



UNION BANCAIRE PRIVÉE

Privacy statement for clients (existing or potential) and visitors to the UBP website

1. Introduction

This document constitutes the privacy statement of Union Bancaire Privée (Europe) S.A. (hereinafter “UBP”, the “Bank” or “we”) for clients (existing or potential) and visitors to the UBP website.

UBP (including any entity affiliated to UBP) respects your privacy and undertakes to protect your personal data. This privacy statement informs you about how we process your personal data if you have formed an agreement with us, use our services or products and consult our website (regardless of the place from which you consult it), and about your rights regarding privacy and the way in which the law protects you in that respect.

UBP is a “data controller”. In other words, except in cases where we are legally obliged to process data, it is up to us to decide how we retain and use your personal data. This privacy statement contains the information that we are required to provide to you in accordance with data protection legislation.

Principles of data protection

We comply with data protection legislation. This means that the personal information we hold about you must be:

- processed lawfully, fairly and in a transparent manner;
 - collected only for valid purposes that we have made clear to you, and always processed in a way that is compatible with those purposes;
 - relevant to the purposes we have mentioned to you and strictly limited to those purposes;
 - accurate and up-to-date;
 - retained for as long as necessary for the purposes we have mentioned to you (and/or for as long as the law requires);
 - kept securely.
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2. General information and Data Protection Officer

Purposes of this privacy statement

This privacy statement aims to inform you about how UBP collects and processes your personal data, for example when you use UBP products and services, including any data that you may send to us via our website when you sign up to newsletters and/or when you view pages on our website.

It is important that you read this statement, and any other privacy statement that we may send to you on other occasions involving the collection or processing of your personal data, so that you know exactly which personal data we collect about you, what we do with them and with whom we may share them.

Data Protection Officer

We have appointed a Data Protection Officer, who is in charge of overseeing matters relating to this privacy statement. If you have any questions on this topic, and in particular if you wish to assert your rights in this area, please contact the:

Local Data Privacy Champion The Bank’s Chief Compliance Officer

DataPrivacy_Lux@ubp.com
Union Bancaire Privée (Europe) S.A.
287-289 route d’Arlon | L-1150 Luxembourg
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or the UBP Group Data Protection Officer.

Mr Constantin Bratsiotis
Group Data Protection Officer
gdpo@ubp.ch
Union Bancaire Privée, UBP SA
Rue du Rhône 96-98 | CP 1320 | CH-1211 Geneva 1, Switzerland
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You may file a complaint at any time with your competent local data protection authority. However, we would be grateful for the chance to respond to your concerns before you contact the authorities. Accordingly, we would ask that you contact us first.

3. What data do we collect about you?

The terms personal data and personal information mean any kind of information about a person through which he/she may be identified. As a result, they do not relate to data from which a person's identity has been removed (anonymous data).

We may collect, use, retain and transfer various types of personal data about you, which we have categorised as follows:

- **Identity data** such as your first name, maiden name, last name, identification number or other similar identifier, civil status, title, date of birth, gender, copies of your passport etc.;
- **Contact data** such as your private/home/residential address, email address, phone number, fax number etc.;
- **Financial data** such as information about your bank accounts and payment cards, your position, status and financial history, your assets, the origin of your assets, your income, your occupation (past and current), solvency reports, your level of knowledge and experience etc.;
- **Transaction data** such as information about payments made by you or received by you, explanations of the reasons for those transactions (including related documents), the origin of the funds and other information about the products and services you have acquired from us or in which you have invested etc.;
- **Profile data** such as your username, email address and any password, your interests, preferences and comments, etc.;
- **Usage data** such as information on how you use our products and services, our website and our e-banking service. The data collected include the type of device and browser, pages visited on our website, IP address, country of connection, the time and date of connection, messages exchanged, and voice and video calls;
- **Marketing and communication data** such as your preferences about receiving marketing materials from us and related third parties, and your communication preferences.

We do not collect any information belonging to specific categories of sensitive personal data about you (race, ethnic origin, religious or philosophical beliefs, sex life, sexual orientation, political opinions, union membership, information about your health, genetic and biometric data, information about any criminal convictions or offences etc.) unless necessary for lawful reasons and/or to improve services under agreements we have formed with you.

If you do not provide personal data

If we are required to collect personal data by law or under an agreement formed with you, and you do not provide the necessary data when they are required, we may not be able to perform the agreement we have formed with you or are trying to form with you (for example providing you with products and services). In that case, we may have to terminate a service that you have signed up for with us, or to refuse or sell an investment product, in which case we will inform you at that point.

4. How are your personal data collected?

Members of the UBP group (the "UBP Group") may collect, use and share personal data about you, your transactions, your use of our products and our services and your relationship with the UBP Group.

We collect data about you in various ways, including the following.

- **Direct interactions:** You may send your personal data to us yourself by filling in forms or by communicating with us by post, telephone, email, via our website, by sending us your business card or in another way. This includes the personal data you provide when you:
 - request our products or services;
 - open an account with us;
 - ask for marketing material to be sent to you.
- **Automated technologies or interactions** When you interact with our website or e-banking service, we may automatically collect technical data about your equipment, habits and browsing patterns. We collect these personal data using cookies and other similar technologies (for more information, please refer to our cookies policy on our website).
- **Use of publicly accessible information;** background checks We may obtain additional information about you from sources accessible to the public, such as the internet, the media, data collection companies, trade or debt collection registers etc., or from third parties that we may appoint. In some cases, we may carry out a background check on you by using third-party service providers.

5. How do we use your personal data?

We only use your personal data when the law allows us to, or when you allow us to. Most often, we use your personal data in the following situations:

- When we need to perform the agreement we have formed with you or are about to form with you.
- When we (or a third party) have legitimate interests in using your data and your own interests or fundamental rights do not outweigh those legitimate interests.
- When we need to comply with a statutory or regulatory obligation.

In general, we do not rely on your consent as a legal basis for processing your personal data. When we require your consent, we will obtain it separately from this privacy statement. You have the right to revoke your marketing consent at any time by writing to your relationship manager or by using the communication tool we provide to you, for example when you visit our website.

Situations in which we will use your personal data

We have prepared below a table setting out how we intend, or are required, to use your personal data and the legal basis for doing so. We also mention our legitimate interests in doing so if applicable.

Please note that we may have one or more legal bases for processing your personal data, depending on the specific purpose for which we use your data. Please contact us if you would like details of the specific legal bases on which we rely to process your personal data if several bases feature in the table below.

Why we use your personal data	Legal basis for our processing your data
Signing you up as a new client and checking your identity, the origin of your wealth etc. Carrying out customer due diligence.	Performing an agreement we have formed with you. Fulfilling our statutory obligations (for example our duty to combat money laundering, terrorism and terrorist financing and our duty to carry out "Know Your Customer" procedures).
Carrying out solvency checks and obtaining and providing references regarding solvency.	Meeting our statutory obligations and protecting our legitimate interests.
Providing you with suitable products and services, such as: (a) providing advice or opinions about our products and services; (b) managing and offering investment products and services; (c) processing each of your transactions.	Performing an agreement we have formed with you. This is necessary to fulfil our legitimate interests. To fulfil our statutory obligations (for example our duty to check that a product is suitable).
Providing services, such as: (a) managing investments, payments, commissions, fees and interest due on client accounts; (b) receiving and recovering sums due to us; (c) managing statements and paying trailer fees, discounts etc. (as the case may be).	Performing an agreement we have formed with you. This is necessary to fulfil our legitimate interests (for example collecting money owed to us). Fulfilling our statutory obligations (for example to define your investment profile, to respond to requests from the authorities, issuers of securities (particularly companies in the European Union) and funds that may ask for information about you or may send you information, directly or through third-party intermediaries).
Managing our relationship with you, which may involve: (a) informing you of changes to our General Conditions or our privacy statement; (b) ensuring that you send us the appropriate documentation so that we can provide the relevant services to you.	This is necessary to fulfil our legitimate interests.
Managing our collaboration with other companies that provide services for us, for our products or for our clients.	This is necessary to fulfil our legitimate interests.
Managing risks related to economic crime and related penalties. Managing risks for us and our clients. Fulfilling our compliance obligations. Making regulatory disclosures and/or responding to requests from the competent authorities.	Fulfilling our statutory obligations. This is necessary to fulfil our legitimate interests.
Enforcing or defending the rights of UBP or its employees.	This is necessary to fulfil our legitimate interests.
Meeting the internal operational needs of UBP Group members (including product development, insurance, tax, audit, credit management and risk management). Improving our systems and services. Performing technical and administrative tasks on your account.	This is necessary to fulfil our legitimate interests.
Managing our relationship with you (including developing the relationship and carrying out marketing activities). Making suggestions and recommendations for you, for example about products and services that may interest you.	This is necessary to fulfil our legitimate interests, including developing our products and services and growing our business. Performing an agreement we have formed with you.

Consent

Your consent may be required in certain limited cases, such as the processing of sensitive data, an active marketing or business development campaign, or profiling and automated decision-making.

Marketing

We seek to give you a choice regarding certain ways of using your personal data, particularly regarding marketing and advertising.

If you receive marketing material directly from us, you may ask us at any time to stop sending you marketing messages by contacting your relationship manager or by using the communication tool we provide to you, for example when you visit our website.

If you ask to stop receiving marketing messages, this will not apply to the personal data you have provided to us when signing up to a product or service or other transactions.

Change of purpose

We will use your personal data only for the purposes for which we collected it, unless we reasonably believe we need to use them for another reason and that reason is compatible with the original purpose. If you would like to know how the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for purposes that are unconnected with the original purpose, we will inform you and present the legal basis allowing us to do so.

Information regarding a change of purpose may be provided through an amendment to this privacy statement. As a result, we strongly encourage you to consult the privacy statement on a regular basis.

Please note that we may process your personal data without your knowledge or consent, in accordance with the aforementioned rules, when the law obliges or authorises us to do so.

6. Data sharing

It is possible that we may have to share your data with third parties, including third-party service providers and other entities within or outside the UBP Group.

We require third parties to keep your data secure and process them in accordance with the applicable law.

We may also send your personal information outside the European Union (EU) or European Economic Area (EEA). We use appropriate protection measures in those countries in order to protect privacy and personal data (including through standardised contractual clauses or via equivalence decisions taken by the European Commission).

Why might we share your personal information with third parties?

When we use your personal data for the purposes set out in the table in section 4 of this document, we may send and disclose them:

- To any member of the UBP Group or any third party that provides services to a member of the UBP Group or to its agents;
- To any authority (such as a stock exchange) when we are required to do so by a law or regulation;
- To recipients of payments, beneficiaries, nominees, intermediaries, correspondent and custodian banks, custodians, clearing organisations, securities issuers, clearing and settlement systems or third-party facilitators designated by one of the above or by the Bank;
- To other financial institutions, brokers, fraud prevention organisations, professional associations, economic intelligence companies and debt collection organisations;
- To any broker to which we give instructions or references, or from which we receive instructions or references;
- To any properly selected third party or UBP Group member involved in maintaining and operating IT systems (including cloud services), developing, operating and maintaining databases, software and applications, and establishing and implementing processes and directives intended to ensure and/or improve data availability, operability, integrity and security;
- To any properly selected third party involved in carrying out certain administrative or logistical tasks, for example to facilitate the processing of personal information, or in providing other specific services such as preparing tax certificates;
- To any properly selected third party involved in the preparation, printing and/or sending of bank documents to clients (such as correspondence between the Bank and its clients, including transaction advices, account statements, asset overviews and tax certificates);
- To any properly selected third party involved in certain activities, particularly those related to information and communication technologies (such as chat, videoconferencing, co-browsing and cloud services);
- To any other properly selected third party:
 - In connection with a reorganisation, sale or acquisition of any commercial activity of an UBP Group member;
 - That we use to provide services to you; and
 - for marketing purposes, where you have given your marketing consent.

The contractual agreements between us and our General Conditions give further details on the respective obligations and duties in this area, and define the limits to the aforementioned information-sharing as determined by applicable legislation and regulation, particularly as regards banking secrecy.

The aforementioned recipients may also process, transfer and disclose personal data for the purposes stated in section 4 of this document, and they may be located in countries where data protection legislation does not necessarily provide the same level of protection as in the EU.

For example, regulations implementing international tax compliance agreements (such as agreements regarding the automatic exchange of information) may require us to disclose certain information about you (and about related persons) to the tax authority of the country in which your account is based, and that authority may send the information to any tax authority in any country in which you or a related person are/may be resident for tax purposes (please refer to our General Conditions for more information). Another example concerns regulations established within the European Union allowing companies to request and obtain information relating to their shareholders from financial institutions.

Which third-party service providers process your personal information?

“Third parties” include external service providers, including the agents and other entities of the UBP Group, and particularly third parties that provide services related to certain products. The categories of third-party service providers set out below may process personal information about you for the following purposes:

Category of third-party data recipient	Purpose of the data transfer
Other banks and other payment service providers.	To ensure that interbank payments are carried out on behalf of clients.
Professional advisors and consultants, including: (a) independent financial advisors; (b) real-estate consultants; (c) other agents and advisors.	To enable us to manage your accounts and related services, and to provide estimates. To explore new ways of carrying out our activities.
Law firms/other legal service providers.	To enable us to obtain specialist legal advice regarding the services we provide to you.
Supervisory authorities and other authorities.	To meet any of the Bank’s other statutory obligations, or to comply with any order or instruction given by the authorities concerned (for example regulations implementing international tax compliance agreements).
Archiving and documentation companies.	To ensure that files are stored in an entirely secure way (possibly including platforms based on cloud technology).
Recipients of payments, beneficiaries, nominees, intermediaries, correspondent and custodian banks, custodians, clearing organisations and clearing and settlement systems.	To allow us to follow your instructions, provide services to you and process each of your transactions.
Other financial institutions, brokers, fraud prevention organisations, professional associations, economic intelligence companies and debt collection organisations.	To assess your ability to honour your financial commitments. If you are unable to repay an amount owed to us following a repayment request.
Funds, companies, issuers of securities and third parties appointed by them or by the UBP Group to process personal information on their/our behalf.	Certain issuers of financial instruments may ask to receive personal data about the beneficial owner of the funds being invested, or may want or have to send information (such as information on corporate events, for example notice of an annual general meeting) to final investors (you). This is particularly the case for companies based in the European Union, which are authorised by law to know who their ultimate shareholders are. In this latter case, we may use third-party intermediaries to manage communications from and to issuers of financial instruments.
Any third party or UBP Group member involved in maintaining and operating IT systems, developing, operating and maintaining databases, software and applications, and establishing and implementing processes and directives intended to ensure and/or improve data availability, operability, integrity and security.	To maintain and/or improve our IT systems and, consequently, our services (personal data such as names and addresses will be anonymised in the event of transfers to third parties). Account numbers may be provided in some circumstances.
Third parties involved in carrying out certain administrative or logistical tasks or in providing other specific services such as preparing tax certificates.	To provide certain complex services that you have requested or that are connected with the services/products you have selected or in which you have invested (personal data such as names and addresses will, as far as possible, be anonymised in the event of transfers to third parties).
Third parties involved in the preparation, printing and/or sending of bank documents to clients (such as correspondence between the Bank and clients, including transaction advices, account statements, asset overviews and tax certificates).	To improve the services we provide (you can always use our e-banking services if you wish to avoid your data being shared in this way).
Third parties involved in certain activities, particularly those related to information and communication technologies (such as chat, videoconferencing, co-browsing and cloud services).	To provide technological services that you have requested (your personal data may be accessible to these third parties during chat/videoconferencing sessions etc. and subsequently, for a limited period).

The above table provides a general description of the various situations in which we may share your data. However, our sharing of your data depends to a great extent on our duty of confidentiality (such as banking secrecy or professional secrecy obligations). As a result, please refer to the contractual agreements that we may have formed with you and to the applicable General Conditions, so that you have an accurate description of the way in which your data may be shared.

Is your information secure when held by third-party service providers and UBP Group entities?

All of our third-party service providers and all UBP Group entities are required to take appropriate security measures to protect your personal information in accordance with the policies in force within the Bank. We do not authorise our third-party service providers to use your personal data for their own purposes. We only authorise them to process your personal data for specific purposes and according to our instructions.

When might we share your personal information with other UBP Group entities?

We may share your personal data with other UBP Group entities and any third party appointed by them as part of our centralised data storage system, so that we can provide you with certain services, because we are required to do so by law, for security reasons, or to produce reports on our activities.

7. International data transfers

We may share your personal data within the UBP Group; that sharing may involve transferring your data outside the European Economic Area (EEA) to countries in which the UBP Group (its affiliates and/or branches) is present, such as Switzerland and countries in the Middle East and Asia.

In addition, certain external third parties (or their subcontractors) are located outside the EEA and/or Switzerland, for example in the United States, Singapore, Dubai, India and China, so the processing of your personal data by those third parties will involve data being transferred outside the EEA and/or Switzerland, and there is also the possibility that third parties may access your data from the aforementioned countries. It is possible that those countries are unable to offer the same level of protection as EEA countries or Switzerland.

When we transfer your personal data outside the EEA and/or Switzerland, or when we allow access to your data from the aforementioned countries, we will ensure that they benefit from a similar level of protection by ensuring that at least one of the following precautionary measures is applied:

- We transfer your personal data only to countries that, according to the European Commission, ensure an adequate level of personal data protection;
- If that turns out not to be the case, we use specific contracts, approved by the European Commission, that ensure the same personal data protection as within the EEA.

8. Data security

We have adopted appropriate security measures to prevent your personal data being accidentally lost, used in an unauthorised manner, capable of access without authorisation, altered or disclosed.

Personal data may be processed as part of the security checks we carry out, such as automated scans to identify dangerous emails, which involves detecting security risks, making enquiries about those risks and removing them. We limit access to your personal data as far as possible to employees, partners, agents and other third parties who need access to the data for business reasons. They will process your personal data solely according to our instructions and are subject to a duty of confidentiality.

Similarly, our third-party agents will, as the case may be, process your personal information solely according to our instructions, and on the condition that they have agreed to process them confidentially and in a way that ensures that the information is secure.

We have set up procedures to deal with any suspected personal data breach; if we are legally obliged to do so, we will report any breach to you and also notify the competent supervisory authorities.

9. Other situations in which we may use your data

To ensure that we carry out your instructions, to improve our services and for security reasons, we may monitor and/or record our communications with you, such as phone calls.

For security and crime-prevention reasons, we may use closed-circuit television systems within or around our premises for surveillance and image collection purposes. We have exclusive ownership of all recordings.

UBP Group members may carry out activities to manage risks related to economic crime. Exceptionally, this may lead UBP Group members to delay or refuse execution of a payment or your instructions, or delay or refuse the provision of some or all services intended for you.

No UBP Group member will bear liability to you or to any third party for any loss arising from a UBP Group member carrying out activities to manage risks related to economic crime.

10. Profiling

We may process automatically some of your data in order to assess specific personal aspects (profiling).

- We process data automatically (as the law requires) when screening funds transfers taking place through our systems as part of efforts to combat money laundering and terrorist financing, and to monitor all transactions in order to detect whether they breach rules regarding international sanctions and embargoes etc.
- This may also be the case when we assess your needs in terms of products and services.

11. Data retention

For how long will we use your personal information?

We will only retain your personal data for as long as necessary to fulfil the purposes for which we collected them, including to meet statutory and accounting requirements along with our reporting obligations.

To determine the appropriate period for which your personal data are retained, we take into account the quantity, type and sensitivity of the personal data, the risk of harm that would result from unauthorised use or disclosure of the data, the purposes for which we process them and any possibility of fulfilling those purposes in other ways, and applicable statutory requirements.

Personal data may be retained for a longer period where a longer retention period is required by law, a court ruling (or a decision by any other competent authority) or by UBP's internal regulations, or in order to establish, exercise and defend our rights.

Information about retention periods for your various personal data is available on request.

12. Your rights

Your rights regarding your personal information

Subject to certain conditions, the law entitles you to:

- **Request access** to your personal information (request commonly known as a "data subject access request"). This procedure allows you to obtain a copy of the personal information that we hold about you and check that we are processing it lawfully.
- **Request rectification** of the personal information we hold about you. This allows you to have any information that we hold about you that is incomplete or inaccurate corrected.
- **Request erasure** of your personal information. This procedure allows you to ask us to erase personal information when we no longer have a legitimate reason for processing it. You are also entitled to ask us to erase your personal information when you have asserted your right to object to processing (see below). However, please note that we may be unable to meet your erasure request for specific legal reasons about which we will inform you, if applicable, at the time of your request.
- **Object to the processing** of your personal information when we rely on our legitimate interests (or those of a third party) and when, for a reason related to your personal situation, you wish to object to that processing. You are also entitled to object to processing when we are processing your personal information for the purposes of direct marketing. In some cases, we may show that we have a legitimate requirement to continue processing your data.
- **Request that the processing** of your personal information be restricted. This procedure allows you to suspend the processing of your personal information, for example if you want us to check its accuracy or prove the reason for processing it. In some cases, we may show that we have a legitimate requirement to continue processing your data.
- **Request the transfer** of your personal information to a third party (otherwise known as the right to data portability) where technically possible and where the processing is based on consent or a contract and carried out by automatic means. In that case, the personal data must be sent in a standard structured electronic format that can be shared with the new data controller.

If you would like to assert any of the rights set out above, please contact us.

Your obligation to disclose any changes

It is also vital that the personal information we hold about you is accurate and up-to-date. As a result, please inform us if your personal information changes during your working relationship with UBP or afterwards, since we may need to contact you after the end of our relationship.

13. Right to withdraw consent

In limited situations in which you have agreed to the collection, processing or transfer of your personal information for a specific purpose, you have the right to withdraw that consent at any time. To do so, please contact us. Once we have been informed that you have withdrawn your consent, we will stop processing your information for the purpose or purposes that you initially approved, unless we have another legitimate legal basis for continuing to process it.

If you withdraw your consent, we may be unable to provide certain products or services to you. If that is the case, we will inform you when you withdraw consent.

14. Changes to this privacy statement

We reserve the right to change this privacy statement at any time. Any change we make will result in a new privacy statement being uploaded to the UBP website (www.ubp.com). We may also inform you in another way, as necessary, about the processing of your personal information.

15. Links to third parties

Our website may contain links to third-party websites, plug-ins and applications. By clicking on the links or authorising the connections, you may allow the relevant third parties to collect or share data about you. We do not control those third-party websites and we are not responsible for their privacy statements. When you leave our website, we invite you to read the privacy statement of any other website you may visit.