

Data protection declaration

This text also applies to women as well as to several people.

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Adequaris AG (hereinafter "Asset Manager") attaches particular importance to data protection. By means of this data protection declaration, the asset manager informs about the type, scope and purpose of the personal data collected, used and processed by the asset manager and about the rights of the person concerned. The extent to which the asset manager processes personal data depends to a large extent on the products purchased by the person concerned, the agreed service and the legal and regulatory obligations regarding the collection and processing of personal data.

1. Protection of personal data

The protection of personal data is the asset manager's top priority. The personal data of the clients are subject to professional secrecy. Personal data is treated as strictly confidential and protected from access by unauthorised third parties. Persons who are not subject to a duty of confidentiality do not have access to the personal data collected. The asset manager shall also ensure that the recipients of the personal data comply with the applicable data protection provisions.

2. Sources of personal data of the asset manager

In connection with business relationships with clients or potential clients ("clients") and natural or legal persons associated with the client, the data which the asset manager receives from the person concerned (e.g. clients) is processed. The asset manager may also obtain data from service providers, public registers (e.g. Commercial Register, Swiss Official Gazette of Commerce) or authorities which the asset manager requires for the provision of the service or for legal or regulatory reasons.

In particular, any natural person or legal entity shall be deemed to be a related party:

- Authorised representative or authorised signatory
- Beneficial owners and control holders
- The beneficiary of a specific payment transaction, or
- Any other natural or legal person who has a relationship with the client that is relevant to the business relationship between the client and the asset manager.

3. Types of personal data processed by the asset manager

The categories of personal data processed by the asset manager include personal information (e.g. name, date/place of birth, marital status, address, interests, family relationships, contact details (telephone number or email address), transaction data, financial situation, investment objectives, professional information, data relating to the use of the asset manager's website (e.g. IP address, cookies) and other information relating to powers of attorney, personal relationships, regulatory relationships, log files).

It is possible that data other than the aforementioned will be processed when a certain offered service or product is concluded. This may include, for example: Order data, turnover, documentation data, investment behaviour, investment strategy, balance sheets and other business data.

Insofar as the asset manager processes personal data requiring special protection, he does so in connection with processing operation for which the asset manager is responsible:

- in connection with processing for which the client has given his or her express consent.
- with a processing operation which relates to personal data which the client has made public or which has been made public.
- with compliance with legal or regulatory obligations

4. Purposes of the data processing

The asset manager collects and processes only those personal data which are necessary for the achievement of a specific purpose. Personal data is processed in particular for the following purposes:

- In connection with the client business, i.e., in order to be able to provide the products and services offered by the asset manager, e.g., for the (possible) opening or administration of a business relationship.
- In order to be able to comply with the legal and regulatory obligations, e.g., the Anti-Money Laundering Act (AMLA), Financial Services Act (FIDLEG), disclosure obligations vis-à-vis authorities.
- In connection with marketing, i.e. in order to improve the products and services offered or to offer new products and services, e.g. by means of direct marketing, newsletter dispatch, utilisation of the website.

5. Compliance with data protection principles

The asset manager processes personal data in particular in compliance with the Federal Act on Data Protection (FADP) and the Ordinance on Data Protection (DPA). When processing personal data, the asset manager checks that the personal data is processed lawfully and in accordance with the principle of good faith and proportionately. The data is processed in the manner specified when it was obtained, as it is recognisable to the person concerned or as provided for by law. The asset manager does not process personal data covertly or secretly unless this is provided for by law. Personal data shall only be obtained by the asset manager for a specific purpose which is recognisable to the person concerned. Considering the state of the art and the implementation costs, the asset manager shall ensure by means of suitable technical and organisational measures that the personal data processed:

- are only accessible to authorised persons
- is available when it is needed
- is not modified without authorisation or unintentionally, and
- is processed in a traceable manner.

Should it transpire that personal data are incorrect or incomplete, the asset manager will correct, delete or destroy the personal data, unless this is prohibited by law or regulatory provisions.

6. Principles of the processing of personal data

If necessary, the asset manager processes personal data for the following reasons:

6.1 Overriding public or private interest.

The asset manager processes personal data for the initiation or conclusion of a contract, for the fulfilment of obligations arising from a contract (e.g., advisory/administrative services or the execution of orders and transactions), analysis of client behaviour, for measures to improve products and services or for direct marketing.

The asset manager also has legitimate private interests to process personal data:

- To secure or enforce the asset manager's claims against the client
- In the collection of the asset manager's claims against the client
- In the event of legal disputes between the asset manager and the client
- In searches for entitled persons in the event of lost contact or communication with the client.

6.2 Legal basis

The asset manager is obliged to process personal data on the basis of various legal and regulatory rules. This includes in particular legal obligations, e.g. the Financial Market Supervision Act, the Financial Institutions Act, the Anti-Money Laundering Act, the Financial Services Act, etc.

6.3 Consent

If consent is necessary for the purpose of processing personal data, the asset manager obtains this from the relevant person. The consent given can be revoked at any time. A corresponding revocation only takes effect from the time of receipt by the asset manager and does not affect the lawfulness of the processing of personal data until the revocation. There may be reasons (e.g., based on a law) which make it necessary to process the personal data despite the revocation. A revocation may lead to the restriction of certain services or to the termination of the business relationship.

7. Storage period of personal data

The asset manager processes and retains the personal data for as long as is necessary to fulfil the purpose for which the personal data was collected or to fulfil the contractual or legal obligations. As a rule, this is 10 years after the service has been provided or after the business relationship has ended.

If personal data cannot be deleted, technical and organisational measures are taken to ensure that:

- Procedures are implemented to ensure the integrity of the data, in particular the guarantee of authenticity and integrity of the data or documents (e.g., digital signature or time stamp). In addition, it is ensured that the data cannot be subsequently changed without this being detectable.
- The contents of the data are always traceable
- Logging and documentation of access and logins is carried out by means of "Log Files".

8. Data protection rights

In principle, the people concerned are entitled to the following rights, provided there is no legal obligation to the contrary:

- Information on personal data
- Correction of personal data
- Disclosure of personal data
- Transfer of personal data
- Prohibition of certain personal data processing
- Restriction of the processing of personal data
- Prohibition of the disclosure of personal data to third parties
- Revocation of consent to the processing of personal data
- Deletion of and objection to the personal data collected.

The modalities concerning the exercise of the above-mentioned rights of the person concerned and the duties of the asset manager, such as the oral or written form, are to be clarified between the person concerned and the asset manager by mutual agreement. If the provision of information, the issuing or transfer of data involves disproportionate expense, the asset manager may insist on a share of the costs up to a maximum of CHF 300.

9. Recipients of personal data

Personal data is only processed by those persons who need it to fulfil contractual or legal obligations. If necessary, service providers and third parties (e.g., outsourcing partners) are given access to the data. In doing so, professional secrecy and other legal provisions are observed. Service providers and third parties as recipients of personal data may be, for example:

- Order processors and other service providers (e.g., suppliers)
- Public bodies (e.g. authorities), insofar as a legal or official obligation provides for this.

10. Data transmission abroad

As a matter of principle, data is not transferred abroad. If personal data is transferred abroad, this is done in compliance with the statutory provisions and where this is necessary for the fulfilment of the contract (e.g., for the processing of international transactions or order execution at foreign trading centres). If order processors are used abroad, they are obliged to comply with professional secrecy and the Data Protection Act.

11. Data relating to the internet presence

11.1 General information

The following information explains how the asset manager processes data on the occasion of the Internet presence.

The asset manager's website can be used without registration and therefore without the transmission of personal data. Personal data is only processed by the asset manager to the extent that this is necessary for the performance of the services and products offered.

Personal data - except for the IP address - is not automatically collected for the purpose of obtaining the services offered. If personal data is collected, it must be provided by the person concerned.

11.2 Cookies

To make visiting the website more attractive and to enable the use of certain functions, so-called cookies are used on the website. These are small text files that are stored on the user's terminal device. Some of the cookies used are deleted after the end of the browser session, i.e., after the browser is closed (so-called session cookies). Other cookies remain on the end device and enable the browser to recognise the user on the next visit (persistent cookies). If cookies are set, they collect and process certain user information to an individual extent, such as browser and location data and IP address values. Persistent cookies are automatically deleted after a specified period of time, which may vary depending on the cookie.

If cookies stored on the device are to be restricted or blocked, this can be done via the browser settings. Information on this can be found in the help function of the browser. If cookies are deactivated, all functions of the asset manager's website may no longer be available.

11.3 Other possible analysis tools

Use of Google Maps

12. Right of modification

The asset manager reserves the right to adapt the data protection declaration at any time in compliance with the data protection regulations. The current version of this data protection declaration is available on the asset manager's website.

13. Contact information

The asset manager is deemed to be responsible for the processing of personal data. Enquiries in connection with data protection can be sent to:

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