold Personal Data relating to them and that it may use it for any of the purposes set out in this Privacy Statement, and where necessary that it will obtain consent to Mercer’s use of the Personal Data. Mercer will, where required under applicable law, notify those Individuals that Mercer has been provided with their Personal Data and provide a copy of this Privacy Statement to them.

## **Updates to Personal Data**

Mercer will use reasonable efforts to keep Personal Data up to date. However, each Individual will need to notify Mercer without delay in the event of any change in his / her personal circumstances, or those of the others mentioned above, so that Mercer can keep the Personal Data up to date.

## **Retention of Personal Data**

Mercer will retain certain Personal Data to ensure accuracy, to help maintain quality of service and for legal, regulatory, fraud prevention and legitimate business purposes. Mercer is obliged by law to retain AML related identification and transaction records for six years from the end of the relevant investor relationship or the date of the transaction respectively.

Other Personal Data will be retained for no longer than is necessary for the purpose for which it was obtained by Mercer or as required or permitted for legal, regulatory, fraud prevention

and legitimate business purposes. In general, Mercer (or its service providers on its behalf) will hold this Personal Data for a period of seven years, unless it is obliged to hold it for a longer period under law or applicable regulations.

Mercer (or its service providers on its behalf) will also retain records of telephone calls and any electronic communications for a period of five years and, where requested by the Central Bank of Ireland or the in the case of Mercer Limited, the Financial Conduct Authority, for a period of up to seven years.

## **An Individual's Rights in relation to Personal Data**

An Individual may at any time request a copy of his / her Personal Data from Mercer. This right can be exercised by contacting Mercer through the "Contacting Mercer" section below.

An Individual also has the right to correct any inaccuracies in, and in certain circumstances, to request erasure, or restriction on the use, of his / her Personal Data, and to object to certain uses of his / her Personal Data, in each case subject to the restrictions set out in applicable data protection laws. Further information on these rights, and the circumstances in which they may arise in connection with Mercer's processing of Personal Data can be obtained by contacting Mercer through the "Contacting Mercer" section below.

In any case where Mercer is relying on an Individual's consent to process his / her Personal Data, that Individual has the right to change his / her mind and withdraw consent by contacting Mercer through the "Contacting Mercer" section below. Where an Individual withdraws his / her consent, it does not affect the lawfulness of any processing carried out in relation to Personal Data before the withdrawal.

Where Mercer is relying on a legitimate purpose of a Fund and / or MGIM, another company in the Marsh McLennan group of companies or a third party recipient of the Personal Data, in order to use and disclose Personal Data, an Individual is entitled to object to such use or disclosure of his / her Personal Data and if he /she does so, Mercer will cease to use and process the Personal Data for that purpose unless Mercer can show there are compelling legitimate reasons for it to continue or it needs to use the Personal Data for the purposes of legal claims.

In limited circumstances, an Individual may also have the right to data portability in respect of certain of his / her Personal Data, which means he / she can request that Mercer provide it to him / her in a structured, commonly used and machine-readable format, or transmit it to his / her third party nominee where this is technically feasible.

An Individual also has the right to lodge a complaint about the processing of his / her Personal Data by Mercer's Irish entities with the Data Protection Commission at [www.dataprotection.ie](http://www.dataprotection.ie),

or in the case of Mercer Limited, the Information Commissioners Office at <https://ico.org.uk/>, or with the local supervisory authority in the EU country in which an Individual habitually resides or works.

# Contacting Mercer

Any queries or complaints regarding the use of the Personal Data by Mercer and / or the exercise of individual rights should be addressed to Mercer at [privacycoordinator@mercer.com](mailto:privacycoordinator@mercer.com) If you have any questions in relation to this Privacy Notice, please contact our Data Protection Officer at [privacycoordinator@mercer.com](mailto:privacycoordinator@mercer.com)

## Version control

Version	Prepared by	Reviewed By	Approved by	Effective date
Version 1	Legal	Compliance and William Fry	Board	August 2022