



## SwissIndependent Trustees SA

### DATA PROTECTION AND PRIVACY NOTICE

<b>Data Protection and Privacy Notice</b>
<p>This Notice explains how SwissIndependent Trustees SA (“we”, “us”, “our”, “SIT”), collects, uses, shares and otherwise processes Personal Data in accordance with applicable data privacy laws, including the Swiss Federal Data Protection Act (DPA) and its corresponding ordinance as well as the General Data Protection Regulation 2016/679 (GDPR), as applicable.</p>
<b>Contacting SIT about your Personal Data</b>
<p>The nature of our use of Personal Data generally means that we are not required to have a dedicated data protection officer. However, you can contact us with any questions regarding your Personal Data or this Notice, at SwissIndependent Trustees SA, 9-11 rue du Prince, 1204 Geneva 3, Switzerland or email us on <a href="mailto:admin@swissindependent.com">admin@swissindependent.com</a></p>
<b>Personal Data</b>
<p>The term “Personal Data” as used in this Notice means any information relating to you, such as your name, contact details, etc. Personal Data does not include data from which you can no longer be identified, such as anonymised aggregated data.</p>
<b>What Personal Data do we collect, how do we collect it and what do we use it for?</b>
<p>The kinds of Personal Data we may collect include your contact details (such as your name, email address and telephone number) and information such as your job title and financial status (i.e. origin of wealth and assets), all of which we may request from you.</p> <p>In addition, we collect other Personal Data which you choose to provide to us, for example where you contact us by letter, telephone, email or any other means of electronic or personal communication (including in any face-to-face meetings). We may also obtain and use data on you that is available in the public domain (i.e. the internet, social media, company and land registries, media, etc).</p> <p>Where your relationship with us is as a client (as Settlor or Beneficiary of a Trust, for example), we will request or use personal data on the persons connected to the Structure only when requested to do so by a regulator or other authorised body, or as required for the proper function of our role as Trustees. As Trustees, we will naturally be required to collect data relating to Settlers, Beneficiaries, Protectors or Appointors and all forms of Professional Advisor. In addition, we may collect data on related corporations and any related trusts, partnerships, foundations, etc, including key individuals such as Shareholders or Beneficial Owners of connected structures.</p>



### The Processing of Personal Data

SIT will use your data to allow us to provide the services contractually agreed with you. In all cases, we will use your Personal Data only if and to the extent applicable law provides a lawful basis for us to do so.

We will therefore use your Personal Data only:

1. If you have consented to us doing so;
2. If we need it to perform a contract we have entered into with you or a SIT client you represent;
3. If we need it to comply with a legal or regulatory obligation; or
4. If we (or a third party) have a legitimate interest which is not overridden by your interests or fundamental rights and freedoms.

Whether or not we have your express consent for using your Personal Data, we anticipate needing to process it for the following purposes, and consider them all to fall within the permitted purposes set out above:

- (1) To facilitate the opening of a client account or the creation of a Trust or Company with SIT;
- (2) To facilitate the on-going management and administration of a client's holdings with SIT and any related account and the monitoring of any investment management advisors or other service providers;
- (3) To facilitate distributions or payments to a party related to a structure which we administer;
- (4) To carry out anti-money laundering checks and related actions which SIT considers appropriate to meet any legal obligations imposed on SIT relating to the prevention of fraud, money laundering, terrorist financing, criminal acts, bribery, corruption, and tax evasion;
- (5) To safeguard SIT's security and IT operations and to operate effectively in the event of a threatened or actual legal dispute;
- (6) To further SIT's legitimate commercial purposes in maintaining good business relationships, to ensure that communications are made to the appropriate individuals, and for promoting or marketing to you SIT's products and services;
- (7) To comply with regulatory requirements from our primary regulator (the Swiss Financial Market Supervisory Authority (FINMA) or the Association Romande des Intermediaries Financiers (ARIF)), in the course of our business, as well as other relevant regulators in the countries where we do business such as Malta or South Africa.
- (8) To comply with our obligations for tax, regulatory or corporate filings in any relevant jurisdiction and this may include sharing information with various tax and legal advisors as well as government bodies.



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#### Right to withdraw consent

Where you have provided your consent to the collection and processing of your Personal Data, you have the right to fully or partly withdraw your consent.

If you wish to withdraw your consent at any time, please contact us on [admin@swissindependent.com](mailto:admin@swissindependent.com). Once we have received notification that you have withdrawn your consent, we will no longer process your Personal Data for the purpose(s) to which you originally consented, unless there are compelling legitimate grounds for further processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

Where we use your Personal Data for direct marketing purposes, you have the right to object at any time, in which case we will no longer use your Personal Data for such purposes.

#### What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your Personal Data (or to exercise any of your other rights). This is another appropriate security measure to ensure that Personal Data is not disclosed to any person who has no right to receive it.

#### Accuracy of information

It is important that the Personal Data we hold about you is accurate and current. Please let us know if your Personal Data changes during your relationship with us.

#### What if you do not provide the Personal Data we request?

It is in your sole discretion to provide Personal Data to us. If you do not provide us with all or some of the Personal Data we request, we may not be able to accept an engagement with you, or provide all or some of our services, or enter into a contract with you or the institutions you represent, or respond to any request from you for information on us or our products or services.

#### With whom will we share your Personal Data?

We may share your Personal Data with other SIT group companies as well as the service providers with whom we work (who may be service providers to the products we manage or to SIT directly). We may also be required to share your Personal Data with regulators, public institutions, courts or other third parties. We will not sell your Personal Data to any third party.

For the purposes described above we may have to transfer your Personal Data from the European Economic Area (EEA) to a SIT office or a third party outside of the EEA and in a jurisdiction not subject to an adequacy decision of the European Commission. We will always ensure that there is a legal basis and a relevant safeguard method for such data transfer so that your Personal Data is treated in a manner that is consistent with and respects the EU laws and other applicable laws and regulations on data protection. If you require further information about this you can request it from us on [admin@swissindependent.com](mailto:admin@swissindependent.com)



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**For how long will we retain your Personal Data?**

We will retain your Personal Data only for as long as is necessary to fulfil the purposes for which it was collected, including for the purposes of satisfying any legal, regulatory, accounting or reporting requirement. To determine the appropriate retention period for your Personal Data, we will consider the amount, nature, and sensitivity of the Personal Data, the potential risk of harm from unauthorised use or disclosure of your Personal Data, the purposes for which we process your Personal Data and whether we can achieve those purposes through other means and the applicable legal requirements.

Upon expiry of the applicable retention period we will, to the extent reasonably feasible, securely destroy your Personal Data in accordance with applicable laws and regulations.

**Changes to this Notice**

We reserve the right to update this Notice at any time without prior notice and will make any updated version available on our website.

**Further information**

If you have any concerns or require any further information, please do not hesitate to contact us on [admin@swissindependent.com](mailto:admin@swissindependent.com)