

CHINA NEW ENERGY LIMITED

(the Company)

Privacy Notice

This privacy notice explains the manner in which the Company collects, processes and maintains personal data about you pursuant to the Data Protection Law.

You should review this notice carefully as it contains information about the treatment of your personal data and your rights under the Data Protection Law.

Interpretation: For the purposes of this privacy notice: (i) **Data Protection Law** means any applicable law from time to time relating to the processing of personal data and/or privacy, including the Data Protection (Jersey) Law 2018, as amended from time to time and the General Data Protection Regulation (EU) 2016/679 (ii) **data controller, data processor, data subject, personal data**, and **processing** shall have the meanings given to them under the Data Protection Law, (iii) **we, us** or **our** means the Company, in its capacity as data controller and/or data processor (as applicable) of the personal data, and (iv) **you** or **your** means the subscriber for interests in the Company and includes any person owning or controlling the subscriber, having a beneficial interest in the subscriber, or for whom the subscriber is acting as agent or nominee.

Sources of personal data: The Company collects personal data (including identifiers such as names, date of birth, gender, addresses, nationalities, tax identification numbers, and financial and investment qualifications, bank details and telephone/mobile numbers) about subscribers mainly through the following sources:

- (a) subscription forms, investor questionnaires and other information provided by the subscriber in writing (including any anti-money laundering, identification, and verification documentation), in person, by telephone (which may be recorded), electronically or by any other means;
- (b) transactions within the Company, including account balances, investments, distributions, payments and withdrawals;
- (c) information captured on our website, including registration information and any information captured via cookies, and
- (d) we may also collect personal data relating to you from credit reference agencies and available public databases or data sources, such as news outlets, websites and other media sources and international sanctions lists.

Purposes: The storage, processing and use of personal data will take place for the following purposes:

Where the processing is necessary for compliance with a legal obligation to which the Company is subject to comply with in-house procedures and statutory/regulatory requirements applicable to the Company.

Where the processing is necessary for the Company to perform a contract to which you are a party or for taking pre-contract steps at your request

- (a) to manage or administer your commitments and/or interests and any related accounts on an ongoing basis;
- (b) to administer and operate the Company;
- (c) to verify the identity of the Company in connection with any actual or proposed investments of the Company and/or for any purpose which the Company considers is necessary or desirable to further the interests of the Company;
- (d) risk management and risk controlling purposes relating to the Company or any entity in the same group as the Company.

Where the processing is necessary in order to pursue the Company's or a third party's legitimate interests

- (a) for direct marketing purposes;
- (b) to help detect, prevent, investigate, and prosecute fraud and/or other criminal activity, and share this data with our legal, compliance, risk and managerial staff to assess suspicious activities;
- (c) to investigate and respond to any complaints about us and to help maintain service quality and train staff to deal with complaints and disputes.

Where you consent to the processing of personal data

- (a) for any other specific purpose to which you have given specific consent.

As a data controller, 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. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Automated decision-making

We do not envisage that any decisions will be taken about you using fully automated means, however we will notify you in writing if this position changes.

Disclosure of personal data: Any disclosure of personal data shall be in accordance with the obligations of the disclosing party under the Data Protection Law. Further:

- (a) where you have notified us of your adviser, the personal information provided may be shared with such adviser. You must notify us in writing if you no longer wish us to share your personal information with your adviser or of any change to your adviser. Your adviser should have its own arrangements with you about its use of your personal information;

- (b) we may share your personal information with companies or other entities or persons affiliated with the Company and any third party to whom the Company may delegate or may appoint as service provider in respect of certain functions in relation to the Company which may include an auditor, administrator, registrar, distributor and/or other fund service providers (**Processors**) for the purposes set out in this Privacy Notice;
- (c) if we undergo a group reorganization or are sold to a third party, the personal information provided to us may be transferred to that reorganized entity or third party and used for the purposes highlighted above;
- (d) in the course of the processing of personal data such personal data may be transferred to Processors situated or operating in countries outside of Jersey and the European Economic Area (the **EEA**), and such countries may not have data protection laws equivalent to those in Jersey and the EEA. The Company will, where required to do so by law or where it considers appropriate, implement contracts which seek to ensure that any such entity is contractually bound to provide an adequate level of protection in respect of the personal data transferred to it and that any such transfer complies with the requirements of the Data Protection Law.

Subscriber rights: you have the right to:

- (a) access your personal data;
- (b) correct your personal data where it is inaccurate or incomplete;
- (c) restrict under certain circumstances the further processing of your personal data;
- (d) ask for erasure of your personal data under certain circumstances;
- (e) object to the use of your personal data (including for direct marketing purposes);
- (f) ask for personal data portability under certain circumstances.

Further, you may at your discretion refuse to communicate personal data to the Company or object to some processing of your personal data. There are, however, situations where the Company can refuse to comply with such a request. For example, where it is subject to a legal or contractual obligation to process the data. In this case, however, there may be implications in respect of your holding in the Company until such time as the requisite data has been provided.

Where the processing is based on consent, the withdrawal of consent shall not affect the lawfulness of processing for other reasons and based on other grounds where this is permitted under applicable law.

Exercise of rights: You may exercise your rights by writing to the Company at the following e-mail address: secretary@chinanewenergy.co.uk.

Complaints: Should you have any unresolved complaints in relation to the retention or processing of personal data, you may lodge a complaint with the Data Protection Authority in Jersey: Tel +44 (0)1534 716530 or at www.jerseyoic.org.

Retention of Personal Data: The personal data shall not be held by the Company for longer than necessary with regard to the purposes of the data processing, subject to any limitation periods provided by law.

Changes to Privacy Notice: The Company reserves the right to update this Privacy Notice at any time, and will ensure that any update to this privacy notice is made available on its website <http://www.chinaneenergy.co.uk>. We encourage you to regularly review this and any updated Privacy Notice to ensure that you are always aware of how personal data is collected, used, stored and disclosed. We may also notify you in other ways from time to time about the processing of your personal data.