

## Privacy Policy

This text also applies to women and a plurality of people.

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Data protection is a particularly high priority for Lienhardt & Partner Privatbank Zürich AG (hereinafter referred to as the 'Bank'). In issuing this privacy policy, the Bank is providing information on the nature, scope and purpose of the personal data collected, used and processed by the Bank and on the rights of the data subject. The extent to which the Bank processes personal data is largely determined by the products purchased by the data subject, the agreed service and the legal and regulatory obligations regarding the collection and processing of personal data.

### 1. Sources of personal data used by the Bank

In connection with business relationships with clients or potential clients (collectively 'Clients') and natural persons associated with the Client, the data processed is that which the Bank receives from the data subject (e.g. from Clients). The Bank also obtains data from service providers (e.g. credit agencies, databases), public registers (e.g. commercial register, Swiss Official Gazette of Commerce) or authorities and official agencies (e.g. courts, public prosecutors' offices) as required by the Bank for the provision of the service or for legal or regulatory reasons.

Associated natural or legal persons shall be deemed to include, in particular, any:

- Authorised representative or authorised signatory,
- Beneficial owners and controllers,
- The payee of a specific payment transaction, or
- Other natural or legal person of any kind who has a relationship with the Client that is relevant to the business relationship between the Client and the Bank.

### 2. Types of personal data processed by the Bank

The categories of personal data that the Bank processes 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 circumstances, investment objectives, tax residency, status as a (non-)US citizen, professional information, data when using the Bank's website (e.g. IP address, cookies) and other information on powers of attorney, personal relationships, regulatory relationships, and log files).

There is a possibility that data other than the aforementioned will be processed when providing a specific service or product offered. This may include order data, payment orders, income, direct debit data, documentation data, investment behaviour, investment strategy, balance sheets and other business data, and guarantees assumed.

Insofar as the Bank processes sensitive personal data (e.g. biometric data, health data, information on criminal and administrative convictions or sanctions, ethnic origin, political views or affiliations, and religious or ideological beliefs), it shall do so in the context of:

- Processing for which explicit consent has been obtained from the data subject.
- The assertion, exercising or defence of legal claims.
- Processing that relates to personal data that the data subject has made public or data that has been made public.
- Compliance with legal or regulatory obligations.

### 3. Purposes of data processing

The Bank collects and processes only that personal data that is necessary to achieve a specific purpose. Personal data is processed for the following purposes in particular:

- In connection with the client business, i.e. in order to be able to provide the products and services offered by the Bank, such as for the (potential) opening or management of a business relationship.
- In order to comply with legal and regulatory obligations, e.g. the Swiss Anti-Money Laundering Act (AMLA), tax legislation and duties of disclosure to authorities.
- In connection with marketing, i.e. to improve products and services offered or to offer new products and services, for example by means of direct marketing, newsletters and the operation of the website.

- In connection with legitimate interests of the Bank, e.g. for the purposes of business and risk management, ensuring IT security and IT operations, or building and facility security.

### 4. Compliance with data protection principles

The Bank processes personal data in compliance with the Swiss Federal Data Protection Act (FADP) and the Swiss Data Protection Ordinance (DSV) in particular. Thus, when processing personal data, the Bank checks that the personal data is processed lawfully and in good faith and in a proportionate manner. The data will only be processed in the manner indicated during the collection process, as evident to the data subject or as provided for by a law. Personal data is only collected by the Bank for a specific purpose that is evident to the data subject. Taking into account the state of the art and the implementation costs, the Bank shall ensure by means of appropriate technical and organisational measures that the personal data processed is:

- Accessible only to authorised persons,
- Available when needed,
- Not changed unintentionally or without this being authorised, and
- Processed in a traceable manner.

Should it become apparent that personal data is incorrect or incomplete, the Bank shall correct, erase or destroy the personal data, unless prohibited by law or regulatory provisions.

### 5. Basis for the processing of personal data

Where necessary, the Bank processes personal data on the following bases:

#### 5.1 Overriding public or private interest

The Bank processes personal data for the purpose of initiating or concluding a contract, for the fulfilment of obligations arising from a contract (e.g. advisory/administrative services, account/custody account management, or the execution of orders and transactions), for the analysis of Client behaviour, for the implementation of measures to improve products and services, or for direct marketing.

The Bank has further legitimate private interests in processing personal data:

- In securing or enforcing the Bank's claims vis-à-vis the Client and in the realisation of collateral provided by the Client or third parties (provided that the third-party collateral was provided for claims vis-à-vis the Client),
- In collecting the Bank's claims vis-à-vis the Client,
- In conducting its credit checks and enquiries through credit information agencies and authorities,
- In the event of legal disputes between the Bank and the Client,
- In looking into beneficiaries, in the case of an inability to make contact or conduct communications.

#### 5.2 Legal basis

The Bank is obliged to process personal data in accordance with various legal and regulatory bases. In particular, this includes legal obligations under the Swiss Financial Market Supervision Act, the Swiss Banking Act, the Swiss Anti-Money Laundering Act, the Swiss Financial Services Act, etc.

#### 5.3 Consent

If consent is required for the purpose of processing personal data, the Bank shall obtain such consent from the data subject. Consent that has been granted can be revoked at any time. A corresponding revocation will only take effect upon receipt by the Bank and will not affect the lawfulness of the processing of personal data until the revocation. There may be circumstances (for example, on the basis of a piece of legislation) where it is necessary to process the personal data despite the revocation. Revocation may lead to the restriction of certain services or the termination of the business relationship.

### 6. Storage period of personal data

The Bank will process and retain the personal data for as long as is necessary to fulfil the purpose for which the personal data was collected or to fulfil the Bank's contractual or legal obligations. As a rule, this is 10 years after the service has been rendered or the business relationship has ended.

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

- Technical and organisational procedures are implemented to ensure the integrity of the data, in particular that the data or documents (e.g. digital signature or time stamp) are authentic and intact. It will also be ensured that the data cannot be subsequently changed without such a change being detected;
- The content of the data is traceable at all times
- Any instances of access and logins are logged and documented in log files.

## 7. Data protection rights

In principle, the data subject is entitled to the following rights, unless there is a legal obligation to the contrary:

- Information about personal data,
- Correction of personal data,
- Provision of personal data,
- Transfer of personal data,
- Prohibition of specific personal data processing,
- Restriction of the processing of personal data,
- Revocation of consent granted for the processing of personal data,
- Deletion of and objection to the collected personal data.

If the provision of information or the provision or transfer of data involves disproportionate effort, the Bank may insist on a contribution of up to CHF 300 towards costs.

## 8. Recipients of personal data

Personal data will be processed only by those persons who need to do so in order to fulfil contractual or legal obligations and to protect our legitimate interests. Should this be necessary, service providers and third parties (e.g. outsourcing partners) will be given access to the data. In this case, bank client confidentiality and other legal provisions are respected.

Service providers and third parties as recipients of personal data can 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,
- Credit and financial institutions and comparable institutions (brokers, custodian banks, stock exchanges, etc.),
- Other data recipients for whom the Client has given consent.

## 9. Transmission of data abroad

As a matter of principle, no data is transmitted abroad. Should personal data be transmitted abroad, this will take place in compliance with the legally prescribed provisions and where doing so is necessary for the fulfilment of the contract (e.g. for the processing of international transactions or order execution in trading centres based abroad). If order processors based abroad are engaged, these will be obliged to comply with bank client confidentiality and the Swiss Federal Data Protection Act.

## 10. Automated processing

In certain instances, the Bank processes personal data using automated means. This can happen, for example, in the following cases:

- Within the scope of the statutory duty to combat money laundering and terrorist financing, by means of monitoring and evaluating payment transactions.

The Bank reserves the right to process personal data by automated means in the future in order to create Client profiles, to predict developments and to identify characteristic and personal features in connection with the data subject.

## 11. Logging of certain personal data processing operations

Should the bank carry out automated processing of sensitive personal data on a large scale or carry out profiling with an increased

risk to data subjects, it will log such processing as part of a technical and organisational measure and regulate this measure internally so that it can be subsequently checked for its conformity with the purpose, for instance.

## 12. Protection of personal data

The protection of personal data is a top priority for the Bank. The personal data of Clients is subject to bank client confidentiality. Personal data is treated as strictly confidential and is protected from access by unauthorised third parties. Persons not subject to a confidentiality obligation do not have access to the personal data collected. The Bank will also ensure that the recipients of personal data comply with the applicable data protection provisions.

## 13. Data relating to internet presence

### 13.1 General

The following information explains how the Bank processes data collected through internet usage.

The Bank's website can be used without the user having to register. Personal data is processed by the Bank only to the extent necessary to provide the services and products offered.

With the exception of the IP address, no automatic collection of personal data takes place for obtaining the services offered. If personal data is collected, it must be provided by the data subject.

### 13.2 Cookies

In order to make visiting the website attractive and to enable the use of certain functions, cookies are used on the website. Cookies are small text files that are stored on the user's end device. Some of the cookies used are deleted again after the end of the browser session, i.e. after closing the browser ('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 enabled, they collect and process certain user information, such as browser and location data and IP address values, to an individual extent. Persistent cookies are automatically deleted after a predefined period of time, which may differ depending on the cookie.

Cookies stored on the device can be restricted or blocked by going to the browser settings. Information on this can be found in the browser's help section. If cookies are disabled, it is likely that not all functions of the Bank's website will be available.

### 13.3 Use of Google Analytics

The Bank's website uses Google Analytics, a web analytics service provided by Google Inc. ('Google'). Google Analytics uses cookies, which are text files that are stored on the user's computer and enable the use of the website to be analysed. The information generated by the cookie about the use of the website (including the IP address) is transmitted to and stored on a Google server. In the event that IP anonymisation is activated on the website, the IP address will be truncated beforehand by Google within the Member States of the European Union (EU) or in other contracting states of the European Economic Area (EEA) Agreement. Only in exceptional cases will the full IP address be transmitted to a Google server in the USA and truncated there.

Google will use this information for the purpose of evaluating the use of the Bank's website, compiling reports on website activity for website operators and providing other services relating to website activity and internet usage. Google may also transfer this information to third parties where required to do so by law or where such third parties process the information on Google's behalf. Google will not associate the IP address with any other data held by Google. More detailed information on terms of service and data protection can be found on the Google Analytics website. The Bank would like to point out that the 'AnonymizeIP' code has been added to Google Analytics on this website in order to ensure anonymised recording of IP addresses (known as IP masking).

By using the Bank's website, the user consents to the processing of the data collected by Google in the manner and for the purposes set out above.

### 13.4 Use of Google Maps

The Bank's website uses Google Maps, a web service provided by Google Inc. ('Google') to display interactive (country) maps in order to visually present geographical information. Using this service makes it possible for the location of the Bank and directions to be displayed. Each time the Google Maps component is called up, a cookie is created by Google in order to process user settings and data when displaying the page on which the Google Maps component is integrated. As a rule, this cookie is not deleted when the browser is closed, but instead expires after a certain amount of time, unless it is manually deleted by the user before this time.

If the user of the website does not agree to this processing of data, it is possible to deactivate the Google Maps service and thus prevent the transmission of data to Google. To do this, the browser's JavaScript function must be deactivated; this may mean that some functions on the website will no longer work properly.

The use of Google Maps and the information obtained via Google Maps is subject to the Google Terms of Service and the Google Maps Additional Terms of Service. More information on terms of service and data protection can be found on the Google Maps website.

### **13.5 Use of social media plugins**

The Bank's website uses social bookmarks or social media plugins from third-party companies (e.g. LinkedIn and others). Processing of the data by third-party companies is beyond the Bank's control. Clicking on the plugin means that the third-party companies receive the information that the corresponding page of the website has been accessed. The Bank has no influence whatsoever on the data processing activities of the third-party companies. To prevent the use of the plugins, it is necessary to first log out of accounts with the third-party companies.

Further information, e.g. on the purpose and scope of data collection by third-party companies, can be found on the websites of the third-party companies.

### **14. Reservation of right to make changes**

The Bank reserves the right to amend this privacy policy at any time in compliance with data protection law. The current version of this privacy policy is available on the Bank's website.

### **15. Contact details**

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

Lienhardt & Partner  
Privatbank Zürich AG  
Data Protection Advisor  
Rämistrasse 23  
CH-8024 Zurich

+41 (0)44 268 61 61  
datenschutz@lienhardt.ch

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