

# Client Information - Revised Data Protection Act in Switzerland, per September 1, 2023

## 1. Object

The purpose of the Swiss Data Protection Act (DPA) is to protect the personality and fundamental rights of natural persons whose personal data is processed.

[Chartvalor Ltd](#) processes a wide variety of client data both on hard copy documents and electronically. In this data protection provisions [Chartvalor Ltd](#) would like to provide clients with an overview of how personal data is processed by [Chartvalor Ltd](#) as well as the privacy rights of clients. The specific personal data that is processed is essentially dependent upon the services requested or agreed upon.

[Chartvalor Ltd](#) needs to process data within the ambit of the contractual relationship that is necessary for the establishment and management of the business relationship and compliance with the related statutory and/or contractual duties, and in order to provide services and/or execute orders. Without this data, [Chartvalor Ltd](#) is generally unable to establish or maintain a business relationship, process an order or offer products and/or services for sale.

## 2. What data is processed (categories of data) and from where is data obtained (origin)?

We collect and process personal data that we receive within the ambit of the business relationships with our clients. Personal data may be processed at any stage of the business relationship, depending upon the class of persons concerned.

As a general rule, we process personal data that is provided to us by you within contracts submitted, forms, your correspondence or other documents. Where necessary in order to provide the service, we also process personal data that is generated or transmitted in relation to the receipt of products or services or that we have lawfully obtained from third parties (e.g. a fiduciary company) or from public authorities (e.g. UN and Swiss sanctions lists). Finally, data from publicly accessible sources (e.g. Commercial Register, Register of Associations, press, internet) may be processed.

Alongside client data we also process, where appropriate, personal data of other third parties involved in the business relationship, such as for example data of (other) authorised representatives, agents, successors in title or beneficial owners in respect of a business relationship. Please also inform any third parties concerning this data protection provisions.

We take personal data to refer in particular to the following categories of data:

### Master data

- Personal information (e.g. name, date of birth and nationality)
- Address and contact data (e.g. physical address, telephone number and email address)
- Data establishing identity (e.g. data relating to passport or ID card) and authentication data (e.g. specimen signature)
- Data from publicly accessible sources (e.g. tax numbers)

### Additional core data

- Information concerning the products and services used (e.g. investment experience and investment profile, records of advice, data relating to transactions executed)
- Information concerning members of the household and relationships (e.g. information concerning spouses or partners and other information relating to the family, authorised signatories and legal representatives)
- Information concerning financial aspects and financial circumstances (e.g. portfolio and account number, origin of assets)

- Information concerning professional and personal background (e.g. professional activity, hobbies, wishes, preferences)
- Technical data and information concerning electronic interactions with the asset management company (e.g. records of accesses or changes)

### 3. For what purpose and on what legal basis is your data processed?

We process personal data in accordance with the provisions of the DPA for the following purposes, or alternatively with reference to the following legal bases:

- **Fulfilment of a contract or taking steps prior to entering into a contract** in relation to the provision and brokerage of asset management services, investment advice and other financial services that may be provided by an asset management company. The purposes of data processing are determined in the first instance with reference to the specific service or the specific product (e.g. securities) and may include, amongst other things analyses of needs, advice, asset management and support, and the execution of transactions.
- **Compliance with legal obligations or in the public interest**, including in particular compliance with statutory and supervisory requirements (e.g. compliance with the DPA, the Swiss Asset Management Act, due diligence and anti-money laundering regulations, market abuse regulations, tax laws and agreements, controlling and reporting duties and risk management). If you do not provide us with the necessary data, we are obliged to comply with the respective duties under supervisory law and will be required to end the business relationship.
- **Upholding legitimate interests of our own or of third parties** for specifically determined purposes, including in particular determining product development, marketing and advertising, auditing and risk management, reporting, statistics and planning, preventing and investigating criminal offences, video monitoring in order to maintain our rights over our own premises in order to avert dangers, and the recording of telephone conversations.
- **In accordance with your consent** you have granted us, for the purpose of providing asset management services or under the terms of orders, for example the sharing of data with service providers or contractual partners of the asset management company. You have the right to withdraw your consent at any time. This also covers the withdrawal of any declaration of consent made to the asset management company before the DPA came into force, i.e. before September 1, 2023. The withdrawal of consent is only relevant for future processing and does not alter the lawfulness of any data processed prior to such withdrawal of consent.

We reserve the right to continue to process any personal data that has been collected for any of the above purposes and also for other purposes, insofar as compatible with the original purpose or where permitted or required by law (e.g. disclosure duties).

### 4. Who has access to personal data and for how long is it stored?

Your data can be accessed by bodies from within and outside the asset management company. Your data can only be processed within the asset management company by bodies or employees that need to access it in order to comply with our contractual, statutory or supervisory obligations and in order to uphold legitimate interests. Other companies, service providers or auxiliary agents may also receive personal data for these purposes, provided that the respective statutory provisions are complied with. Processors may include companies falling under the categories of asset management services, distribution agreements, IT services, logistics, printing services, advice and consulting as well as sales and marketing. In addition, other financial service operators or comparable entities to which we transmit personal data for the purpose of the implementation of the business relationship (e.g. custodian banks, brokers, stock exchanges and credit reference agencies) may receive data in this context.

In the event that a statutory or supervisory obligation is applicable, public bodies and institutions (e.g. supervisory authorities, financial authorities etc.) may also receive your personal data.

Data is only transmitted to countries situated outside Switzerland (known as third countries) if:

- this is necessary in order to take steps prior to entering into a contract or for the performance of a contract, for the provision of services or for order execution (e.g. execution of securities transactions);
- you have granted your consent (e.g. for client management by another company);

- it is necessary due to compelling reasons in the public interest (e.g. for the purpose of preventing money laundering); or
- it is required by law (e.g. transaction reporting obligations).

However, this only occurs where the Swiss Government has decided that the respective country has an adequate level of data protection, or if we have taken action to ensure that all recipients benefit from an adequate level of data protection. For this purpose, we agree to standard contractual clauses where appropriate, which are available in such cases upon request.

We process and store personal data throughout the entire duration of the business relationship, unless any mandatory deletion obligations apply sooner in respect to any specific data. Please note in this regard that it is envisaged that our business relationship may continue for a number of years. In addition, the duration of storage depends upon whether the respective data processing is necessary as well as its purpose. If the data is no longer required for the purpose of compliance with contractual or statutory duties, or in order to uphold our legitimate interests (fulfilment of the purpose) or if any consent previously granted is withdrawn, data is deleted at regular intervals unless further processing is necessary in order to comply with contractual or statutory retention periods and documentation requirements, or for the purpose of the retention of evidence for the duration of the applicable limitation periods.

## 5. Is there any automated decision-making including profiling?

Our decisions are not, as a general rule, based on any exclusively automated processing of personal data. Should we follow any such procedures in individual cases, we shall inform you specifically, according to law.

There are some areas of the business in which personal data needs to be processed, at least in part, on an automated basis. This is done with the aim of assessing certain personal aspects, where we are obliged to do so by law or according to regulatory requirements (e.g. prevention of money laundering), to analyse needs for products and services and within the ambit of risk management.

## 6. Which rights do you have under data protection law?

Under the terms of the DPA you have the following data protection rights with regard to any personal data concerning you:

- **Right of information:** You can request information from the asset management company on whether personal data relating to you is being processed, and if so which (e.g. categories of personal data processed, purpose of processing, etc.).
- **Right of correction, deletion and restriction of processing:** You have the right to obtain the correction of any inaccurate or incomplete personal data relating to you. In addition, your personal data must be deleted if this data is no longer necessary for the purposes for which it was collected or processed, if you have withdrawn your consent or if this data has been processed unlawfully. You also have the right to obtain the restriction of processing.
- **Right to withdraw consent:** You have the right to withdraw your consent at any time regarding the processing of personal data relating to you for any specific purpose or purposes, where processing is based on your explicit consent. This also covers the withdrawal of any declaration of consent made before the DPA came into force, i.e. before September 1, 2023. Please note that any withdrawal of consent will only have an effect on future processing. Any processing that occurred prior to the withdrawal of consent will not be affected by it. Moreover, any withdrawal of consent will not have any impact on data processing that has a different legal basis.
- **Right of data portability:** You have the right to receive the personal data concerning you, which you have provided to the controller, in a structured, commonly used and machine-readable format and to arrange for this data to be transmitted to a different controller.
- **Right to object:** You have the right to object, without having to comply with any specific formal requirements, on grounds relating to your particular situation to processing of personal data where processing occurs in the public interest or in order to uphold the legitimate interests of the asset management company. You also have the right to object, without having to comply with any specific formal requirements, to the usage of personal

data for advertising purposes. If you object to the processing of your personal data for direct advertising, we shall no longer process your personal data for this purpose.

- **Right to complain:** You have the right to lodge a complaint with the competent Swiss supervisory authority. You can also complain to another supervisory authority in a Swiss canton, such as your place of residence or work or at the location of the suspected breach.

Requests for information or objections may be submitted, preferably in writing, to the Data Protection Officer of [Chartvalor Ltd](#). Please do not hesitate to contact the Officer concerning any other matters relating to data processing.

Contact details of the Data Protection Officer at Chartvalor Ltd:

Chartvalor Ltd, Tessinerplatz 7, 8002 Zurich, Switzerland, telephone: +41 44 209 60 80 or  
[datenschutzverantwortlicher@chartvalor.ch](mailto:datenschutzverantwortlicher@chartvalor.ch)

The contact details of the competent data protection officer in Zurich are as follows:

Data Protection Officer for the Canton of Zurich, Beckenhofstrasse 23, Postfach 8090 Zurich, 8006 Zurich, Switzerland, telephone: +41 43 259 39 99