



GENEVA COMPLIANCE GROUP SA

PRIVACY NOTICE

Geneva Compliance Group SA truly values and is committed to respect your privacy throughout our daily activities. Geneva Compliance Group SA recognises the importance of keeping the personal data of its clients confidential and protecting their privacy rights. Regarding its activities and the data collected by it, GCG intends to apply the most restrictive principles and standards that are identifiable with respect to the protection of personal data.

The purpose of this Privacy Notice is to inform about how we collect, store and process your personal data. It is separate and in addition to any client confidentiality obligations we may owe you in relation to regulations other than personal data protections ones.

1. WHO CONTROLS YOUR PERSONAL DATA?

Geneva Compliance Group SA (hereafter "GCG" or "we" or "us"), a public limited company with its registered office at Rue de Candolle 12, 1205 Geneva, and whose IDE number is CHE-431.782.139 is your personal data controller.

We process your personal data and any personal data of individuals or entities related to you (together the "Data Subjects" or "you"), which you or a third party may provide to us. Typically, you will provide us with personal data in connection with our prospective and/or existing business relationship ("Business Relationship"), e.g., your use of our services, website, platform.

We may process your personal data as controller or as joint controller (the "Controller").

2. WHO TO CONTACT FOR QUESTIONS OR CLARIFICATIONS?

Feel free to write to your usual contact person with us and/or to Michel Chauvet, *Chief Operating Officer*, mc@genevacompliance.com.

3. WHAT PERSONAL DATA DO WE COLLECT?

Personal data ("Personal Data") includes any information, irrespective of the storage medium, relating to an identified or identifiable natural person, *i.e.*, Data Subject.

Typically, we may process the following personal data:

- Identification data, *e.g.*, first name, family name, date of birth, gender, address, email, telephone numbers, nationality, citizenship, residency, identity documents;
- Information on relevant family members and business relationships;

- Education, *e.g.*, professional qualifications, employment and professional information, references;
- Human resources information, *e.g.*, salary, pension, health data
- Financial information, *e.g.*, tax data, banking;
- Website information, *e.g.*, cookies, website-related technology information.

4. **WHAT ARE OUR SOURCES OF COLLECTION?**

We collect Personal Data at different times, and from different sources:

- directly from the data subjects, *e.g.*, if and when you or your organisation contact us in relation to any Business Relationship;
- indirectly from other external sources, *e.g.*, public information, information provided by other third parties, our website.

5. **WHY (OUR PURPOSES) AND ON WHAT BASES DO WE PROCESS YOUR PERSONAL DATA?**

We process your Personal Data in connection to our Business Relationships with Data Subjects (*i.e.*, you and any personal data of individuals related to you). Kindly note that we may be under an obligation to collect and process certain elements of your Personal Data to comply with legal and regulatory requirements. Failing to provide such information will likely limit in all or in part our ability to maintain a Business Relationship with you.

For clarity's sake, we shall abstain from processing your Personal Data for any purpose unconnected to our Business Relationship, all the more to sell your Personal Data.

As illustrations, we process your Personal Data to:

- Contact and identify Data Subjects;
- Perform our contractual duties arising under our Business Relationship, *e.g.*; customised consulting, sponsoring and service provider (including reporting) FATCA and AEOI, administration of an online platform for Relationship Managers, Compliance and Risk Management outsourcing, and other services offered by GCG currently or in the future;
- Comply with any mandatory legal obligations to which we are subject, *e.g.*, to keep tax and corporate records¹, to cooperate with or report to competent administrations, law enforcement authorities, regulatory bodies and/or public authorities.
- Monitor, develop and improve our services and processes;
- Establish, exercise or defend our legal rights;
- Send newsletters and marketing material;
- Monitor the use of the Website.

¹ *E.g.*, as per Swiss code of obligations, the Swiss VAT Act, and Swiss tax law

Accordingly, our main bases (alone or combined) to process your Personal Data is the performance of a contract, compliance with our legal obligations and for our legitimate interest. We are available to provide more detailed information as regards what base we rely on for certain purposes.

We may also rely on your consent to process your Personal Data, in which case we will inform you and seek your informed consent prior to any processing activity.

6. DO WE SHARE YOUR PERSONAL DATA OUTSIDE OF GENEVA COMPLIANCE GROUP?

Yes, we may share your Personal Data with third parties other than us ("**Third Parties**") if necessary and related to our Business Relationship and the Purposes set out under §5 above. We do so in full transparency with you and undertake to disclose any disclosure or transfer to a Third Party, *e.g.*, in our contractual documentation.

In order to fulfill certain mandates, we may transfer Personal Data to the Swiss regulatory and fiscal authorities. Employee data can also be shared with Geneva Compliance Group's accountant, IT provider, invoicing system provider, communication services provider, insurance and social services provider.

7. DO WE TRANSFER YOUR PERSONAL DATA OUTSIDE OF SWITZERLAND?

Yes, we may disclose, transfer and/or store Personal Data outside of Switzerland ("**International Transfer**"); and we intend to do so with full transparency.

First, we will only transfer your Personal Data in connection with our Business Relationship and our Purposes for processing your Personal Data (see §5 above). Typically, we transfer Personal Data to service providers and custodian banks, as part of our efforts to strive for efficient and lean services that will ultimately benefit you.

Second, in order to fulfill certain mandates, we may transfer Personal Data to the [CRS OECD participating jurisdictions](#) as well as the United States of America. We also include in this list the appropriate safeguards set to protect your Personal Data. Where relevant, we may also seek your consent to an International Transfer.

8. WHAT ARE YOUR RIGHTS AND HOW CAN YOU ENFORCE THEM?

We value and respect your rights and will do our very best to address and reply efficiently to you exercising them.

You may reach out to us (see our contact details under §2 above) to exercise your rights arising under applicable regulations, in particular your right to information / access, right to request rectification or erasure of inaccurate Personal Data, request erasure of Personal Data, request a restriction of processing, object to the processing, receive your Personal Data in a conventional electronic format (data portability).

You also have the right to withdraw your consent (previously given) to a specific processing activity. Your withdrawal will then apply prospectively, for future processing activities (no retroactive effect).

Please keep in mind that enforcement of your rights above may be subject to certain conditions and/or exceptions that may restrict their enforcement and/or limit our ability to assist and positively reply to you. We will endeavour to clarify and inform you accordingly.

Even if a Subject contests the processing of its data, we are entitled to continue such processing if it is (i) legally binding, (ii) necessary for the performance of the mandate to which the Data Subject is party, (iii) necessary for the performance of a public interest mission or (iv) necessary for the legitimate interests that GCG pursues, including the finding, exercise or defence of a right in justice.

9. HOW DO WE STORE AND SECURELY PROCESS YOUR PERSONAL DATA?

GCG undertakes to ensure that there are adequate levels of protection, in particular those relating to banking secrecy and data protection.

Subjects' Data will be transmitted to and stored on GCG's servers, access to which is strictly limited. We have taken the appropriate technical and organisational precautions to ensure that our servers are accessible exclusively to duly authorised persons, as well as special precautions with regard to the protection of our technical environment (*e.g.*, use of anti-viruses and Firewalls). GCG servers also comply with the ISO 27001 standard (recognised by the OECD for Automatic Exchange of Information for tax purposes), combined with strong authentication and encrypted communications. As regards any paper files, we exclusively store them in Switzerland.

GCG has implemented a data protection system by separating the (i) personal data and (ii) financial data on two separate servers so that only authorized GCG employees can use their login information to reconcile the data.

For transparency's sake, where International Transfers (please see §7 above) take place, your relevant Personal Data will be stored on the recipient's servers, possibly outside of Switzerland. See §7 above for further development in this respect.

10. HOW LONG DO WE KEEP YOUR PERSONAL DATA (RETENTION)?

We retain your Personal Data for as long as we need to carry out the purposes listed under §5 above. For clarity's sake, these purposes include legal or regulatory requirements to keep Personal Data beyond the expiry of our Business Relationship.

If and when the Personal Data is no longer required to achieve the purposes, we will delete or anonymise the same.

11. ARE THERE ANY SANCTIONS IF GENEVA COMPLIANCE GROUP DO NOT RESPECT ITS OBLIGATIONS?

In the event that an employee of GCG fails to fulfil its obligations under this Privacy Notice, we apply the usual penalties provided for breaches of compliance obligations, such as more precisely stipulated in the employment contract concluded with each associate.

12. WHEN DOES THIS PRIVACY NOTICE COME INTO EFFECT?

This Privacy Notice entered into force with effect from the 1st of September 2023.