

DATA PROTECTION INFORMATION

The following data protection information provides an overview of how your data are collected and processed by **Banque Internationale de Commerce – BRED (Suisse) SA (hereafter, the “Bank”, “we” or “us”)**, as well as your rights as existing and prospective customers under the Data Protection Legislation.

“**Data Protection Legislation**” refers to any law and/or regulation (including guidance issued by authorized data protection regulators) globally which is applicable where relevant to the processing of your personal data by us, and which shall include, but is not limited to, the revised Swiss Federal Act on Data Protection (“rev FADP”) and, if applicable, the EU General Data Protection Regulation (2016 / 679) (“GDPR”).

Data privacy is important to the Bank, as well as our duties of disclosure upon collection of personal data from the data subject in accordance with the Data Protection Legislation.

1. Who is responsible for data processing and who can I contact?

Banque Internationale de Commerce – BRED (Suisse) SA, Boulevard du Théâtre 8, CH - 1204 Geneva is responsible for processing your personal data.

Regarding Data Protection, you can reach our Data Management Reference Person:

BIC-BRED (Suisse) SA

Attention : Data Management team

Boulevard du Théâtre 8

CH-1204 Geneva

Telephone: +41 22 312 30 70 (ask for Data Protection team)

Email address: privacy@bic-bred.com

2. Which sources and data do we use?

We collect or otherwise process personal data relating to clients, prospective clients and any other person(s) involved in the business relationship, as the case may be, such as authorised representative(s), person(s) holding a power of attorney, managers and beneficial owners. In connection with a product or service provided to our clients, we may also collect information about their dependents or family members. If different from the client, each an “Affected Person”. Clients, before providing the Bank personal data relating to the Affected Persons, should provide a copy of this notice to those individuals.

We also process - insofar as necessary to provide our services - personal data that we obtain from publicly accessible sources (e.g. Companies Registry, press, sanctions lists, internet...) or that is legitimately transferred to us by other companies in the BPCE group, by other third parties (e.g. a credit ratings agency, exchanges, and other similar entities), or by third party service providers such as professional advisers, insurers... etc.

Relevant personal data is the personal information of a client or Affected Person (e.g. name, address, contact details, date and place of birth, and nationality).

It can also include:

- Identification data and authentication data (e.g. passports, social security numbers, sample signature, photographs)
- Marital status, name of spouse, number of children
- Data relating to current and past professional roles and employment, and education (e.g. corporate title, membership of professional associations or bodies, career histories, knowledge and experience in investment matters, qualifications and skills)
- Data relating to criminal convictions and offences

- Data related to designation as a politically exposed person (PEP)
- Data from fulfillment of our contractual obligations (e.g. orders or payment transactions)
- Information about a client's or an Affected Person's financial situation (e.g. creditworthiness data, scoring/rating data, origin of assets, source of wealth)
- Data from interactions with us (including our branches, our internet websites, our social media pages, meetings, calls, chats, emails, interviews and phone conversations) together with documentation data (e.g. file notes or meeting minutes from consultation)
- Other data similar to the categories mentioned

3. How do we process your data (purpose of processing) and on what lawful basis?

We process personal data in accordance with the Data Protection Legislation:

a. For fulfillment of contractual obligations

Data is processed in order to provide banking and financial services in accordance with our legal agreements with our clients or to carry out pre-contractual measures that occur as part of a request from an interested party.

b. In the context of legitimate interests

Where required, we process your data beyond the actual fulfillment of the contract for the purposes of the legitimate interests pursued by us or a third party.

Examples include: • Consulting with third parties, e.g. credit ratings agencies, to investigate creditworthiness and credit risks • Risk control • Asserting legal claims and a defense in legal disputes • Guarantee of IT security and IT operation • Prevention and investigation of crimes

c. As a result of your consent

As long as you have granted us consent to process your personal data for certain purposes (e.g. an invitation to an event, risk transfer arrangements), this processing is legal on the basis of your consent. Consent given can be withdrawn at any time and does not affect the legality of data processed prior to withdrawal.

d. Due to statutory and / or regulatory provisions

As a financial services firm, the Bank is subject to various legal and regulatory obligations. The purposes of processing include assessment of creditworthiness, identity checks, fraud and money laundering prevention, fulfilling control and reporting obligations under financial regulation, and measuring and managing risks within the BPCE Group

4. Who receives the customer's personal data?

The following paragraphs set out details of where we transfer client personal data to and the purpose for any such transfer.

a. Within the Bank

Within the Bank, the customer's personal data is made available to employees that need it to perform business services and/or fulfil contractual and legal obligations.

b. BPCE Group

We might share your personal data with other entities in the BPCE group outside of Switzerland, in accordance with applicable laws and regulations. We will transfer your personal data to achieve the purposes described in section 3.

c. External recipients of data

We will transfer personal data about you in the course of conducting our usual business, or if legal, regulatory or market practice requirements demand it to the following external recipients, or if you have given your consent (e.g. to process a transaction you have ordered us to fulfill):

- To public entities and institutions (e.g. financial authorities such as the National Bank of Switzerland, FINMA, and law enforcement agencies) either upon providing a legal or regulatory request or as part of our legislative and regulatory reporting requirements
- To other credit and financial service institutions or comparable institutions in order to carry out a business relationship with you (depending on the contract, e.g. correspondent banks, custodian banks, brokers, stock exchanges, credit rating agencies...)
- To third parties (for example correspondent banks, brokers, exchanges, trade repositories, processing units and third-party custodians, issuers, authorities, and their representatives) for the purpose of ensuring that we can meet the requirements of applicable law, contractual provisions, market practices and compliance standards in connection with transactions you enter into and the services that we provide you with
- To a natural or legal person, public authority, agency or body for which you have given us your consent to transfer personal data to or for which you have released us from banking confidentiality.

d. To service providers and agents

We will transfer your personal data to service providers and agents appointed by us for the purposes given, subject to maintaining banking confidentiality. These are companies in the categories of banking services, IT services, logistics, printing services, telecommunications, collection, advice and consulting. The Bank will implement appropriate organisational and technical safeguards to protect the personal data for which it acts as data controller at all times.

5. Is data transferred to third countries or international organisations?

Data transfers to legal entities outside Switzerland, the European Union and states with Data Protection Legislation deemed adequate or equivalent by the Federal Council ¹ (together known as "third countries") takes place so long as:

- it is necessary for the purpose of carrying out your transactions (e.g. payment orders), or
- it is required by law (e.g. reporting obligations under financial regulation), or
- to fulfil our legitimate interests (as described in section 3b) or
- you have granted us your consent.

You understand that the Data Protection Legislation outside Switzerland or the European Union may not give you as much protection as the Data Protection Legislation inside Switzerland or the European Union.

Whenever we share personal data cross-border, in particular to locations not offering an adequate level of data protection, we impose appropriate contractual obligations and standards imposed or rely upon legal derogations to meet requirements under applicable Data Protection Legislation.

6. How long do we store personal data?

We process and store clients and Affected Persons personal data for as long as it is lawful for us to do so. We will normally retain your records for a minimum of ten years from, for example, the time the client relationship comes to an end, to comply with regulatory and contractual requirements² unless there is a particular reason to hold the records for longer, including legal hold requirements.

¹ See list in Appendix 1 of the OPDo – Ordinance on Data Protection dated August 31st, 2022

² In particular, the Swiss Code of Obligations, the Accounting Ordinance and the Anti-Money Laundering Act

7. What data protection rights does the data subject have?

In relation to your personal data, and to the extent permitted under the Data Protection Legislation you have the right:

- to request access to your personal data
- to request the rectification of inaccurate or incomplete personal data
- to request deletion of your personal data
- to request the restriction of the processing of your personal data
- to data portability.

You may also withdraw consent granted to us for the processing of your personal data at any time.

Any requests in relation to exercising your data privacy rights do not need to be made in a particular form however, it should be addressed to:

BIC-BRED (Suisse) SA

Attention : Data Management team

Boulevard du Théâtre 8

CH-1204 Geneva

Telephone: +41 22 312 30 70 (ask for Data Protection team)

Email address: privacy@bic-bred.com

If applicable, you also have a right to make a complaint to the Federal Data Protection and Information Commissioner in Switzerland³ or to any other competent Information Commissioner.

8. Does the customer have an obligation to provide data?

In the context of our relationship, you must provide all personal data that is required for accepting and carrying out a business relationship and fulfilling the accompanying contractual obligations or that we are legally obliged to collect. Without this data, we are, in principle, not in a position to enter into a legal agreement with you to provide banking and financial services. In particular, anti-money laundering regulations require us to identify you on the basis of your identification documents before establishing a business relationship and to collect and put on record name, place and date of birth, nationality, address and identification details for this purpose. In order for us to be able to comply with these statutory obligations, you must provide us with the necessary information and documents in accordance with money laundering regulations, and to immediately disclose any changes over the course of our relationship. If you do not provide us with the necessary information and documents, we will not be permitted to establish or continue the business relationship.

9. Is profiling conducted?

We process some of your data automatically, due to legal and regulatory requirements, to respect sanctions and to combat money laundering, terrorism financing or fraud (filtering).

We do not use assessment tools, nor perform client profiling.

³ [Formulaire de contact - Protection des données \(admin.ch\)](#)