

BRV LOTUS

PRIVACY POLICY

This privacy policy (“Privacy Policy”) is provided by BRV Lotus (“we”, “us”, “our”) and explains the manner in which we collect, utilize and maintain personal data about our limited partners. This Privacy Policy applies in respect of current, former or prospective limited partners in BRV Lotus funds (“you”, “your”) who are individual natural persons and individual natural persons related to or associated with current, former or prospective limited partners that are entities. If you are a corporate investor (including, for these purposes, legal arrangements such as trusts or exempted limited partnerships) that provides us with personal data related to individuals connected to you for any reason in relation to your investment with us, this Privacy Policy will be relevant for those individuals and you should transmit this document to such individuals or otherwise advise them of its content.

We are committed to protecting your privacy and maintaining the confidentiality and security of your personal data. We are sending you this Privacy Policy to help you understand how we handle the personal data about you that we collect and how we use that information.

We will comply with all applicable obligations including under the EU General Data Protection Regulation or the UK General Data Protection Regulations (referred herein collectively as the “GDPR”), the Data Protection Act (as amended) of the Cayman Islands (“DPA”), the California Consumer Privacy Act, as amended by the California Privacy Rights Act, and its implementing regulations (“CCPA”) (collectively, the “Data Protection Legislation”).

Identity of the Data Controller

Where the GDPR applies to our processing of your personal data (the “European Investors”), the “data controller” in respect of all such personal data is BRV Lotus International Limited or its designated affiliate. This means that we are responsible for deciding how we hold and use personal data about you.

Categories of Personal Data We Collect

In the previous twelve (12) months we have collected and/or processed and, going forward, we may collect and/or process the following categories of personal data from you for the purposes set out in this Privacy Policy:

- Your contact details (“Contact Details”) – name, title, address, telephone numbers and email address;
- Due diligence/assessment information (“Diligence Information”) – information contained in government-issued identification documents such as passports and driver licenses (including identification numbers and your photograph), information relating to background checks, and bank account details;
- Contact Details and Diligence Information may also be collected from other interactions you may have with us or our affiliates (such as discussions or other contacts with our staff, via telephone, written correspondence and electronic media);
- Contact Details and Diligence Information may also be collected from ownership records of the BRV Lotus fund of which you are a limited partner (such as the amount of your percentage ownership interest and any capital commitment); and

- Information about criminal convictions and offenses (for example, by way of criminal record checks).

Sources of Personal Data We Collect

By virtue of making an investment in the Fund (including the initial application and ongoing interactions with the Fund and persons engaged by the Fund) or by virtue of you being connected with an investor (for example, directors, trustees, employees, representatives, shareholders, investors, clients, beneficial owners or agents), we, in the previous twelve (12) months have collected and/or processed and, going forward, we may collect and/or process, the personal data outlined above or below directly from you or through our advisors and service providers. In some cases we may also collect additional information from third parties including credit reference agencies or other background check agencies.

We may also obtain personal data on you from other publicly accessible directories and sources. These may include websites; bankruptcy registers; tax authorities; governmental agencies and departments, and regulatory authorities, to whom we have regulatory obligations; credit reference agencies; sanctions screening databases; and fraud prevention and detection agencies and organizations, including law enforcement.

We typically collect personal data about you from the following sources:

- Investor Questionnaires, Limited Partnership Agreements or other forms (for example, name, address, Social Security number);
- Ownership records of the BRV Lotus fund of which you are a limited partner (such as the amount of your percentage ownership interest and any capital commitment); and
- Other interactions you may have with us or our affiliates (such as discussions or other contacts with our staff, via telephone, written correspondence and electronic media).

Purposes for Processing Your Personal Data

The processing is necessary for the performance of a contract, including:

- administering or managing the Fund;
- processing your subscription and investment in the Fund, such as entering your information in the register of partners;
- sending you statements relating to your investment;
- facilitating the continuation or termination of the contractual relationship between you and the Fund; and
- facilitating the transfer of funds, and administering and facilitating any other transaction, between you and the Fund or other relevant entities.

The processing is necessary for compliance with applicable legal or regulatory obligations, including:

- undertaking investor due diligence including anti-money laundering, counter-terrorist financing and proliferation financing checks, including verifying the identity and addresses of our investors (and, where applicable, their beneficial owners);

- sanctions screening and complying with applicable sanctions and embargo legislation;
- complying with requests from regulatory, governmental, tax and law enforcement authorities;
- surveillance and investigation activities;
- carrying out audit checks, and instructing our auditors;
- maintaining statutory registers; and
- preventing and detecting fraud.

In pursuance of our legitimate interests, or those of a third party to whom your personal data are disclosed, including:

- complying with a legal, tax, accounting or regulatory obligation to which we or the third party are subject;
- assessing and processing requests you make;
- sending updates, information and notices or otherwise corresponding with you in connection with your investment in the Fund;
- investigating any complaints, or pursuing or defending any claims, proceedings or disputes;
- providing you with, and informing you about investment products and services;
- managing our risk and operations;
- complying with audit requirements;
- ensuring internal compliance with our policies and procedures;
- protecting the Fund against fraud, breach of confidence or theft of proprietary materials;
- seeking professional advice, including legal advice;
- facilitating business asset transactions involving the Fund or related entities;
- monitoring communications to/from us (where permitted by law); and
- protecting the security and integrity of our IT systems.

Where required by applicable law (for example, in respect of European Investors' personal data), we will only process your personal data in pursuance of our legitimate interests where we have considered that the processing is necessary and, on balance, our legitimate interests are not overridden by your legitimate interests, rights or freedoms.

Several of the above purposes for processing may overlap and there may be several purposes which justify our use of your personal data. Where required by applicable law (for example, in respect of European Investors' personal data), we will only use your personal data for the purposes for which we collected it,

unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose for such collection.

Legal Basis of Processing Your Personal Data

We use the personal data about European Investors on the basis that either:

- as a European Investor, you have invested or submitted subscription documents in connection with a proposed investment through a contractual arrangement in a fund sponsored or managed by BRV Lotus (a “BRV Lotus Fund”) and therefore our processing is necessary for the performance of such an investment agreement; or
- to pursue our legitimate interests, balanced against your interests or fundamental rights and freedoms which are not overridden; or
- our processing of the information is necessary for compliance with a legal obligation to which we are subject, or is necessary for the performance of a task carried out in the public interest (such as the detection of criminal activity).

In addition, in limited circumstances, we occasionally ask for your consent for specific activities, such as for providing your personal data to persons acting on your behalf in a fiduciary or representative capacity.

Disclosures of Personal Data

We will disclose your personal data only for limited and specified purposes, namely, those described in this Privacy Policy.

We do not “Sell” or “Share” (as such terms are defined in the CCPA) your personal data, nor have we done so within the past twelve (12) months.

We disclose personal data we collect about you to our affiliates (including those who are involved in the operation, administration or management of, or the sale of interests in, the fund of which you are a limited partner) and non-affiliated service providers, but we only do so in compliance with applicable laws and regulations. For example, we disclose your personal data:

- To affiliates of any BRV Lotus Fund or BRV Lotus (including their officers, directors, partners or employees) for the purpose of the management of your investment;
- To the Fund administrator and any of its affiliates and other sub-processors as may be necessary to provide fund administration services and/or for the purposes of carrying out anti-money laundering, counter-terrorist financing and proliferation financing checks and administering your investment in any BRV Lotus Fund;
- To broker-dealers, custodians and transfer agents to facilitate in-kind distributions of portfolio securities;
- To advisers (e.g. auditors, legal counsel and tax advisers) to BRV Lotus or any BRV Lotus Fund relating to or in connection with your subscription to any BRV Lotus Fund;

- To make certain assessments about you in order to assess your investment objectives, risk tolerance and understanding of investment risk to assess the suitability of an investment in a BRV Lotus Fund or other products offered by BRV Lotus or its affiliates;
- Where required by applicable laws or regulations or where such provision would facilitate the operations of the fund of which you are a limited partner or BRV Lotus, including law enforcement agencies, regulatory or tax authorities and other governmental or public agencies or authorities (such as in connection with a suspected or actual fraudulent or other illegal activity) and parties to litigation (whether pending or threatened) in any country or territory (e.g., to respond to a subpoena or court order, judicial process or regulatory inquiry, to include any correspondence or filings with the U.S. Securities and Exchange Commission);
- To service providers that we engage for the formation, operation or dissolution of the BRV Lotus Fund of which you are a limited partner or to IT service providers or data centers, including to ensure business continuity;
- At your direction or with your consent, including upon your authorization to disclose such information to persons acting in a fiduciary or representative capacity on your behalf or other third parties for purposes you have allowed or to which you have consented;
- When disclosure is necessary or appropriate to prevent physical harm or financial loss to you or another person; and
- To partners in a BRV Lotus Fund as required or permitted by the applicable Limited Partnership Agreement, e.g., capital account information.

The recipients described above may in turn use the services of their affiliates or service providers to process your personal data where necessary or appropriate.

The information of our former and prospective limited partners and individuals related to or associated with such limited partners is treated in the same manner as the information of our current limited partners.

Cross-Border Transfers of Personal Data

Due to the international nature of our business, your personal data may be transferred to jurisdictions that do not offer equivalent protection of personal data as under the Data Protection Legislation. In such cases, we will process personal data or procure that it be processed in accordance with the requirements of the Data Protection Legislation, which may include having appropriate contractual undertakings in legal agreements with service providers who process personal data on our behalf.

When we transfer your personal data outside of the Cayman Islands, the EEA or the UK to a jurisdiction with a data protection regime that is not deemed “adequate” under the GDPR or the DPA, we will take appropriate steps to ensure it is adequately protected in compliance with the GDPR and the DPA. We will do this by entering into appropriate data transfer agreements with third-party recipients of your personal data that incorporate model clauses approved by the European Commission governing such data transfers. Please contact us as detailed in the “How to Contact Us” section below if you would like a copy of the model clauses or further information regarding these transfers.

Retention of Personal Data

We will keep your personal data for as long as it is required by us to fulfil the purposes explained above. For example, we may require it for our legitimate business purposes, to perform our contractual obligations, or where law or regulation obliges us to. We will generally retain your personal data throughout the lifecycle of the investment you are involved in. Some personal data will be retained after your relationship with us ends. For example, we may retain your name, email address and other contact details for a longer period for the purposes of marketing further fundraisings to you in the future. We expect to delete your personal data (at the latest) once there is no longer any legal or regulatory requirement or legitimate business purpose for retaining your personal data.

With respect to our processing of personal data about European Investors, generally, we will retain such data specifically concerning your investment for a minimum of five (5) years after you have exited your investment in the BRV Lotus Fund of which you are a limited partner.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Confidentiality and Security

We have always considered the protection of sensitive information to be a sound business practice and a foundation of customer trust. We protect personal data we collect about you by maintaining physical, electronic and procedural safeguards.

Automated Decision-Making

We will not take decisions producing legal effects concerning you, or otherwise significantly affecting you, based solely on automated processing of your personal data, unless we have considered the proposed processing in a particular case and concluded in writing that it meets the applicable requirements under the Data Protection Legislation.

Sensitive Personal Data

If you provide us with sensitive personal data or we obtain it from a third party, we will process such sensitive personal data only as permitted under applicable laws and regulations – for instance, we may need to process such information for the establishment, exercise or defense of legal claims or for reasons of substantial public interest, or where such processing of information relating to criminal convictions and offenses is authorized by applicable laws and regulations.

We do not collect “Sensitive Personal Information” as defined under the CCPA.

For California Residents

We do not and will not disclose information we collect about you to non-affiliated third parties except with your consent or to service your account, or as otherwise permitted by law. We will limit our disclosure of your personal information to our affiliates as required by California law.

For Vermont Residents

We do not and will not disclose information we collect about you to non-affiliated third parties except with your consent or to service your account, or as otherwise permitted by law. We will not disclose information about your creditworthiness with affiliates or third parties unless you authorize us to do so, or as otherwise permitted under Vermont law.

Your Rights

Where our processing of your personal data is subject to the DPA, the GDPR or the CCPA, you have the following rights in relation to such personal data:

- Request access – to request confirmation of whether we process personal data relating to you and, if so, to request a copy of that personal data;
- Request correction – to request that we rectify or update your personal data that is inaccurate, incomplete or outdated;
- Request erasure – to request that we and our service providers erase your personal data in certain circumstances, such as where we collected personal data on the basis of your consent and you withdraw your consent;
- Request the restriction of processing – to request that we restrict the use of your personal data in certain circumstances, such as while we consider another request that you have submitted, for example a request that we update your personal data;
- Withdraw consent – in the limited circumstances where our processing of your personal data is based on your consent, to withdraw your consent, although withdrawal of consent (i) does not invalidate the consent-based processing that occurred prior to such withdrawal or processing that is not based on consent, and (ii) means that we will no longer be able to perform such consent-based processing activities, and may result in us being unable to provide certain services to you;
- Request a machine-readable copy – to request that we provide a copy of your personal data to you in a structured, commonly used and machine readable format in certain circumstances; and
- Object to processing – to object to certain of our data processing, such as for direct marketing purposes or where we are relying on legitimate interests (or those of a third party) to which you object based on your particular circumstances.

We will not discriminate against you for exercising any of your rights under the CCPA. Unless permitted by the CCPA, we will not:

- Deny you goods or services;
- Charge different prices or rates for goods or services; or
- Provide you a different level or quality of goods or services.

If you wish to exercise any of your data protection rights or if you consider that we have processed your personal data in violation of applicable law, please contact us as detailed in the “How to Contact Us” section below.

If you consider that we have processed your personal data in violation of applicable law and failed to remedy such violation to your reasonable satisfaction, you may also lodge a complaint with the data protection supervisory authority in your country or the Cayman Islands Data Protection Ombudsman.

What happens if you choose not to provide your personal data?

As explained above, we require your personal data to be able to comply with our legal and regulatory obligations, to operate the fund of which you are a limited partner and to perform your investment. Accordingly, if you do not provide the information requested, we will not be able to carry out the necessary activities in relation to such purposes so therefore we will not be able to accept your subscription application, and, if you revoke your consent following our acceptance of such subscription application, we will no longer be able to perform consent-based processing activities and as a result we may be unable to provide certain services to you.

How to Contact Us

Please contact us at brvadmin@brvcap.com or +1-800-548-3475 if you have any questions about the exercise of such rights or about the information included in this Privacy Policy.

Verification Procedures

To respond to your requests, we may ask you for **at least two pieces** of personal information and, for requests for specific pieces of personal information, we may ask you for **at least three pieces** of Personal Information, that we will match with data points we already have, in order to verify your identity to the degree of certainty required by applicable law. The information we require may vary depending on your relationship to us, and may include your full legal name, residential address, email, phone, as well information we may have on file about you or other information that may be necessary to verify your identity. If we are unable to verify your identity to the degree of certainty required by applicable law through any reasonable method, we will state in a written response to you that we are unable to verify it, along with a reason as to why there is no reasonable method by which we can verify your identity.

If you are making a request on behalf of another individual, such as a member of your household, we may also request additional information from you and/or such individual to verify their identity. If you are legally entitled to such rights, you may designate an agent to submit a request on your behalf as described above. If you designate an authorized agent, (a) we may require you to provide your authorized agent with written permission to do so, and (b) for access, correction and deletion requests, we may require you to verify your own identity with us directly.

LAST MODIFIED: August 2023