

Privacy Notice – Bondholders

Last updated on the 18 April 2019.

Melite Finance plc, a company registered in Malta, bearing company registration number C 88405 and having its registered address at Level 3, Valletta Buildings, South Street, Valletta, VLT 1103, Malta (“**We**”, “**Us**”, “**Our**” or the “**Company**”).

We are committed to respecting your privacy. If you wish to contact Us about Our privacy practices please feel free to do so by post at the above registered address or by email at corporate@meliteproperties.com. You may also wish to contact us by telephone on +356 2720 0083.

Our Data Protection Officer is Andrew Ganado who may be contacted by email at andrew.ganado@meliteretail.com or by telephone on +356 2720 0083.

Please read this Privacy Notice carefully to understand our practices with respect to your Personal Data.

References to “**Data Controller**”, “**Data Subject**”, “**Personal Data**”, “**Process**”, “**Processed**”, “**Processing**”, “**Data Protection Officer**” and “**Data Processor**” in this Privacy Notice have the meanings set out in, and will be interpreted in accordance with the Applicable Laws. “**Applicable Laws**” shall mean the relevant data protection and privacy laws, including but not limited to, the General Data Protection Regulation (EU) 2016/679, and the Data Protection Act, Chapter 586 of the Laws of Malta and subsidiary legislation thereto, as may be amended from time to time.

1. Updates

We may update this Privacy Notice at Our sole discretion including as result of a change in any Applicable Law or processing activities. Any such changes will be communicated to you prior to the commencement of the relevant processing activity.

2. What amounts to Personal Data?

The term “**Personal Data**” refers to all personally identifiable information about you, such as your name, surname and address, and includes all personal information which may be processed and that can be identified with you personally.

3. How do we collect Personal Data?

We are Data Controllers of your Personal Data and shall process your Personal Data for the following purposes, where applicable:

3.1 In relation to your **investment as a Bondholder**, which processing includes the following:

- 3.1.1 The document which you fill in as an investor with your personal details, including bank account details, in order to subscribe for the bonds allocated to you, and then to receive interest thereon, whether such subscription takes place on the primary or secondary market;
- 3.1.2 To have your Personal Data recorded on the electronic register of bondholders maintained by the Central Securities Depository (the “**CSD**”) at the Malta Stock Exchange (the “**MSE**”) on Our behalf. The electronic register will contain your name, addresses, identity card number, registration number and MSE account number, as well particulars of the securities held by you. You have, at all reasonable times during

business hours, access to the electronic register held at the CSD for the purpose of inspecting information held on your account. Please contact the MSE for this purpose;

3.1.3 We may receive a copy of the register of bondholders maintained by the CSD on demand;

3.1.4 We may access the back-end of the MSE website to access a list of all trades which would have taken place during a specific time frame;

3.1.5 We may receive copies of the interest warrants which are sent to you on a yearly basis, which warrants contain details relating to the yearly interest paid by the Company to you with respect to your investment in the Company, together with your name, address, identity card number, registration number and MSE account number.

Other processing may include:

- to manage Our relationship with you as a bondholder;
- for the detection and prevention of fraud and other criminal activity which We are legally bound to report;
- for the allocation of bonds to you, and then to receive interest thereon;
- personal data that We may process as a result of legal obligations imposed on Us;
- your bank account details and other financial information;
- meetings that we may call/hold on an annual or other basis, and Our communications with you as a bondholder and performance details;
- as part of Our internal due diligence;
- Personal Data lawfully generated by Us in the course of executing your instructions; and
- Personal Data which you may voluntarily provide to Us;
- for purposes of a legitimate interest pursued by Us or by a third party, provided that such interest is not overridden by your interests, fundamental rights and freedoms; and
- the purposes you would have requested when providing your Personal Data to Us.

Irrespective of the manner that We have collected your Personal Data, We will only process such data for the purposes indicated in this Privacy Notice or other purposes which are inherently related thereto, including the fulfilment of any legal or regulatory obligation imposed on Us.

Generally, you would have provided your Personal Data to Us for the purposes indicated in this policy; however, in some instances, We may collect Personal Data about you from third party sources, such as authorised financial intermediaries through whom you may have subscribed for bonds in the Company. Third parties such as Our clients and business partners, may also have provided your Personal Data to Us.

4. Legal Bases of Processing Personal Data

The legal bases of processing your Personal Data are the following:

4.1 For the performance of our agreement with you as a bondholder as indicated in this Policy, as a result of your investment in the Company;

4.2 Our legitimate interests – in particular legitimate interests which may arise directly or indirectly in relation to your instructions and in keeping you updated with information in relation to the Company. We also have a legitimate interest to process your Personal Data for safety and

security. When we process your Personal Data on the basis of Our legitimate interests, we ensure that the legitimate interests pursued by Us are not overridden by your interests, rights and freedoms; and

- 4.3 Compliance with legal obligations imposed on Us – in particular as a result of money-laundering, tax, crime detection, and reporting, and other obligations imposed upon us in terms of any applicable law.

On the basis of Our legitimate interests or compliance with legal obligations, as applicable, We may also process your Personal Data for the purposes of establishing, exercising or defending legal proceedings.

5. Recipients of Your Personal Data

We may share your Personal Data with third party recipients who are:

- selected individuals within Our Company, on a need-to-know basis;
- our affiliates;
- Other companies forming part of the same group of companies which we form part of;
- any service providers that may have access to your Personal Data in rendering Us with their support services, including the security trustee, IT, audit, legal, tax, registered office, company secretarial and accounting service providers;
- third parties to whom disclosure may be required as a result of your investment in the Company;
- any business partners to whom you may have requested that We transfer your Personal Data;
- the MSE and the Registry of Companies;
- third parties to whom disclosure may be required as a result of legal obligations imposed on Us;
- your beneficiaries, intermediaries, correspondent and agent banks;
- as the case may be, appointed Authorised Financial Intermediaries, Administrators, Portfolio Managers, Depositaries, Compliance Officer, Money Laundering Reporting Officer, Prime Brokers and/or Investment Managers respectively (insofar as they may be appointed from time to time), for the collection, storage and processing of Personal Data relating to prospective investors.

Unless specifically instructed and consented by you or unless We are obliged to do so by law, We do not share your Personal Data with any entity located outside of the EU or EEA.

6. Automated Decision-Making and Profiling

Your Personal Data will not be used for any decision solely taken on the basis of automated decision-making processes, including profiling, without human intervention. We will not be carrying out any profiling of Data Subjects.

In the steps leading up to your investment and during our relationship with you, We may collect information from you in order to, amongst others, comply with Our obligations and/or for any other purpose connected with Our agreement and/or the performance of Our obligations at law. As stated, no automated-decision will result from Our use of such systems.

7. Data Retention

We will retain your Personal Data for the duration of your investment in the Company in accordance with Our internal retention policies and any regulations imposed on Us. Thereafter, your Personal Data shall be immediately and irrevocably destroyed, unless We have a statutory obligation imposed

on Us, a business need to retain the Personal Data, and/or require the Personal Data to exercise or defend legal claims.

Any Personal Data which We may hold on the basis of your consent shall be retained exclusively until you withdraw your consent.

8. Your Rights

For as long as We retain your Personal Data, you have certain rights in relation to your Personal Data including:

- 8.1 *Right of access* – you have the right to ascertain the Personal Data We hold about you and to receive a copy of such Personal Data;
- 8.2 *Right to complain* – you have the right to lodge a complaint regarding the processing of your Personal Data with the supervisory authority for data protection matters. In Malta this is the Information and Data Protection Commissioner (contact details provided below);
- 8.3 *Right to Erasure* – in certain circumstances you may request that We delete the Personal Data that We hold about you;
- 8.4 *Right to Object* – you have a right to object and request that We cease the processing of your Personal Data where We rely on Our, or a third party's legitimate interest for processing your Personal Data;
- 8.5 *Right to Portability* – you may request that We provide you with certain Personal Data which you have provided to Us in a structured, commonly used and machine-readable format. Where technically feasible, you may also request that We transmit such Personal Data to a third party controller indicated by you;
- 8.6 *Right to Rectification* – you have the right to update or correct any inaccurate Personal Data which We hold about you;
- 8.7 *Right to Restriction* – you have the right to request that We stop using your Personal Data in certain circumstances, including if you believe that We are unlawfully processing your Personal Data or the Personal Data that We hold about you is inaccurate;
- 8.8 *Right to withdraw your consent* – this applies in the case where Our processing is based on your consent. Withdrawal of your consent shall not affect the lawfulness of the processing based on your consent prior to the withdrawal of your consent; and,
- 8.9 *Right to be informed of the source* – where the Personal Data We hold about you was not provided to Us directly by you, you may also have the right to be informed of the source from which your Personal Data originates.

Please note that your rights in relation to your Personal Data are not absolute and We may not be able to entertain such a request if We are prevented from doing so in terms of any applicable laws.

You may exercise the rights indicated in this section by contacting Us or Our Data Protection Officer at the details indicated above.

9. Keeping your data secure

We shall implement and maintain appropriate and sufficient technical and organisational security measures, taking into account the nature, scope, context and purposes of the processing as well as the risk of varying likelihood and severity for the rights and freedoms of natural persons, to protect your personal data against any unauthorised accidental or unlawful destruction or loss, damage, alteration, disclosure or access to personal data transmitted, stored or otherwise processed and shall be solely responsible to implement such measures.

We shall ensure that our members of staff who process your data are aware of such technical and organisational security measures and we shall ensure that such members of staff are bound by a duty to keep your personal data confidential.

The technical and organisational security measures in this clause shall mean the particular security measures intended to protect your personal data in accordance with any privacy and data protection laws.

10. Complaints

If you have any complaints regarding Our processing of your Personal Data, please note that you may contact Us or Our Data Protection Officer on any of the details indicated above. You also have a right to lodge a complaint with the Office of the Information and data Protection Commissioner in Malta (www.idpc.gov.mt).

11. Where You Provide Us with Personal Data Related to Third Party Data Subjects

If you are a trader, intermediary, a company, broker, an authority or other corporate entity, and you supply to Us Personal Data of third party Data Subjects such as your employees, affiliates, service providers, customers or any other individuals connected to your business, you shall be solely responsible to ensure that:

- 11.1 you immediately bring this Privacy Notice to the attention of such Data Subjects and direct them to it;
- 11.2 the collection, transfer, provision and any Processing of such Personal Data by You fully complies with any applicable laws;
- 11.3 you remain fully liable towards such Data Subjects and shall adhere to the Applicable Law;
- 11.4 you collect any information notices, approval, consents or other requirements that may be required from such Data Subject before providing Us with their Personal Data;
- 11.5 you remain responsible for making sure that the information you give Us is accurate and up to date, and you must tell Us if anything changes as soon as possible.

You hereby fully indemnify Us and shall render Us completely harmless against all costs, damages or liability of whatsoever nature resulting from any claims or litigation (instituted or threatened) against Us as a result of your provision of said Personal Data to Us.