

## The Carlyle Group EEA-Resident Applicant Privacy Notice

This Carlyle Applicant Privacy Notice (“**Privacy Notice**”) applies in relation to all individuals applying to be employees or members (whether or not they are full-time, part-time or temporary) associated with The Carlyle Group (“**Carlyle**”, “**we**”, “**us**” and “**our**”) or the Carlyle LLPs (as defined below) resident in the European Economic Area (the “**EEA**”).

We recognise the importance of your privacy and maintaining the confidentiality of your “**Personal Data**” (i.e. any information relating to a natural person, who can be identified from that information (either directly or when combined with other information in Carlyle’s possession) in accordance with applicable data protection and privacy laws, including the General Data Protection Regulation (EU) 2016/679 of the European Parliament and of the Council of 27<sup>th</sup> April 2016 (the “**GDPR**”). This Privacy Notice sets out how we may collect, use, store, process, disclose and transfer your Personal Data.

### 1. Definitions

1.1. Capitalised terms used in this Privacy Notice shall have the following meanings:

“ <b>Carlyle</b> ”	means The Carlyle Group;
“ <b>Carlyle LLP</b> ”	means any of the following: CECP Advisors LLP, CELF Advisors LLP, and Carlyle Real Estate Advisors LLP;
“ <b>EEA</b> ”	means the European Economic Area;
“ <b>Employee and Member Privacy Notice</b> ”	means Carlyle’s privacy notice for employees and members, which notifies such individuals of the purposes of which their Personal Data is being collected, how it may be used and who it may be transferred to, and their rights with respect to such data;
“ <b>GDPR</b> ”	means the General Data Protection Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 <sup>th</sup> April 2016;
“ <b>Handbook</b> ”	means the Employee Handbook or Employee & Member Handbook, as amended from time to time, that is applicable to you and which sets out the basic policies, practices, and procedures of Carlyle that apply to its employees and members;
“ <b>Personal Data</b> ”	means any information relating to a natural person (known as a “data subject”), who can be identified from that information (either directly or when combined with other information in Carlyle’s possession);
“ <b>Sensitive Personal Data</b> ”	means special categories of Personal Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation, and data concerning criminal convictions and offenses or related security measures and related sentences;
“ <b>Standard Clauses</b> ”	means the standard contractual clauses approved by EU Commission Decision 2004/915/EC of 27 December 2004; and

**“You”** means you, an individual applying to be an employee or member of Carlyle or a Carlyle LLP.

## **2. Introduction**

- 2.1. Your privacy is important to Carlyle, and we have taken steps to ensure that we do not collect more information from you than is necessary in relation to your potential employment with us or potential membership in a Carlyle LLP.
- 2.2. This Privacy Notice (and any other documents referred to in it) sets out the basis on which we will process and use any Personal Data that we collect from you, that you provide to us, or that we collect from third parties in connection with your provision of services to us. Please read this Privacy Notice carefully, together with any other privacy notice we may provide to you from time to time, so that you are aware of how and why we are using your Personal Data. This Privacy Notice does not form part of any contract of employment or other contract to provide services. We may update this Privacy Notice at any time.

## **3. General**

- 3.1. For the purposes of the GDPR, we act as a data controller and our headquarters is located in the United States at 1001 Pennsylvania Avenue, NW, Washington, DC 20004. As a data controller, we are responsible for deciding how we hold and use Personal Data about you. We are required under data protection legislation, including the GDPR, to notify you of the information contained in this Privacy Notice.
- 3.2. To facilitate international transfers of Personal Data outside the EEA, we rely on agreements that incorporate the standard contractual clauses approved by EU Commission Decision 2004/915/EC of 27 December 2004 (the “**Standard Clauses**”). As applicable, we also rely on any other framework for transferring Personal Data from the EEA to another jurisdiction that is approved by the European Commission as providing an adequate level of protection. Questions about or requests for copies of these materials should be addressed to [dppc@carlyle.com](mailto:dppc@carlyle.com).

## **4. Data Protection Principles**

- 4.1. In respect of the collection, holding, storage, use, and processing of Personal Data about current and former employees and members (such Personal Data is held by us in both manual and electronic records), such data must be:
  - (a) used lawfully, fairly and in a transparent way;
  - (b) collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
  - (c) relevant to the purposes we have told you about and limited only to those purposes;
  - (d) accurate and kept up to date;
  - (e) kept only as long as necessary for the purposes we have told you about; and
  - (f) kept securely.

## **5. Collection of Personal Data and Sensitive Personal Data**

- 5.1. **Personal Data.** The Personal Data we request from you includes, without limitation, names (including your full name), addresses, immigration or resident status, dates of birth, telephone numbers, e-mail addresses, occupational details, CV information (such as details of your education and qualifications, details of your work history, including the name of your former employer, job title, length of services and reasons for ceasing employment), photographs, location data, certain ID

numbers, financial account information, credit or payment card information, marital status and dependents, performance reviews, and online account user names or passwords.

- 5.2. **Sensitive Personal Data.** We also collect and use certain special categories of Sensitive Personal Data about certain employees and/or members, including, without limitation, racial or ethnic data, information regarding political contributions, data regarding trade union membership, certain data concerning physical or mental health or condition, and information regarding criminal offenses or related proceedings or outcomes.
- 5.3. Please note that it is mandatory for you to provide certain categories of Personal Data (as specified at the time of collection). Failure to provide certain Personal Data requested by us may prevent us from completing the verification process, which is a pre-condition of your employment with Carlyle and/or admission as a member of a Carlyle LLP.

## 6. Use and disclosure of your Personal Data

- 6.1. We will only use your Personal Data in a lawful manner.
- (a) We will use your Personal Data in the following instances:
- (i) where we need to perform your contract of employment or membership;
  - (ii) where we need to comply with a legal obligation; and
  - (iii) where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- (b) We also use your Personal Data in the following situations, which are likely to be rare:
- (i) where we need to protect your interests (or someone else's interests); or
  - (ii) where it is needed in the public interest.
- 6.2. We will only use your Sensitive Personal Data in a lawful manner.
- (a) We will use your Sensitive Personal Data in the following instances:
- (i) where the processing is necessary to carry out our obligations as data controller and exercise your specific rights in the area of employment and social security and social protection law;
  - (ii) where collecting information about criminal convictions is appropriate given the nature of the role and where we are legally able to do so.
- (b) We also use your Sensitive Personal Data in the following situations, which are likely to be rare:
- (i) where the processing is necessary to protect your vital interests or the vital interests of another individual where you are physically or legally incapable of giving consent. This legal basis for processing is only relied upon in “life or death” type situations;
  - (ii) where the processing relates to Sensitive Personal Data which are obviously made public by you;
  - (iii) where the processing is necessary to establish, exercise or defend legal claims or whenever courts are acting in their judicial capacity;

- (iv) where the processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law, which are proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard your fundamental rights and interests.

6.3. We process Personal Data as set out in this Privacy Notice, for the following purposes (among others):

- (a) to assess your suitability for a vacancy with us;
- (b) to verify your identity, employment history, education history, qualifications and language proficiency;
- (c) to carry out a background or reference check;
- (d) to obtain references in relation to you;
- (e) to enable communications with you;
- (f) to comply with applicable laws or regulations; or
- (g) for any other purpose that you have consented to and/or which has been notified to you on or before the time when the Personal Data is collected.

6.4. Some of the above purposes for processing will overlap and there may be several purposes that justify our use of your Personal Data.

6.5. 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.

6.6. However, in limited circumstances, we will approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

6.7. If you provide to us any Personal Data relating to third parties, such as your reference(s), you will be deemed to have authorized us to collect, use, store and process their Personal Data, in any format whatsoever, for the purposes of obtaining a reference in relation to you and other matters required in order to comply with applicable laws or regulations.

## **7. How we collect Personal Data**

7.1. We collect Personal Data through the application and/or recruitment process, either directly from candidates or sometimes from an employment agency or background check provider.

7.2. We sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies.

## **8. Transfer and sharing of Personal Data**

8.1. We will, where necessary, disclose and transfer (both nationally and internationally) your Personal Data and any other Personal Data provided by you to us:

- (a) for the purposes outlined above, to any entity that is or becomes part of Carlyle (including any affiliates of Carlyle);

- (b) for the purposes outlined above, to any of Carlyle's third-party service providers, including their legal advisers, credit and reference agencies, recruitment agents, information technology service providers or service providers engaged by a member of Carlyle to assist with human resources or other departmental functions;
- (c) pursuant to any applicable laws, regulations or orders issued by a court or regulatory authority, to any legal or regulatory authority or court of competent jurisdiction; or
- (d) to any other third party that you have consented to the transfer or disclosure of your Personal Data to, and/or any other third party that you have been notified of on or before the time when the Personal Data is collected from you; such third parties include, without limitation, your past and prospective employers, employment and recruitment agencies, central and local government agencies and quasi-government agencies and other relevant regulatory bodies, credit reference agencies, IT services, business partners, business associates, advisers, suppliers, service providers, and sub-contractors to perform any contract we enter into with them or you.

8.2. These transferees will be subject to a duty of confidentiality and will only be permitted to use your Personal Data in accordance with the purposes outlined above, or as permitted under applicable laws or regulations. We seek to ensure that our affiliates and third-party service providers take appropriate security measures to protect your Personal Data in line with our policies. We do not allow our third-party service providers to use your Personal Data for their own purposes. We only permit them to process your Personal Data for specified purposes and in accordance with our instructions. In no other circumstances will we transfer or disclose any of your Personal Data to any third party, without your prior consent, unless permitted or required to do so under applicable laws or regulations. We will take all steps reasonably necessary to ensure that your Personal Data is treated securely and in accordance with this Privacy Notice and applicable law.

8.3. We have put in place appropriate technical and organizational security measures to prevent your Personal Data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your Personal Data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your Personal Data on our instructions and they are subject to a duty of confidentiality.

8.4. We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

8.5. The Personal Data that we hold about you will in some cases be transferred and stored or accessed outside the jurisdiction in which it was collected.

## **9. Confidentiality and safety**

9.1. Your Personal Data held by us will be kept confidential in accordance with the applicable Handbook and applicable Carlyle policies and procedures. We will use all reasonable efforts to ensure that all Personal Data is kept secure and safe from any loss or unauthorised disclosure or use. All reasonable efforts are made to ensure that any Personal Data held by us are stored in a secure and safe place, and accessed only by our authorised employees and transferees.

## **10. Retention period**

10.1. We will process and store your Personal Data for at least as long as it is necessary in order to fulfil our applicable obligations. Subject to those qualifications, our goal is to keep such data for no longer than necessary in relation to the purposes for which we collect and use the Personal Data (we refer to the purposes as set forth above). Carlyle will retain your personal data in accordance with our Books & Records Policy. If you have any specific question in this respect, please feel free to contact us.

- 10.2. If your application is successful and you accept our offer, your Personal Data will continue to be held and used in accordance with the Employee and Member Privacy Notice, which will be provided to you on or around the time that you accept the offer.

## 11. You must keep your Personal Data up-to-date

- 11.1. You agree to promptly inform the human resources department when any of your Personal Data is no longer accurate or up-to-date. It is your responsibility to report any changes in status that affect your records and benefits, e.g., a change of address, etc.

## 12. Individuals' Rights

- 12.1. You and our other EEA-resident applicants have certain rights in respect of the Personal Data that we hold about them. Details of these rights are set out below. To exercise any of these rights, please contact us using the contact details set out in the "Contact and Complaints" section of this Privacy Notice below.

- 12.2. We will process all Personal and Sensitive Personal Data in line with your rights, including those set out below, in each case to the extent required by and in accordance with applicable law only (including, without limitation, in accordance with any applicable time limits and requirements regarding fees and charges).

- 12.3. **Data access.** We will confirm to you whether or not we are processing and using Personal Data about you, at your request and, if so, provide you with access to and a copy of such Personal Data and the other details to which you are entitled. You will not have to pay a fee to access your Personal Data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive.

If we are not legally obligated to provide you with the information requested we may refuse to do so. We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights).

- 12.4. **Rectification.** We will correct any inaccurate Personal Data and complete any incomplete Personal Data (including by providing a supplementary statement) that we hold about you at your request. It is important that the Personal Data we hold about you is accurate and current. Please keep us informed if your Personal Data changes during your relationship with us.

- 12.5. **Prevention of Processing Likely to Cause Damage or Distress.** We will respect your rights to require us to cease or not to begin processing your Personal Data for a specific purpose, or in a specific way, that is likely to cause unwarranted damage or distress, either to you or a third party.

- 12.6. **Erasure.** We will endeavor to erase your Personal Data in certain circumstances (for example, among other things, if the Personal Data is no longer needed for the purposes for which it was collected or otherwise used).

- 12.7. **Restriction.** We will restrict the processing of your Personal Data in certain circumstances (for example, among other things, if you believe that their Personal Data held by us is inaccurate), if requested by you to do so.

- 12.8. **Data Portability.** We will respect your right to receive Personal Data about you (that you have provided to us) in a structured, commonly used and machine readable format and to transmit such Personal Data to another data controller without hindrance from us in certain circumstances.

- 12.9. **Right to Object.** We will respect your general right to object to the processing of your Personal Data in certain circumstances.

- 12.10. **Right to Object to Marketing.** We will respect your rights regarding the use of your Personal Data for direct marketing purposes. In particular, we will not begin or we will cease processing any Personal Data of individuals for direct marketing purposes, including profiling if it is related to such direct marketing, if at any time you ask us not to do so.

We will usually inform you (before collecting your data) if we intend to use your data for marketing purposes or if we intend to disclose your information to any third party for such purposes. You can exercise your right to prevent such processing by checking certain boxes on the forms we use to collect your data, or otherwise at any time by contacting us using the contact details set out below in the “Contacts and Complaints” section of this Privacy Notice.

- 12.11. **Automated Individual Decision-Making, Including Profiling.** We respect your legal rights not to be subject to decisions that are based solely on automated processing of your Personal Data, including profiling, especially where such processing has legal or other significant effects on you.

We inform our applicants about any such automated decisions. Subject to certain exceptions, we usually obtain the relevant individual’s explicit consent before making any decisions based solely on automated processing activities and put in place appropriate safeguards to protect their rights, freedoms and legitimate interests in these circumstances.

We will not make any automated decisions based on Sensitive Personal Data unless we have obtained explicit consent from individuals to do so, or this is otherwise necessary for substantial public interest reasons based on applicable law.

- 12.12. **Consent.** In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your Personal Data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

### **13. Changes to the Privacy Notice**

- 13.1. We reserve the right to update this Privacy Notice at any time, and we will provide you with a new policy when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your Personal Data.

### **14. Contact and Complaints**

- 14.1. Questions, comments, requests or complaints regarding this Privacy Notice and/or our use of your Personal Data should be addressed to [dppc@carlyle.com](mailto:dppc@carlyle.com).
- 14.2. If you have any complaints regarding this Privacy Notice, you may also contact your local data protection authority.