

Privacy Policy

In preparing this Privacy Policy, Horizon Group took into account the applicable data protection laws and regulations, including but not limited to:

- i) The Grand-Duchy of Luxembourg Law of 2 August 2002 on the protection of persons with regard to the processing of Personal Data;
- ii) The Portuguese Law no 58/2019 of August 8, the Portuguese personal data protection law; and
- iii) The Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (“**GDPR**”), as such applicable laws and regulations may be amended from time to time

(collectively hereinafter referred to as the **Data Protection Laws**).

This Privacy Policy applies to the following entities belonging to Horizon grupo:

- **Horizon Equity Partners Follow-On Fund SCSp**, a special limited partnership (*société en commandite spéciale*), formed under the laws of the Grand Duchy of Luxembourg, having its registered office at 15, Boulevard F.W. Raiffeisen, L-2411 Luxembourg and registered with the Luxembourg Trade and Companies Register (*Registre de Commerce et des Sociétés de Luxembourg*) under number B 249.083 (the “**Follow-on Fund**”), managed by its general partner, **Horizon Equity Partners Management II S.à r.l.**, a private limited liability company (*société à responsabilité limitée*) incorporated under the laws of the Grand Duchy of Luxembourg, having its registered office at 15, Boulevard F.W. Raiffeisen, L-2411 Luxembourg and registered with the Luxembourg Trade and Companies Register (*Registre de Commerce et des Sociétés de Luxembourg*) under number B 248.626 (the “**General Partner**”);
- **Horizon Growth Fund I SCSp**, a special limited partnership (*société en commandite spéciale*), formed under the laws of the Grand Duchy of Luxembourg, having its registered office at 15, Boulevard F.W. Raiffeisen, L-2411 Luxembourg and registered with the Luxembourg Trade and Companies Register (*Registre de Commerce et des Sociétés de Luxembourg*) under number B 278.233 (the “**Growth Fund**”), managed by its general partner, **Horizon Equity Partners Management II S.à r.l.**, a private limited liability company (*société à responsabilité limitée*) incorporated under the laws of the Grand Duchy of Luxembourg, having its registered office at 15, Boulevard F.W. Raiffeisen, L-2411 Luxembourg and registered with the Luxembourg Trade and Companies Register (*Registre de Commerce et des Sociétés de Luxembourg*) under number B 248.626 (the “**General Partner**”); and
- **Horizon Infrastructure Fund III, Fundo De Capital De Risco Fechado (“Horizon III”)**, incorporated under the laws of Portugal law on [●], with number [●] and Tax Identification Number [●], managed by **Horizon Equity Partners – SCR, S.A.**, a private limited liability company by shares (*sociedade anónima*), incorporated under the laws of Portugal, with registered office at Rua Rodrigues Sampaio, nr. 76, 2nd floor, 1150-281 Lisbon, and with the share capital of € 75,000, registered at the Lisbon Commercial Registry Office under the single corporate and registration number 514 396 954 (“**Horizon SCR**”).

Both the General Partner and Horizon SCR act as data controllers (“**Data Controllers**”) and therefore process personal data in the context of the investments of the Follow-on Fund and Horizon III, respectively (hereinafter, the “**Funds**”).

The term “processing” in this section has the meaning ascribed to it in the Data Protection Laws.

References to actions taken by the Horizon III shall be deemed as references to actions taken by Horizon SCR in the capacity as manager acting on behalf of Horizon III.

1. CATEGORIES OF PERSONAL DATA PROCESSED

Any personal data as defined by the Data Protection Laws (including but not limited to the name, e-mail address, postal address, date of birth, marital status, country of residence, identity card or passport, tax identification number and tax status, contact and banking details including account number and account balance, resume, invested amount and the origin of the funds) relating to (prospective) investors who are individuals and any other natural persons involved in or concerned by the Funds’ professional relationship with investors, as the case may be, including but not limited to any representatives, contact persons, agents, service providers, persons holding a power of attorney, beneficial owners and/or any other related persons (each a “**Data Subject**”) provided in connection with (an) investment(s) in the Funds (hereinafter referred to as “**Personal Data**”) may be processed by the Data Controllers and/or its Processors (as defined below).

2. PURPOSES OF THE PROCESSING

The processing of Personal Data by each of the Horizon AIFMs (acting on behalf of the respective Funds) may be made for the following purposes (the “**Purposes**”):

a) For the performance of the contract to which the investor is a party or in order to take steps at the investor’s request before entering into a contract

This includes, without limitation, the provision of investor-related services, administration of the shareholdings in the Funds, handling of subscription, redemption, conversion and transfer orders, maintaining the register of investors as shareholders of the Funds, management of distributions, sending of notices, information and communications and more generally performance of service requests from and operations in accordance with the instructions of the investor.

The provision of Personal Data for this purpose:

- has a contractual nature or is a requirement necessary for the Funds to enter into a contractual relationship with the investor; and
- is mandatory.

b) For the performance of a business, professional or commercial relationship (“Business Relationship**”) which is connected with the Funds’ professional activities**

This includes without limitation Business Relationships which are expected, at the time when the contact is established, to have an element of duration, including every one-off or multiple operations carried out with the same contractual counterparties (legal entities signatories of the agreements) and legal entities on whose behalf the agreements are signed by another participant in the transaction (the “**Relevant Counterpart**”). The Business Relationship can have various possible

purposes, depending on the role of the Relevant Counterpart when dealing with the Funds.

The provision of Personal Data for this purpose:

- has a contractual nature or is a requirement necessary for the Funds to enter into a Business Relationship with the Relevant Counterpart; and
- is mandatory.

c) For compliance with legal and/or regulatory obligations

This includes (without limitation) compliance:

- with legal and/or regulatory obligations such as anti-money laundering and fight against terrorism financing, protection against late trading and market timing practices and accounting obligations;
- with identification and reporting obligations under the foreign account tax compliance act (“**FATCA**”) and other comparable requirements under domestic or international exchange tax information mechanisms, such as the Organisation for Economic Co-operation and Development (“**OECD**”) and EU standards for transparency and automatic exchange of financial account information in tax matters (“**AEOI**”) and the common reporting standard (“**CRS**”) (hereinafter collectively referred to as “**Comparable Tax Regulations**”). In the context of FATCA and/or Comparable Tax Regulations, Personal Data may be processed and transferred to the Luxembourg tax authorities who, in turn and under their control, may transfer such Personal Data to the competent foreign tax authorities, including, but not limited to, the competent authorities of the United States of America;
- with legal obligations related to identification of ultimate beneficial owners and the subsequent obligation to include certain personal information on ultimate beneficial owners in any relevant register of ultimate beneficial owners, it being understood that some of these registers may be made available online to the general public and/or be interconnected with other registers of ultimate beneficial owners;
- with requests from, and requirements of, local or foreign authorities.

The provision of Personal Data for this purpose has a statutory/regulatory nature and is mandatory. In addition to the consequences mentioned in the last paragraph of item 2 hereunder, not providing Personal Data in this context may also result in incorrect reporting and/or tax consequences for the investor or Relevant Counterpart.

d) For the purposes of the legitimate interests pursued by the Funds

This includes the processing of Personal Data for risk management and for fraud prevention purposes, improvement of the Funds’ services, disclosure of Personal Data to Processors (as defined in item 3 hereunder) for the purpose of the processing on the Funds’ behalf. The Funds may also use Personal Data to the extent required for preventing or facilitating the settlement of any claims, disputes or litigations, for the exercise of its rights in case of claims, disputes or litigations or for the protection of rights of another natural or legal person.

The provision of Personal Data for this purpose:

- has a contractual nature or is a requirement necessary for the Funds to enter into a contractual relationship with the investor or Relevant Counterpart; and
- is mandatory.

and/or

e) For any other specific purpose to which the Data Subject has consented

This covers the use and further processing of Personal Data where the Data Subject has given his/her explicit consent thereto, which consent may be withdrawn at any time, without affecting the lawfulness of processing based on consent before its withdrawal (e.g. to receive marketing material if applicable).

Not providing Personal Data for the Purposes under items 2.a to 2.d hereabove or the withdrawal of consent under item 2.e hereabove may result in the impossibility for the Funds to accept the investment and/or to perform investor-related services, or ultimately in the termination of the contractual relationship with the investor or with the Relevant Counterpart.

3. DISCLOSURE OF PERSONAL DATA TO THIRD PARTIES

Personal Data may be transferred by the Funds, in compliance with and within the limits of the Data Protection Laws, to its delegates, service providers or agents, such as (but not limited to) its alternative investment fund managers (AIFMs), its investment managers, or other entities directly or indirectly affiliated with the Funds and any other third parties who process the Personal Data in the provision of their services to the Funds, acting as data processors (collectively hereinafter referred to as “**Processors**”).

Such Processors may in turn transfer Personal Data to their respective agents, delegates, service providers, affiliates, such as (but not limited to) the Funds’ central administrative agent, registrar and transfer agent, and, as the case may be, to global distributor/distributors (to the extent that such (global) distribution function is delegated by the AIFM), acting as sub-processors (collectively hereinafter referred to as “**Sub-Processors**”).

Such Sub-Processors may also in turn transfer Personal Data to their respective agents, delegates, service providers, affiliates, etc (the “**Subsequent Sub-Processors**”).

Personal Data may also be shared with service providers (including the Processors and the Sub-Processors), processing such information on their own behalf as data controllers, and third parties, as may be required by applicable laws and regulations (including but not limited to administrations, local or foreign authorities (such as competent regulator, tax authorities, judicial authorities, etc).

Personal Data may be transferred to any of these recipients in any jurisdiction including outside of the European Economic Area (“**EEA**”). The transfer of Personal Data outside of the EEA may be made to countries ensuring (based on the European Commission’s decision) an adequate level of protection or to other countries not ensuring such adequate level of protection. In the latter case, the transfer of Personal Data will be protected by appropriate or suitable safeguards in accordance with Data Protection Laws, such as standard contractual clauses approved by the European Commission. The Data Subject may obtain a copy of such safeguards by contacting the Funds.

4. RIGHTS OF THE DATA SUBJECTS IN RELATION TO PERSONAL DATA

Under certain conditions set out by the Data Protection Laws and/or by applicable guidelines, regulations, recommendations, circulars or requirements issued by any local or European competent authority, such as the Luxembourg data protection authority (the *Commission Nationale pour la Protection des Données* – “**CNPD**”), the Portuguese data protection authority (the *Comissão Nacional de Proteção de Dados* – “**CNPD**”) or the European Data Protection Board, each Data Subject has the right:

- to access his/her Personal Data and to know, as the case may be, the source from which his/her Personal Data originates and whether such data came from publicly accessible sources;
- to ask for a rectification of his/her Personal Data in cases where such data is inaccurate and/or incomplete,
- to ask for a restriction of processing of his/her Personal Data,
- to object to the processing of his/her Personal Data,
- to ask for the erasure of his/her Personal Data, and
- to data portability with respect to his/her Personal Data.

Further details regarding the above rights are provided for in Chapter III of GDPR and in particular articles 15 to 21 of GDPR.

No automated decision-making is conducted.

To exercise the above rights and/or withdraw his/her consent regarding any specific processing to which he/she has consented, the Data Subject may contact the Funds at the following address: registered office of the Funds.

In addition to the rights listed above, should a Data Subject consider that the Funds do not comply with the Data Protection Laws, or has concerns with regard to the protection of his/her Personal Data, the Data Subject is entitled to lodge a complaint with a supervisory authority (within the meaning of GDPR). In Luxembourg, the competent supervisory authority is the CNPD.

5. INFORMATION ON DATA SUBJECTS RELATED TO THE INVESTOR OR RELEVANT COUNTERPART

To the extent the investor or Relevant Counterpart provides Personal Data regarding Data Subjects related to him/her/it (e.g. representatives, beneficial owners, contact persons, agents, service providers, persons holding a power of attorney, etc.), the investor or Relevant Counterpart acknowledges and agrees that: (i) such Personal Data has been obtained, processed and disclosed in compliance with any applicable laws and regulations and its/his/her contractual obligations; (ii) the investor or Relevant Counterpart shall not do or omit to do anything in effecting this disclosure or otherwise that would cause the Funds, the Processors, Sub-Processors and/or Subsequent Sub-Processors to be in breach of any applicable laws and regulations (including Data Protection Laws); (iii) the processing and transferring of Personal Data as described herein shall not cause the Funds, the Processors, Sub-Processors and/or Subsequent Sub-Processors to be in breach of any applicable laws and regulations (including Data Protection Laws); and (iv) without limiting the foregoing, the investor or Relevant Counterpart shall provide, before the Personal Data is processed by the Funds, the Processors, Sub-Processors and/or Subsequent Sub-Processors, all necessary information and notices to such Data Subjects concerned, in each case as required by applicable laws and

regulations (including Data Protection Laws) and/or its/his/her contractual obligations, including information on the processing of their Personal Data as described in this notice.

The investor or Relevant Counterpart will indemnify and hold the Funds, the Processors, Sub-Processors and/or Subsequent Sub-Processors harmless to the fullest extent authorized by applicable law for and against all financial consequences that may arise as a consequence of a failure to comply with the above requirements.

6. DATA RETENTION PERIOD

Personal Data shall not be retained for periods longer than those required for the purposes of the processing as described above, subject to further periods of retention based on statutory periods of limitation and to situations where applicable laws require or allow personal data to be retained for a certain period of time after the termination of the contractual and commercial relationship (such as the legal obligation to keep accounting documents for a period of 10 years).

7. RECORDING OF TELEPHONE CONVERSATIONS

Investors and Relevant Counterparts, including the Data Subjects related to him/her/it (who will be individually informed by the investors in turn) are also informed that for the purpose of serving as evidence of commercial transactions and/or any other commercial communications and then preventing or facilitating the settlement of any disputes or litigations, their telephone conversations with and/or instructions given to the Funds, their AIFM, their depositary bank, their domiciliary agent, their central administrative agent, their registrar and transfer agent, and/or any other agent of the Funds may be recorded in accordance with applicable laws and regulations.

These recordings are kept as long as necessary for the purpose of their processing, subject to statutory periods of limitation. These recordings shall not be disclosed to any third parties, unless the Funds, their AIFM, their depositary bank, their domiciliary agent, their central administrative agent, their registrar and transfer agent and/or any other agent of the Funds is/are compelled or has/have the right to do so under applicable laws and/or regulations in order to achieve the purpose as described in this paragraph.