

Integrity Notice

GDPR

Fjärde AP-fonden

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1. General

The Fourth Swedish National Pension Fund (“AP4”) works to safeguard your personal integrity and ensure that you feel secure when we process your personal data. It is incumbent upon us to make sure that all processing of your personal data is conducted in accordance with applicable laws on the protection of personal data.

This integrity notice has been prepared in accordance with the General Data Protection Regulation (“GDPR”) (Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016). Interpretation and application of this integrity notice shall be made in accordance with the GDPR.

2. Application area

This integrity notice applies for all use of personal data that is conducted within the framework of AP4’s operations in relation to you as a data subject who provide personal data to us.

3. Personal data controller

AP4 is the personal data controller for the processing of your personal data and is responsible for ensuring that processing is conducted in accordance with applicable laws. For questions concerning AP4’s processing of personal data, you are welcome to contact the fund’s Compliance Officer, who is also the direct link to AP4’s Data Protection Officer. For further contact information, see section 10.

4. Collection and processing of personal data

4.1 Collection of personal data

The data about you that AP4 processes about you is data that you yourself have provided to AP4 in connection with your interaction with us, either as a private person or as a representative for a contractual party to the fund. Data may also have been collected from a third party, such as a public register or your employer, in cases where AP4 has a business relationship with it.

4.2 For what purposes does AP4 process personal data?

AP4 collects and processes your personal data when:

- it is necessary to communicate with you, such as when you send a job application to AP4 or request information about the fund;
- it is necessary to conduct AP4’s operations, including managing the national pension system’s buffer capital, such as when entering into or fulfilling a contract;
- AP4 has a legal obligation that entails the processing of personal data; or
- it is necessary for AP4 to uphold its interests in a legal dispute.

4.3 Categories of personal data that is processed

The personal data that AP4 may process consists mainly of:

- your contact information, such as your name, phone number and email address;

- your job title, such as for entering into an agreement;
- your signature, such as for entering into an agreement;
- application documents and information in connection with such, such as your CV, school transcripts, age, etc., if you are applying for a job at AP4.

4.4 Legal basis for processing

AP4 is a government agency and conducts its business in accordance with The National Pension Insurance Funds (AP Funds) Act (2000:192) (“the Act”). Processing of personal data that is necessary to conduct AP4’s business, such as when entering into an agreement, is done on the legal basis that it is “necessary for the performance of a task carried out in the public interest” which reflects on AP4’s status as a part of the Swedish government. Other types of processing of personal data are done on the basis of “agreement with the registered” and “legal obligation”.

4.5 How long does AP4 store your personal data?

AP4 does not use your personal data for any other, incompatible purpose, and strive to not store information if it’s not necessary. This means that AP4 only processes your personal data in accordance with the specific mentioned purpose for which your data has been collected.

However, as a Swedish government agency, AP4 must adhere to the archiving stipulations of the Archives Act (Arkivlagen) (1990:782)). This entails that, in certain cases, personal data that exists in public records is archived and, in some cases, stored for an indefinite period. Disclosure of public documents only takes place in accordance with the National Archives Decline.

Personal data in non-public documents are stored for as long as they are required for the operation of the AP4. Certain data must also be stored by law, eg. Bookkeeping Act (1999: 1078). In such cases, your personal data will be stored as long as it is required by applicable law.

All of this is documented and complied with in accordance with AP4's compiled register list of all the fund's personal data processing.

4.6 Cookies

To enhance our web services, AP4 uses cookies to save your browsing history on the website www.ap4.se. No personal information, such as the visitor’s email address or name, is saved. If you do not want to permit the storage of cookies on your computer, you can turn off the function in your browser’s settings. This will not affect your ability to read information on www.ap4.se.

AP4 adheres to the Swedish Post and Telecom Authority’s (PTS’s) recommendations on the use of cookies. For further information about cookies, please refer to the PTS website: <https://www.pts.se/sv/>

AP4 uses Google Analytics as a tool to analyse how visitors use its website. The aim of this use is to improve the website’s content and functionality. For further information about how Google Analytics uses cookies, please refer to their website: <https://www.google.com/intl/sv/cloud/security/gdpr/>

4.7 Recording of calls

As an asset manager at the Swedish, as well as the international, financial markets AP4 has a responsibility both to comply with external legal requirements as well as upholding the confidence of the stakeholders of financial markets and of the society. As a result, there are expectations at AP4 to have the appropriate tools in place to prevent, detect and report any suspicious transactions in accordance with the Market Abuse Regulation (“MAR”). Further, AP4 needs to be able to register and document the specific circumstances of the transactions that are made on behalf of AP4. One tool for meeting these expectations is to record the professional phone calls made on phones belonging to employees with trading authority.

Regarding the recording of professional phone calls GDPR sets out a requirement that both parties must be informed of the processing of data *before* it is initiated. The data subject’s right to information is fulfilled by AP4 through the communication of a written notice to the concerned individuals containing information regarding the processing of data.

If you are not sure whether your phone calls are recorded by AP4, i.e. if AP4 processes your personal data in, you are always welcome to ask the person you are talking to or contact the Compliance Officer of AP4.

4.8 Processing of personal data relating to convictions and offences

AP4’s mission pursuant to the Act is to manage the pension fund assets so as to obtain the greatest possible benefit to the insurance for income-based retirement pension. As part of this mission, AP4 has a duty to procure that the companies in which AP4 invests operate sound businesses and that their representatives are serious actors. Against this background, it is necessary for AP4 to carry out background checks on relevant representatives, which includes processing of personal data. The background checks are part of the due diligence carried out in relation to some of the unlisted companies in which AP4 invests. As part of this due diligence, AP4 requests necessary information about board members and senior management of relevant companies which includes, inter alia, information about convictions and offences and, if such information is provided, AP4 also compiles and processes such information.

The legal basis for AP4’s processing of personal data in this regard is that AP4 carries out a task in the public interest. Information about the length of the storage of personal data can be found in section 4.5 above. The data subject’s right to information is fulfilled by AP4 through the notice set out herein, to which relevant information questionnaires in which the relevant background information is requested refers.

5. We protect your personal data

You should always feel secure when you provide your personal data to AP4. Toward this end, AP4 has taken suitable security measures to protect your personal data from unauthorised access, alteration and erasure. In the event a security incident were to take place that could adversely affect you or your personal data, AP4 will contact you to inform you about what we are doing and what you can do to reduce the risk for negative consequences.

6. Automated decision-making, profiling and direct marketing

AP4 does not use your personal data for automated decision-making, profiling or direct marketing. Nor will AP4 sell your personal data to any other party.

7. Transfers of personal data to a third party

7.1 Transfers within the EU/EEA

AP4 will only transfer personal data to a third party if it is necessary to fulfil a legal obligation or when it is necessary to conduct AP4's operations.

Any transfer of personal data will be preceded by AP4 signing a personal data processor agreement with the receiving third party in order to protect your personal data.

7.2 Transfers to a third country

If it is necessary to transfer personal data to a recipient in a country outside of the EU/EEA, AP4 will ensure that your personal data continues to be protected and that the transfer is conducted in a lawful manner.

This will be done against the background of the European Commission's list of countries that meet an "adequate level of protection", and if necessary, a check will be performed of the counterparty's processing of personal data, and a data protection agreement will be signed.

7.3 Category of recipient

The categories of recipients that AP4 may transfer your personal information to are:

- System vendors;
- Support providers (e.g. IT and HR suppliers);
- Service providers (e.g. backup service provider);
- Auditors and other external advisors (e.g. in connection with audit and legal expertise).

8. Your rights as a data subject

In connection with AP4's processing of your personal data, as the data subject you have a number of rights. If you would like to make a request to exercise your rights, please contact the Compliance Officer at dataskydd@ap4.se.

AP4 is required to respond to your request to exercise your rights within one month of receipt of such request. If your request is complicated or if a large number of requests have been made, AP4 has the right to extend this period by a further two months.

All measures that AP4 carry out in with respect to your rights are free of charge to you. If your request is manifestly unfounded or excessive, we have the right to charge an administrative fee to process your request.

AP4 has the right, under certain circumstances, to refuse your request. In such case you will receive a justification for the decision within one month from when AP4 received your request, at which time you will have the opportunity to lodge a complaint with the Swedish Authority for Privacy Protection.

8.1 Your right to access, rectification, erasure and restriction

In accordance with the regulations of GDPR, you have the right to request from AP4:

Access to your personal data

This entails that you have the right to request a register extract of our use of your personal data. You also have the right to receive a copy of the personal data that we use, free of charge. For any additional copies we have the right to charge an administrative fee. If you make your request by electronic means, such as by email, we will provide the information to you in a commonly used electronic form. Please note that your request and access to the information must be preceded by your legitimacy.

Rectification of your personal data.

At your request or on our own initiative we will rectify, de-identify, erase or complement data that we discover is inaccurate, incomplete or misleading. You also have the right to complement with additional data if something of relevance is missing.

Erasure of your personal data

You have (as from 25 May 2018) the right to request that we erase your personal data if there are no longer legitimate grounds for us to use it. Erasure shall therefore be done if:

- the personal data is no longer necessary in relation to the purpose for which AP4 collected it;
- you object to our use of your personal data after a consideration of interests and AP4 does not demonstrate compelling legitimate grounds which override your interests and rights;
- AP4 has used your personal data in an unlawful manner; or
- AP4 has a legal obligation to erase your personal data.

However, there may be requirements in law or other compelling reasons why we cannot immediately erase your personal data. In such case we will stop using your personal data for other purposes than to comply with the law or that are not necessary for any other compelling reasons.

Restriction of use

This entails that we will temporarily restrict the use of your personal data. You have (as from 25 May 2018) the right to request a restriction when:

- you believe your personal data is inaccurate and you have requested a rectification pursuant to point 8.1.1 b), during the time AP4 verifies the accuracy of the personal data;
- the use is unlawful, and you oppose the erasure of the personal data;
- AP4 as the personal data controller no longer needs the personal data for our purposes of the processing, but you require them for the establishment, exercise or defence of legal claims; or
- you have objected to the use pursuant to point 8.2.1, pending verification of whether our legitimate grounds override yours.

AP4 takes all reasonable actions to inform all recipients of personal data pursuant to section 7 above that we have rectified, erased or restricted access to your personal data after you have requested this. At your request AP4 will inform you about whom we have provided your personal data to.

8.2 Your right to object to our use of your personal data

You have the right to object to such use of your personal data that we do for the performance of a task carried out in the public interest. If you object to such use, AP4 will only continue to use your personal data if AP4 has a legitimate interest to continue using your personal data that overrides your interests.

8.3 Your right to data portability

You have the right to data portability. This entails that you have the right to receive some of your personal data in a structured, commonly used and machine-readable format as well as the right to transmit such data to another controller. You have the right to data portability only when the use of your personal data is automated, and AP4 bases the use or processing of data on a contract between you and AP4.

8.4 Your right to lodge a complaint with the supervisory authority

You have the right to lodge any complaints about our use of your personal data with the Swedish Authority for Privacy Protection.

9. Amendments to this integrity notice

AP4 has the right at any time to amend this integrity notice. The most recent version of the integrity notice will always be posted here on AP4's website. For updates that are not solely of a language or editorial character, AP4 Integrity Notice you will receive clear information about the changes and what they entail for you before they take effect.

This information will be published on www.ap4.se well in advance of when the updates take effect.

10. Contact information

If you have questions about this integrity notice, AP4's processing of personal data, or wish to exercise your rights as a data subject, you are welcome to contact the fund's Compliance Officer. The Compliance Officer is also a direct link to AP4's Data Protection Officer.

Compliance Officer at AP4

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Box 3069, 103 61 Stockholm
08 – 787 75 00
dataskydd@ap4.se

Data Protection Officer

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