

## Personal Data Protection Notice

The protection of the personal data of our customers (including prospective customers) and related third parties of our service providers (hereinafter referred to as "related third parties", such as the beneficial owners, the members of a body, the controlling persons, payment beneficiaries or proxy), and of any other third parties whose data we may possess is at the core of our concerns.

Banque Audi (Suisse) SA (hereinafter the "Bank") processes (i.e. collects, records, stores, uses, modifies, communicates, archives, deletes or destroys) personal data, including sensitive data, in the course of its business activities in order, but not limited to, providing the agreed-upon banking and financial services and complying with its legal and regulatory obligations.

Below you will find important information about the Bank's processing of your personal data and your rights in this respect.

This Personal Data Protection Notice (the "Notice") supplements, but does not replace, the General Terms and Conditions and any other contractual provisions of the Bank. In the event of any contradiction between the Notice and the General Terms and Conditions, the latter shall take precedence.

### **1) What personal data does the Bank process and where does it come from?**

Personal data is any information concerning an identified or identifiable individual. Due to their nature, such data may be considered sensitive.

In particular, it includes a person's private contact details (e.g. surname/first name, address, telephone number, e-mail address), personal information (e.g. date and place of birth, photos, video or audio recordings), information about family status (e.g. marital status, spouse's surname/first name, number of children), identification documents and information (e.g. passport, identity card or license), authentication data (such as a specimen signature), information of a professional nature (e.g. professional contact details, work history or powers of representation), or information of a banking nature (e.g. bank details, information relating to investments or transactions, financial and credit history) and financial data (e.g. extracts from court proceedings, information relating to income, movable and immovable assets or taxes). Under certain circumstances, in particular where authorized by applicable law, the Bank may also process information relating to criminal proceedings and convictions.

The personal data of our customers and related third parties comes, in the first place, directly from the customer or the related third party concerned. The Bank may also collect data from external sources accessible to the public, in particular a) official authorities' databases (e.g. debt enforcement register, commercial register or sanction lists), b) the Internet, social networks and other databases containing data made public by customers and related third parties, or c) information available via subscription services (e.g. Bloomberg and Reuters). Finally, it may also process data it collects directly from other third parties, such as an asset manager or business introducer.

### **2) For what purposes does the Bank use processed personal data?**

Personal data is processed by the Bank if and when such processing is necessary and in accordance with the purpose of the processing, i.e. in particular in order to provide its services, comply with its legal and regulatory obligations and/or pursue its legitimate interests; your personal data is also processed as a result of your consent. If personal data is to be processed for other purposes, the Bank will inform you or any data subject in advance. Personal data processing can serve several purposes, as described below:

- Meeting our contractual obligations

The Bank is required to process personal data in order to fulfill its contractual obligations, and in particular for the purposes of:

- establishing a business relationship, including the processing of all data to better know the customer ("Know Your Customer");
- managing the business relationship and providing the agreed-upon banking and financial service(s), including communicating information about the Bank's products and services, subscribing to and administering financial instruments, handling queries and complaints, locating the customer or heirs, or closing the account, as circumstances require;
- in general, communication with the customer and the sending of important information, such as updates to the General Terms and Conditions.

- Compliance with our legal/regulatory obligations

The Bank is obligated to process personal data under the laws and regulations applicable to it. Moreover, any person seeking to establish and maintain a business relationship with the Bank is required to provide certain personal data to the Bank, particularly in view of the provisions governing the fight against money laundering and the financing of terrorism, which mandate various due diligence obligations on the Bank.

The Bank processes personal data for the following purposes:

- in general, compliance with applicable regulations, in particular financial market and tax regulations;
- identification and clarification formalities when entering into a business relationship and throughout the relationship;
- compliance with any measures implemented regarding sanctions and embargoes;
- cooperation with all competent authorities, notably in the fight against money laundering and the financing of terrorism, or in the automatic exchange of information in tax matters;
- provision of documentation and information compliance in accordance with the Financial Services Act (FINSa).
- risk assessment and control, including market, credit, operational, liquidity, legal and reputational risks;
- the detection and prevention of fraud and other offences, in particular by recording telephone conversations and electronic communications with any concerned individual.

- Pursuit of the Bank's legitimate interests

The Bank may also process data in connection with the personal interests it pursues, such as:

- sending marketing communications likely to be of interest to the customer;
- any processing for the purpose of developing the business relationship;
- any processing aimed at establishing, exercising or defending the Bank's rights in legal, administrative or criminal proceedings, or in the event of an investigation by a public authority;
- any processing aimed at improving the Bank's internal organization and operational activities, including risk management;
- any processing of personal data for statistical and product development purposes;
- any processing of personal data to ensure the security of IT systems and communication channels;

- the recording of telephone conversations and electronic communications in order to protect the Bank's interests and improve the quality of services provided, train staff and manage the Bank's risks.

- By consent

In accordance with the General Terms and Conditions, the customer consents to any processing of his or her personal data by the Bank insofar as it pursues one of the purposes listed above.

Consent may be revoked at any time; revocation applies only to future processing and in no way affects the lawfulness of processing already carried out.

The revocation of consent may not affect the processing of personal data required by law or ordered by a competent administrative, judicial or criminal authority, or the processing of data necessary for the Bank to pursue its legitimate interests, such as the establishment, exercise or defense of legal claims. Furthermore, the Bank stresses that it will no longer be in a position to provide its services or offer certain products if it is not authorized to process personal data and may even have to terminate the banking relationship with the customer.

### **3) Does the Bank engage in profiling or automated decision-making?**

The Bank may assess certain personal characteristics of customers and/or related third parties through automated personal data processing (profiling) particularly to:

- comply with legal and regulatory requirements (e.g. the fight against money laundering or the financing of terrorism using technologies that identify the level of risk associated with a customer and/or related third party or with the activity of an account);
- provide them with personalized offers and/or advices, or information on the Bank's products and services, tailored to their needs.

The Bank does not use automated individual decision-making in relation to customers and/or related third parties. If, in the future, the Bank has to resort to automated individual decision-making in the context of its commercial relations with its customers, it will do so in compliance with the applicable legal and regulatory requirements.

### **4) Can personal data be transferred on to third parties and, if so, to whom and where?**

In the course of its business activities, the Bank may transmit data to third parties in Switzerland or abroad, whether in order to comply with its contractual and regulatory obligations, in pursuit of a legitimate interest or because of the consent of the person concerned (see purposes set out in question no. 2).

The third parties to whom the Bank may be required to transmit personal data are in particular:

- other financial institutions or financial market players (such as third-party or central custodians, brokers, stock exchanges, registrars, etc.), in particular for executing the instructions ;
- subcontractors in the event of outsourcing in accordance with the General Terms and Conditions (e.g. for IT or administration);
- external auditors, legal advisors and external consultants;
- the parent company, particularly in the context of risk management at Audi Group level;
- the competent authorities, whether administrative (such as the Financial Market Supervisory Authority (FINMA)), judicial or criminal.

The Bank discloses personal data in Switzerland or abroad, in particular in the following circumstances:

- concluding or executing its contractual obligations directly or indirectly linked to its business relations, in accordance with its General Terms and Conditions;
- defending its interests and the exercise of its rights before any administrative, criminal or judicial authorities;
- the decision by a competent judicial, administrative or penal authority ordering the Bank to transmit personal data (i.e. to safeguard an overriding public interest); or
- when required by regulations (e.g. stock market disclosure requirements).

In the above-mentioned cases, the Bank may have to transfer data to a foreign country which, from the perspective of Swiss regulations, does not offer an adequate level of protection for personal data. The Federal Council maintains a publicly accessible list of states that guarantee an adequate level of data protection according to Swiss law; this list is included in Appendix 1 of the Data Protection Ordinance. If a country to which data is communicated does not appear on the list, the Bank will ensure that it obtains the Customer's consent, or to put in place appropriate guarantees.

## **5) How long is personal data kept?**

The Bank retains the personal data of any data subject for as long as it is necessary to meet its legal and contractual obligations, but also to protect the exercise of its rights or to protect its interests. As a general rule, in Switzerland, the personal data of customers and related third parties is kept for 10 years following the end of the business relationship or the completion of a transaction. When certain personal data is no longer required to achieve the intended purpose, it is deleted or made anonymous.

## **6) How do we protect your personal data?**

The confidentiality of personal data processed by the Bank is a core concern. The Bank has therefore implemented appropriate organizational and technical measures to protect them against any form of unlawful processing (for example, unauthorized disclosure or access).

The Bank reminds you that it is bound by confidentiality obligations, arising in particular from banking secrecy, which protects personal data. All customers are asked to refer to the Bank's General Terms and Conditions, which specify the Bank's obligations in this respect and outline situations in which it is released from banking secrecy.

Service providers and subcontractors are contractually obligated to guarantee the confidentiality and protection of the personal data they process, within the limits of the applicable regulations .

## **7) What are your data protection rights?**

Any person whose personal data is processed by the Bank has, within the limits of applicable regulations, the following rights:

- right of access to personal data;
- the right to rectify inaccurate or incomplete personal data;
- the right to limit or object to the processing of personal data;
- the right to withdraw consent to the processing of personal data insofar as the processing in question derives from consent (for example, when personal data is used for marketing purposes);

- the right to request that personal data be deleted if no longer needed;
- the right to the portability of personal data (i.e. to have it transmitted in electronic format) where the conditions are met and the processing is based on the consent of the data subject.

**8) Who can you contact if you have any questions about the Bank's processing of your personal data?**

If you have any questions about the processing of your personal data or would like to have access to your personal data processed by the Bank in its capacity as data controller, please contact us using the following details:

By e-mail at the following address: [bas-lpd@bankaudipb.com](mailto:bas-lpd@bankaudipb.com)

Or by courier to the following address:

Banque Audi (Suisse) SA

Cours des Bastions 18

1211 Geneva 12 Switzerland

If you are dissatisfied with our response or with the processing of your data, you can contact the Swiss Federal Data Protection and Information Commissioner.

**9) How is data processed on the Bank's website and applications?**

For further information on the processing and protection of data when using the Bank's website or applications, please refer to the Terms of use, which you can access here ([www.bankaudipb.com](http://www.bankaudipb.com)).

**10) Notice Updates**

The Bank reserves the right to amend the present Notice at any time. Any changes or updates to this Notice will be posted on the Bank's website.