

Lugaresi Ness Partner AG Privacy Policy

1. General

Please read the following Privacy Policy carefully and familiarise yourself with its contents. The Privacy Policy sets out how we gather and process personal data. 'Personal data' is understood to refer to any information relating to an identified or identifiable person. 'Processing' is understood to refer to any handling of personal data, irrespective of the means and procedures used, in particular the collection, storage, use, re-working, disclosure, archiving or destruction of data.

Lugaresi Ness Partner AG (hereinafter referred to as 'LNP') is publishing this Privacy Policy on the basis of the new Swiss Data Protection Act (Federal Act on Data Protection – FADP), which entered into force on 1 September 2023.

By publishing these details, LNP is fulfilling its duty to provide information vis-à-vis data subjects with regard to the gathering and processing of personal data. In addition to this overview, we are also informing you of your rights under data protection law.

2. Data security

LNP sets great store by data security. In addition to compliance with statutory provisions (including professional secrecy and data protection legislation), LNP also implements a host of precautions to protect your privacy, such as the implementation of technical and organisational security measures (including the use of authentication and encryption technologies, the restriction of access permissions, individual accounts and passwords, firewalls, antivirus protection, data leakage protection, awareness, and employee training).

3. Controller/contact for exercising your rights

Should you have any concerns regarding data protection, you can contact us about these at:
info@finanz-experten.ch

Controller responsible for data processing activities:

Lugaresi Ness Partner AG
Data protection contact point
Elisabethenstrasse 23
Postfach
4010 Basel

In the event that you are not satisfied with LNP's response, you are entitled to lodge a complaint with the Swiss data protection authority.

4. Categories of personal data and source

The specific data that we process relating to you is primarily connected to the services that you have enquired about or agreed with us. LNP will process as little personal data as is necessary. The customer data that LNP processes can be categorised as follows:

- Master data, such as surname, first name, postal address and email address, date of birth, citizenship, documents determining the customer's identity, information on accounts, custody accounts and transactions executed, and details of third parties, such as life partners, authorised representatives and advisers, who also fall under the scope of the data processing.
- Tax residency and any other documents and information relating to taxation.
- Transaction-specific, order-specific and risk-management data, such as details of beneficiaries of transfers, beneficiary banks, details of mandates granted (where appropriate), information on your assets, origin of assets, investment products, risk and investment profile, and other details on documentation, cases of fraud and creditworthiness.
- Marketing data, such as requirements, requests and preferences.

LNP processes the data of prospective customers. In particular, this data includes:

- Master and existing data, such as surname, first name, postal address and email address, date of birth and telephone number.
- Marketing data, such as requirements, requests and preferences.

In order to fulfil its purposes pursuant to Section 5, LNP may gather personal data from the following sources:

- Personal data shared with LNP, e.g. as part of the establishment of a business relationship, as part of a consultation, for products and services, or on the LNP website.
- Personal data that is collected as a result of products or services being used and that is transmitted to LNP via the technical infrastructure or through processes surrounding the division of labour, e.g. on websites, by means of payment transactions, in securities trading or as part of collaboration with other financial or IT service providers or marketplaces and exchanges.
- Personal data from third-party sources, e.g. land registers, trade registers, authorities or sanctions lists from the UNO, SECO and the EU.

5. Purposes of processing

LNP may process the above personal data for the purposes of rendering its own services and for its own purposes or for statutory purposes. In particular, this includes:

- Customer onboarding processes and the completion, execution and management of business relationships, products and various services, such as identity confirmation, financing, financial planning, payments, invoicing, accounts, investment, stock exchanges, pensions, establishment, succession and insurance, customer service, communication, brokerage, consultation, and wealth and asset management.
- Statistics, planning or product development and business decisions (e.g. determining KPIs on the use of services, capacity utilisation figures, transaction analyses, development of ideas for new products or the evaluation or improvement and review of existing products, services, processes, technologies, systems and yields).
- Monitoring and management of risks, business auditing, commencement of business, timely performance of business activities (e.g. combatting fraud, investment profiles, limits, market, credit or operational risks, and system/product training).
- Marketing, market research, the provision of comprehensive support, advice and information on the service offering, and the preparation and provision of tailor-made services (e.g. print and online advertising, customer events, prospective customer events and cultural events, and assessing the potential of a customer, market or product).
- Statutory or regulatory duties to provide information or to report to courts or authorities, the fulfilment of official orders (e.g. orders issued by FINMA, by public prosecutors, in connection with money laundering and the financing of terrorism, or on the recording and monitoring of communication), and the fulfilment of statutory and/or regulatory obligations.
- Safeguarding the interests and securing claims of LNP in the event of claims against LNP or bank customers, and safeguarding the security of customers and employees.
- Any other purposes; we will inform you of these.

6. Bases for the processing of data

Data processing is carried out on the following basis, depending on the products and services that LNP provides to you (as appropriate) or depending on the purpose for which personal data is processed:

- Accepting, concluding and fulfilling a contract or business relationship with you, or fulfilling the obligations of LNP arising from such a contract or business relationship.
- Safeguarding the legitimate interests of LNP (as the case may be), e.g. statistics, planning or product development, and business decisions; monitoring and managing risks, protecting IT security, IT operations and the security of buildings and equipment, and business auditing; marketing, providing comprehensive support, advice and information on the service offering, and preparing and providing tailor-made services (insofar as no objection is made); safeguarding the interests and securing claims of LNP, customers and employees.
- Fulfilling statutory or regulatory obligations of LNP or carrying out activities in the public interest, where applicable.
- On the basis of your consent, where applicable. Consent obtained for other reasons, e.g. based on the provisions governing professional confidentiality pursuant to Article 69 of the Swiss Financial Institutions Act (FinIA), are not affected by this section.

7. Storage period

The storage period for personal data is dependent on statutory retention obligations and/or the purpose of the data processing in question. Generally speaking, LNP stores personal data for the duration of the business relationship or the contract period plus at least another 10 years. This is the timeframe in which legal claims may be made against LNP. Ongoing or anticipated statutory, tax-related or supervisory procedures may mean that data is stored beyond this period.

8. Automated individual decisions in specific cases

LNP is entitled to analyse and evaluate customer data (including the data of relevant third parties pursuant to Section 4) by automated means in the future, the purpose being to identify material personal characteristics of the customer or to forecast developments and to create customer profiles. In particular, these shall be used for business auditing and for individual consultation and provision of offers and information that LNP may make available to the customer.

9. Anticipated recipients of personal data

Departments within LNP will have access to your personal data if they require this to accept, conclude and fulfil a contract or business relationship, comply with statutory or regulatory obligations, or to carry out activities in the public interest.

Depending on the type of products or services in question, LNP will disclose customer data to third parties in the following cases:

- For order execution, i.e. making use of products or services, e.g. to payees, beneficiaries, authorised persons on bank accounts, intermediaries, correspondent banks, and to parties, service providers, stock exchanges and marketplaces involved in a transaction.
- As a result of statutory obligations, statutory justifications, or orders from authorities, e.g. to courts or supervisory authorities in the area of financial markets and taxation legislation or insofar as this is required to safeguard the legitimate interests of LNP in Switzerland or abroad. The latter applies, in particular, in the event of legal action or public statements threatened or initiated by the customer against LNP, to secure LNP's claims against the customer or third parties, to collect LNP's claims against the customer and to restore customer contact after contact has been broken off with the competent Swiss authorities.

Processors are third parties that process personal data on behalf of and for the purposes of LNP, e.g. IT, marketing, distribution or communication service providers, bodies combatting fraud, or consultancies.

Should personal data be disclosed to such a processor, that processor may only process the personal data it receives in the ways that LNP itself may process said personal data. LNP selects its processors in a thorough manner and contractually obliges these processors to guarantee confidentiality, business-customer secrecy and the security of the personal data in question.

10. Rights

You have the right of access, to rectification, to erasure, to restrict processing, to object and – insofar as it is applicable – to data portability. You also have the right to lodge a complaint with the competent data protection supervisory authority (see Section 3). Requests for information should be submitted in writing to LNP at the address stated under Section 3, together with a legible copy of a valid official identity document (e.g. passport, identity card).

The right to erasure and the right to object are not unrestricted rights. Depending on the situation, overriding interests may make it necessary to continue processing the personal data. LNP will assess each case individually and will share the findings with you.

If LNP fails to meet your expectations with regard to the processing of personal data, if you would like to lodge a complaint regarding LNP's data protection practices, or if you would like to exercise your rights, please inform LNP of this (see Section 3). This will give LNP the opportunity to review your concerns and to make any necessary improvements. In order to support LNP in responding to your query, you will be asked for further detailed information on the case in question. LNP will review and respond to your concerns within a reasonable timeframe.

LNP is obliged to process personal data in a correct manner and to keep it up to date. If your personal data changes, please inform LNP of this via the communication channel normally used.

11. Privacy Policy version

This Privacy Policy was created on 1 September 2023. It sets out the general principles for the processing of personal data by LNP. LNP reserves the right to amend this Privacy Policy from time to time. If it is amended, you will be informed of this by reasonable means, e.g. via the website: www.finanz-experten.ch.