



Position: Counsel, UCITS Lawyer

Legal Entity: VanEck (Europe) GmbH

Department: Legal

Reporting to: Managing Director, Head of Legal & Compliance Europe

Location: Frankfurt, Germany

Summary: The Legal Department is responsible for the analysis of fund related product and distribution solutions and questions, the negotiation of related service provider and distribution agreements and the evaluation and internal communication of applicable financial markets and fund regimes and related changes. This position provides an opportunity for a qualified candidate to utilize and gain his/her financial markets and funds law experience in a growing, highly visible and fast moving business.

The candidate should possess relevant knowledge of European financial markets including UCITS, MIFID and most favorably the relevant distribution regimes. Additionally, the candidate should have strong communication, foreign languages and legal analytic skills with the ability to manage multiple, simultaneous tasks. This position is based in Frankfurt and reports functionally to the EMEA Head of Legal.

Primary Responsibilities

The position's primary responsibilities include, but are not limited to, the following functions:

- Registration of asset management products for marketing in other countries
- Drafting and negotiating agreements with distribution partners
- Fund documentation including prospectuses and other legal investor information
- Data Protection coverage according to GDPR for VanEck globally
- Advising on regulatory changes with regards to UCITS, MIFID, etc.

Experience / Qualifications

- Experience in the asset management, funds and/or regulatory space
- European law background would be a significant plus
- Demonstrated business relevant legal advice and support
- Proficiency in English and German languages a must
- Full qualified lawyer

Competencies /Skills

- Professional demeanor, team player, ability to interface effectively with internal/external parties.
- A focus on business orientated but sustainable and compliant results
- Knowledge of investment regulations with a broader understanding of financial markets and legal structures

- Ability to analyze and efficiently communicate complex structures
- Excellent verbal, written and interpersonal communication skills
- Self-motivated and well organized with the ability to handle multiple, high-priority projects while attending to details; able to prioritize tasks and work well under pressure.

VANECK APPLICANT PRIVACY NOTICE - EUROPE

This notice sets out what Van Eck Associates Corporation (including its group companies listed in Appendix 1, “**VanEck**” or “**we**” or “**our**”) does with your personal data which are collected in connection with your application for a job or other position with VanEck based in the European Union, UK and Switzerland (“**Wider EEA**”). VanEck takes data protection very seriously as in today’s information society, the compliant collection, handling and disclosure of personal data is crucial and we attach greatest value to data protection to ensure the security and confidentiality of data entrusted to us.

The VanEck entity that you are applying to is the “controller” in respect of your personal data for purposes of data protection laws and primarily responsible for how your personal data is used. Van Eck Associates Corporation may also be a controller in respect of your personal data in relation to centralised human resources activities. References in this Applicant Privacy Notice should be read as references to the VanEck entity that you are applying to.

1 Information we may collect about you

- 1.1 VanEck will collect the information you provide us in connection with your application, which can include some or all of the following personal data:
- (a) **Contact information**, such as name, home address, telephone number, personal email address and other contact information;
 - (b) **Work authorization status**, such as visa status and work permit information;
 - (c) **Biographical information**, such as previous job history and education details;
 - (d) **Professional and other work-related qualifications**, such as licenses, certifications and professional memberships;
 - (e) **Information relating to references**, such as referees’ names and contact details; and
 - (f) **Any other information you provide to us**, such as current salary, desired salary, employment preferences and willingness to relocate.
 - (g) **Background information**, such as credit checks, criminal checks and police records as applicable, including, for US applicants only, fingerprinting and drug testing records.
- 1.2 We ask that you avoid submitting the following categories of personal data (“**Sensitive Personal Data**”), unless such information is legally required and/or the VanEck requests you to submit such information: racial or ethnic origin; political opinions; religious or philosophical beliefs; trade union membership; genetic or biometric data; health data; and data related to your sex life or sexual orientation.
- 1.3 Any information you submit during your application must be true, complete and not misleading. Submitting inaccurate, incomplete or misleading information may lead to a rejection of your application during the recruitment process or disciplinary action including immediate termination of your employment. In addition, it is your responsibility to ensure that the information you submit does not violate any third party’s rights.
- 1.4 If you provide us with personal information of a referee or any other individual as part of your application, it is your responsibility to obtain consent from that individual prior to providing the information to us.
- 1.5 We may obtain personal data about you from third parties such as your previous employers and other referees, recruiters, background check providers, credit reference and anti-fraud agencies and providers of screening lists and public registers.

2 Why we collect your personal data and how we use it

- 2.1 The personal data that you submit during your application will be used for VanEck's personnel recruitment, management and planning purpose, as permitted by local law, including:
- (a) Processing your application;
 - (b) Assessing your suitability, capabilities and qualifications for a job with us;
 - (c) Communicating with you regarding your application; and
 - (d) Conducting reference checks and background checks, if we offer you a job, such as credit checks, anti-fraud checks, checks to prevent fraud and money laundering, and drug tests – each only as permitted under applicable laws and if appropriate for the job you are applying for.
- 2.2 In connection with the purposes listed above, we may share your personal data with third parties who assist us with these activities, such as background check providers, recruiters and head-hunters, service providers who provide services such as hosting and operating the careers website.
- 2.3 We process your personal data for each purpose described in Section 2.1 above (other than Sensitive Personal Data addressed in Section 3 below) on the basis that such processing is necessary for employment purposes to enter into the employment contract, or if further required for VanEck's legitimate business interests in recruiting suitably qualified and skilled employees. If you disagree, you may object to the use of your personal data as set out in Section 6 below.
- 2.4 If we hire you, the personal data we collect in connection with your application may be incorporated into our HR system and may be used to manage the new-hire process and such information may become part of your employee file.

3 Sensitive personal data

- 3.1 As set out above we ask you to avoid submitting any Sensitive Personal Data with your application. Hence, VanEck collects and processes in exceptional cases only for the following purposes: We may collect, process and disclose Sensitive Personal Data relating to your health or condition, trade union membership, commission or alleged commission of criminal offences and any related legal actions. For example, we may collect, use and share:
- (a) information relating to criminal convictions and offences for the purposes of assessing your suitability for your role, where appropriate for the position you apply for and only if allowed under applicable laws; and
 - (b) information relating to any disabilities that you may have for the purposes of making reasonable adjustments and accommodations to the recruitment process.
- 3.2 Where we use Sensitive Personal Data, generally we do so to perform our legal duties and exercise our rights as a prospective employer, or because it is necessary to establish, defend or prosecute legal claims. On occasion, we may do so on the basis that we are protecting the vital interest of a member of our staff or a third party, or where the purpose is in the substantial public interest.

4 Sending your personal data outside of Wider EEA

- 4.1 We may transfer your personal information to countries other than the country in which the data was originally collected for the purposes described in this Applicant Privacy Notice. For example, if you are located in Wider EEA, we may transfer your personal information to the United States to Van Eck Associates Corporation, where VanEck group is headquartered, if required for the hiring decision of the job you are applying for or if otherwise required for internal administrative

purposes. The countries to which we transfer personal information may not have the same data protection laws as the country in which you initially provided the information. However, when we transfer personal information across borders, we consider a variety of requirements that may apply to such transfers.

4.2 Specifically, we may transfer personal information from Wider EEA

- (a) To Countries that the European Commissions / UK Secretary of State or Swiss Government as applicable have deemed to adequately safeguard personal information;
- (b) Pursuant to the recipient's compliance with standard contractual clauses, Binding Corporate Rules (which we have in place between the European and non-European VanEck entities to share applicants' and employees' data);
- (c) Pursuant to the consent of the individual to whom the personal information pertains; or
- (d) As otherwise permitted by applicable EEA, UK or CH requirements.

Please contact us if you would like to see a copy of the specific safeguards applied to the export of your personal data.

5 Storage of personal data

We will retain your personal data for as long as is necessary for the purposes for which they were collected and any other permitted purposes (such as to comply with regulatory requirements to retain such data). Our retention periods are based on business needs and relevant laws. In case of non-successful applications, the respective applicant's personal data will generally be retained for a six (6) month period after the hiring decision. After the retention period we will either irreversibly anonymise or securely destroy personal data that we no longer need. We reserve the right to use anonymous and de-identified data for any legitimate business purpose without further notice to you or your consent.

6 Your rights

6.1 If you apply for a job at a VanEck entity that is located in the Wider EEA, UK or Switzerland, you have certain rights in relation to your Personal Data. Please be aware that certain exceptions apply to the exercise of these rights and so you will not be able to exercise these in all situations. In addition, these will vary in different EU member states, UK or Switzerland.

- (a) **Subject Access:** You have a right to be provided with access to any data held about you by us generally within 1 month of your request.
- (b) **Rectification:** You can ask us to have inaccurate Personal Data amended.
- (c) **Erasure:** You can ask us to erase Personal Data in certain circumstances and we will take reasonable steps to inform other controllers that are processing the data that you have requested the erasure of any links to, copies or replication of it.
- (d) **Withdrawal of consent:** You can withdraw any consents to processing that you have given us and prevent further processing if there is no other ground under which we can process your Personal Data.
- (e) **Restriction:** You can require certain Personal Data to be marked as restricted whilst complaints are resolved and also restrict processing in certain other circumstances.
- (f) **Portability:** You can ask us to transmit the Personal Data that you have provided to us and we still hold about you to a third party electronically.

(g) **Raise a complaint:** You can raise a complaint about our processing with the responsible data protection authority. Before contacting the authority, we kindly ask you to revert to our management in regard of your inquiry first to find an internal solution.

6.2 We may request specific information from you to help us confirm your identity and process your request. Applicable law may require or permit us to decline your request. If we decline your request, we will inform you of the reasons why, subject to any legal or regulatory restrictions.

7 Your contact for any queries

If you have any queries or concerns regarding personal data, or if you wish to exercise any of your rights set out in Section 6 above, please contact privacy@vaneck.com.

8 Changes to this Notice

VanEck reserves the right to change this Privacy Notice. When we update this Privacy Notice, we will notify you of changes that are deemed material under applicable legal requirements by updating the date of this Privacy Notice and providing other notification as required by applicable law. We may also notify you of changes to the Privacy Notice in other ways, such as via email or other contact information you have provided.

Appendix 1

List of VanEck group companies

VanEck (Europe) GmbH

MarketVector Indexes GmbH

VanEck Switzerland AG

Van Eck Associates Corporation

Van Eck Securities Corporation

Van Eck Absolute Return Advisers Corporation

VanEck Australia Pty Ltd.

VanEck Investments Limited

VanEck Singapore Pte. Ltd.

Van Eck Investment Management (Shanghai) Co., Ltd.

VanEck Securities UK Ltd.

SegMint GmbH

VanEck Asset Management B.V.