

# Privacy policy of Benfid Verwaltungs AG

## 1. Introduction

In this privacy policy we, Benfid Verwaltungs AG, Baarerstrasse 19, 6300 Zug, Switzerland (hereinafter we or us), explain how we collect and further process personal data for any existing and new client relationship.

The aim of this information is

- comprehensive information about the processing of your or any related parties or controlling persons personal data by us;
- the explanation of your rights in connection with the processing of your personal data; and
- providing the contact details of the entity responsible for processing your personal data.

Your trust is important to us, which is why we take the issue of data protection seriously and ensure appropriate security. We are committed to handling your personal data responsibly. Naturally, we comply with the provisions of the Federal Act on Data Protection (**FADP**), the Ordinance to the Federal Act on Data Protection (**OFADP**), the Telecommunications Act (**TCA**) and, where applicable, other provisions of data protection law.

So that you know what personal data we collect from you and for what purposes we use it, please take note of the information below.

## 2. What personal data do we process and for what purpose?

Depending on your activity, we process the following personal data:

### 2.1 When visiting our website

When you visit our website, our servers temporarily save each access in a log file. The following data is collected without your intervention and stored by us until automatic deletion (at the latest after 12 months):

- the IP address of the requesting computer (shortened);
- the name of your internet access provider (usually your internet service provider);
- the date and time of access;
- the name and URL of the retrieved file;

- the page and address of the website from which you were redirected to our website and, if applicable, the search term used;
- the country from which our website is accessed;
- the operating system of your computer and the browser you use (provider, version and language);
- the transmission protocol used (e.g. HTTP/1.1).

The collection and processing of this data is carried out for the purpose of enabling the use of our website (connection establishment), to ensure system security and stability on a permanent basis, to enable the optimisation of our internet offer as well as for internal statistical purposes.

Only in the event of an attack on the network infrastructure or suspicion of other unauthorised or abusive website use will the IP address be evaluated for the purpose of clarification and defence and, if necessary, used as part of criminal proceedings to identify and take civil or criminal action against the users concerned.

## **2.2 When opening a client relationship or account**

When opening a customer relationship, we may process the following personal data:

- Surname, first name, middle name;
- Residential address;
- E-Mail address;
- Phone number;
- Date of birth;
- Place of birth;
- Nationality(ies);
- Gender;
- Passport/utility bill/other proof of address;
- CV/resume/further personal KYC details according to requirements/self-certification form;
- Risk assessment;
- Excerpt from the criminal records;
- Power of Attorney (where applicable);
- In addition for entities: Controlling persons/register of beneficial owners/register of directors and officers and full KYC data for these individuals as mentioned above;
- Name and contact information of the managing director or authorised representative.

This data processing is necessary in order to enter into a contractual relationship with us.

We are legally obliged to carry out further clarifications when entering into and maintaining client relationships. In particular, we are subject to an extensive duty of identification with regard to new and existing clients and are also subject to Swiss anti-money laundering legislation.

Furthermore, this data is used to maintain the business relationship with you, to provide our services and to invoice you.

### **2.3 Anti-Money Laundering Act**

The data provided under section 2.2 may also be used pursuant to the Anti-Money Laundering Act.

The need for this data processing arises due to the legal obligation to comply with the provisions of the Anti-Money Laundering Act. It is therefore necessary for the fulfilment of the legal obligations.

### **3. From which sources do we collect your personal data?**

In principle, we collect personal data directly from you or via your representatives (e.g. via forms, in the course of communication with us, in connection with contracts, when using the website, etc.).

Unless this is inadmissible, we also take data from publicly accessible sources (e.g. debt enforcement registers, land registers, commercial registers, the media or the internet including social media) or receive data from other companies within our group, from authorities and from other third parties (such as data collection agencies on criminal activities e.g. Risk Check).

The types of personal data that we receive about you from third parties include, in particular, information from public registers, information that we obtain in connection with official and legal proceedings, information in connection with your professional functions and activities, information about you in correspondence and meetings with third parties, creditworthiness information, information about you that people close to you provide to us so that we can conclude or process contracts with you or involving you (e.g. information for compliance with legal requirements such as for combating fraud, money laundering and terrorism and export restrictions, information about you from the media and the Internet (where this is appropriate in the specific case) e.g. information to comply with legal requirements such as those relating to combating fraud, money laundering and terrorism and export restrictions, information about you from the media and the Internet.

#### 4. Location

Your personal data is stored in Switzerland.

#### 5. Is the personal data passed on to third parties?

We share your personal data with the following categories of recipients:

- **Service providers:** We work with service providers in Switzerland and abroad who process data about you on our behalf or in joint responsibility with us or who receive data about you from us in their own responsibility (e.g. IT providers, banks, accountants, corporate registrars, trust companies, asset managers, tax advisors and consultants).

We disclose to these service providers the data required for their services, which may also concern you. These service providers may also use such data for their own purposes, e.g. information about outstanding debts and your payment history in the case of credit agencies or anonymised data to improve services. We also enter into relationships with these service providers that include provisions to protect your personal data. Our service providers may also process data about how their services are used and other data arising from the use of their services as independent data controllers for their own legitimate interests (e.g. for statistical analysis or billing purposes). Service providers inform about their independent data processing in their own data protection statements.

- **Authorities:** We may pass on personal data to offices, courts and other authorities in Switzerland and abroad if we are legally obliged or entitled to do so or if this appears necessary to protect our interests. The authorities then process this data on their own responsibility.

All these categories of recipients may in turn involve third parties, so that your data may also be made accessible to them. We can restrict processing by certain third parties (e.g. IT providers), but not by other third parties (e.g. authorities, banks, etc.).

We also allow certain third parties to collect personal data from you on our website and at events organised by us (e.g. media photographers, providers of tools that we have embedded on our website, etc.). Insofar as we are not decisively involved in these data collections, these third parties are solely responsible for them. If you have any concerns or wish to exercise your data protection rights, please contact these third parties directly.

## 6. Transmission of personal data abroad

Your personal data is processed in Switzerland by us. Moreover, in the course of the rendering of services to you and the type of business activity, your data may be transferred worldwide. Some of these countries do not have an adequate level of data protection according to annex 1 of the OFADP. The transfer of your data is necessary for the performance of the contract with you. Otherwise, we are not able to provide our services to you. All recipients process your data in their capacity as a controller.

Please also note that data exchanged via the internet is often routed via third countries. Your data can therefore end up abroad even if the sender and recipient are in the same country.

## 7. Your rights

You can object to data processing at any time. You also have the following rights:

**Right of access:** You have the right to request access to your personal data stored by us at any time and free of charge if we are processing it. This gives you the opportunity to check what personal data we are processing about you and that we are using it in accordance with applicable data protection regulations.

**Right to rectification:** You have the right to have inaccurate or incomplete personal data rectified and to be informed of the rectification. In this case, we will inform the recipients of the data concerned of the adjustments made, unless this is impossible or involves disproportionate effort.

**Right to erasure:** You have the right to have your personal data erased under certain circumstances. In individual cases, the right to erasure may be excluded.

**Right to restrict processing:** Under certain circumstances, you have the right to have us restrict the processing of your personal data.

**Right to data transfer:** In certain circumstances, you have the right to receive the personal data you have provided to us free of charge in a machine-readable format.

**Right of withdrawal:** In principle, you have the right to withdraw your consent at any time with effect for the future. Processing activities based on your consent in the past do not become unlawful as a result of your revocation.

## **8. Retention period**

We retain personal data for as long as it is needed for the purpose for which it was collected, or for a period of time that we are obliged to retain it under applicable laws, regulations or contractual agreements, as well as for as long as we have an overriding interest in retaining it. After that, the data will be deleted.

Retention obligations that oblige us to retain data result from accounting regulations and tax regulations. According to these regulations, business communication, concluded contracts and accounting vouchers must be kept for up to 10 years. Likewise, certain data must be retained for up to 10 years after termination of the business relationship in accordance with anti-money laundering legislation.

## **9. Data security**

We take appropriate technical and organisational security measures to protect personal data from unauthorised access and misuse. These include IT and network security solutions, access restrictions, encryption of data carriers and transmissions, instructions, training and controls.

If third parties have access to our data, special measures are taken which are regulated in the processing contract.

## **10. Contact**

If you have any questions about data protection, would like information, would like to object to data processing or would like to have your data deleted, please contact us by sending an e-mail to: [benfid@benfid.ch](mailto:benfid@benfid.ch)

Please send your request by letter to the following address:

Benfid Verwaltungs AG  
Baarerstrasse 19  
P.O. Box 7138  
CH - 6302 Zug  
Switzerland

## **11. Adaptation**

This Privacy Policy does not form part of any contract with you. We may amend this privacy policy at any time. The version published on 1<sup>st</sup> September 2023 is the current version.