

## PRIVACY NOTICE

Thank you for your interest in our company and our services. St. Gotthard Fund Management AG ("STGFM") attaches particular importance to data protection. The following information will give you an overview of the processing of your personal data by us and your rights under the Swiss Data Protection Act ("CH DPA") and the EU General Data Protection Regulation ("EU GDPR").

### **Responsible body is:**

St. Gotthard Fund Management AG  
Gotthardstrasse 14, 6300 Zug, Schweiz  
Telephone: 00357 25 731 880  
E-mail: [info@stgfm.com](mailto:info@stgfm.com)

### **You can reach our data protection officer at:**

St. Gotthard Fund Management AG  
Data protection officer  
Gotthardstrasse 14, 6300 Zug, Schweiz  
Telephone: 00357 25 731 880  
E-mail: [info@stgfm.com](mailto:info@stgfm.com)

Within the scope of the business relationship with you, it is necessary for STGFM to process your personal data. This means that we collect, store, use, transmit or delete data. The legal basis for data processing can be the execution of a contract or a declaration of consent, or can be based on a legal obligation or to protect legitimate interests.

#### 1. The processing of personal data (origin and categories of data):

- The data communicated by the customer(s) when the business relationship was initiated or established
- Personal master data such as name, address, date of birth, identity card;
- Communication data such as telephone, e-mail;
- Contract master data such as inventory data, bank details, securities account number, powers of attorney;
- Information on securities transactions, such as knowledge and/or experience of securities, assets, investment objectives and risk appetite.

- Investment and product decisions as well as the resulting account and/or custody account transactions (including tax data). These data are required for the performance of administrative, advisory or brokerage activities in order to open securities accounts, place orders or to be able to carry out other investment or settlement measures quickly and economically. In addition, they serve to safeguard and prove the investment principles of the client in all decisions in connection with the fulfilment of the obligations arising from this agreement.
  - Documentation data such as declarations of suitability or telephone records.
  - Data on the interaction between you and us (e.g., visits to our website, personal encounters, e-mail correspondence, surveys, telephone conversations).
  - In addition, we process - to the extent necessary for the provision of our services - personal data which we have received from other companies or other third parties (e.g. for the execution of orders, for the fulfilment of contracts or on the basis of your consent). On the other hand, we process personal data that we have obtained and are permitted to process from publicly accessible sources (e.g., land registers, commercial register, Swiss Official Gazette of Commerce, press, media, Internet).
2. The processing of personal data takes place on the legal basis of the CH DPA and EU GDPR for the provision of financial services within the framework of the execution of our contracts with you or for the execution of pre-contractual measures, which take place on your request. The purposes of data processing depend primarily on the specific product and may include, but are not limited to, needs assessments, advice, investment brokerage, asset management and support, and the execution of transactions. Further details regarding the purpose of data processing can be found in the respective contract documents and terms and conditions.
3. As part of our business relationship, you must provide the personal information that is necessary to establish and conduct a business relationship and to fulfil the related contractual obligations or for the collection of which we are required by law obliged. Without this data we will normally have to refuse the conclusion of the contract or the execution of the order or will no longer be able to execute an existing contract and may have to terminate it. In particular, according to the money laundering regulations obligations, we are obliged to collect and record your name, place of birth, date of birth, nationality as well as your residential address and identity card data prior to establishing the business relationship, for example on the basis of your identity card to identify. In order for us to be able to comply with the legal requirements of obligations, you must provide us with the necessary information and documents in accordance with the Money Laundering

Act and notify us immediately of any changes arising in the course of the business relationship. If you do not provide us with the necessary information and documents, we may not establish or continue the business relationship you have requested.

4. As far as services for children are requested by the customers, we also collect personal data of children. Here we ensure that the holders of parental responsibility consent to the processing of personal data or in certain cases consent to the consent of the child.
5. We collect personal data from our suppliers and business partners in the course of our cooperation with them in order to ensure a smooth business relationship. We collect the data of our contacts within the organization, e.g. name, telephone number and e-mail address. We also collect bank information in order to make payments to our suppliers and business partners.
6. We may also collect personal information from individuals who have no direct relationship with us, such as any of the following:
  - legal representatives or agents,
  - the beneficial owners of our customers,
  - representatives of legal entities,
  - employees of service providers or business partners.
7. If you have given us consent to the processing of personal data for certain purposes, the legality of this processing is given on the basis of your consent. Data processing for the purpose of establishing contact with us takes place on the basis of your voluntarily given consent, for example if you provide us with a business card for establishing contact. A given consent can be revoked at any time. If we wish to use your personal data for purposes other than those mentioned above, we will inform you accordingly and, if necessary, obtain your consent.
8. Within our house those places receive access to your data, which these need for the fulfilment of our contractual and legal obligations. Service providers and vicarious agents employed by us may also receive data for these purposes if they comply with our written data protection instructions. We may only pass on information about you if this is required by law, if you have consented or if contract processors commissioned by us guarantee compliance with the requirements of the CH DPA and EU GDPR. Under these conditions, recipients of personal data may be, for example:

- Public bodies and institutions (e.g., commercial register offices, FINMA, SIX Swiss Exchange, Federal Tax Administration) in the case of a legal or official obligation.
  - Credit and financial service institutions, comparable institutions and contract processors to whom we transfer personal data for the purpose of conducting business with you. These companies are also legally or contractually obliged to treat personal data with the necessary care. In particular, we cooperate with IT service providers, financial service providers and custodian banks.
  - Members of certain regulated professions such as lawyers, notaries or auditors and trustees.
9. we use your personal information to comply with various legal and regulatory obligations, including but not limited to Banking and financial regulations on the basis of which we take security measures to prevent abuse and fraud; detect transactions that differ from normal patterns; monitor and report risks to which we may be exposed. We also process data to prevent money laundering and terrorist financing; to respond to an official request from a competent government or judicial authority; to comply with sanctions and embargo regulations; to combat tax evasion; and to comply with tax control and reporting obligations.
10. As far as necessary, we process your data beyond the actual fulfilment of the contract to protect the legitimate interests of us or third parties. This includes in particular the following activities:
- Examination and optimization of procedures for needs analysis and for direct customer contact; advertising or market and opinion research, insofar as you have not objected to the use of your data; assertion of legal claims and defense in legal disputes; guarantee of IT security and IT operation by us; measures to ensure domestic law; measures for business control and further development of services and products.
  - With regard to the offered website [www.stgfm.com](http://www.stgfm.com) to ensure a smooth connection establishment of the website; guarantee a comfortable use of our websites; evaluation of system security and stability as well as for other administrative purposes.
11. If international data transfers are made to countries outside the European Economic Area ("EEA") and a non-EEA country (e.g., the USA) is considered by the European Commission to provide an adequate level of data protection, the transfer of your personal data may take place on this basis. For transfers to non-EEA countries whose level of data protection has not been recognised by Switzerland and the European Commission, we may consider

an appropriate exception (for example, if the data transfer is necessary to fulfil our contract with you) using standard contractual clauses to ensure the protection of your personal data.

12. We store your data for the duration of our contractual relationship. Your data will then be restricted for further use and will only be available for limited purposes from this point on. These purposes include in particular compliance with the statutory retention periods and the assertion, exercise and defense of legal claims, for example as proof of proper advice. The statutory limitation periods are up to 30 years (whereby the regular limitation period is 3 years), the statutory retention periods up to 10 years. We store proof of advice as long as claims can be asserted from it. If your data is no longer required for the above-mentioned purposes and all retention periods have expired, it will be deleted definitively.

13. Affected rights:

- **Transparency / right to information:** We will be happy to provide you with information about the personal data stored about you. In addition, we will be happy to inform you on request of the specific points at which we have passed on your data within the framework of the execution of a contractual relationship.
- **Correction and completion of the stored data:** We will of course correct or complete your personal data without delay if we recognize that it is incorrect or incomplete or if you give us a note to this effect.
- **Deletion of stored data:** Your data will be deleted in accordance with the rules described above. We will also delete the data if you so wish and if there is a corresponding claim, e.g., if the purpose for which the data was collected no longer applies, or if your consent is revoked. The data may not be deleted if processing is necessary to exercise the right to freedom of expression and information, to fulfil a legal obligation, for reasons of public interest or to assert, exercise or defend legal claims.
- **Right to limitation of processing:** If one of the aforementioned reasons exists which prevents deletion, we will restrict the use of your personal data at your request. This means that we will keep your data secure and inaccessible and will only use them with your consent or within the scope of one of the above-mentioned obligations to provide evidence.
- **Right of objection:** Upon your objection, we must cease the corresponding activities. This is valid with the exception that we can prove that we have priority legitimate reasons for the processing, which outweigh your interests, or that the data are processed in order to assert, exercise or defend a legal claim. Please also note the separate note at the end of this data protection notice.

- **Right to data transfer:** If you wish, we will make the data provided by you available to you in a structured, common, and machine-readable format or transfer it to a third party (as the responsible party) if this is technically possible.
- **Right of complaint:** You have the right at any time to lodge a complaint with the above-mentioned data protection officer or with a data protection supervisory authority.

14. In principle, we do not use fully automated decision making (including profiling) for the establishment and execution of the business relationship. Should we use these procedures in individual cases, we will inform you separately if this is required by law.

15. We take reasonable and appropriate measures to protect the information we store and process from misuse, loss or unauthorized access. To this end, we have taken a number of technical and organisational measures and will update them on an ongoing basis. If you suspect that your personal information has been misused or lost or has been accessed without authorisation, please let us know as soon as possible.

16. To protect the security of your data during transmission, we use state-of-the-art encryption procedures (e.g. SSL) via HTTPS.

17. Our website [www.stgfm.com](http://www.stgfm.com) automatically sends information to the server of our website through the browser used on your terminal device. This information is temporarily stored in a so-called log file. The following information is collected and stored until automated deletion: Name and URL of the retrieved file, IP address of the requesting computer (or terminal), date and time of the access, website from which the access is made, status code, transferred bytes, user agent.

18. We use cookies when visiting the [www.stgfm.com](http://www.stgfm.com) website. Cookies are small texts that can be stored on your computer or mobile device by website providers. The purpose of a cookie is to make it easier for you to visit our website: A cookie enables us to make our services available to you individually. The cookies used do not have the purpose of collecting personal data from you. Cookies do not cause any damage to your end devices and do not contain any viruses, Trojans or other malware. We use so-called "session cookies" to recognise that you have already visited individual pages on our website. These are automatically deleted after leaving our site or expire after a certain period of time. In addition, we also use temporary cookies to optimise user-friendliness, which are stored on your computer or terminal for a specific period of time. In the event that you visit our website again in order to use our services, it is automatically recognised that you have

already visited us and what inputs and settings you have made so as not to have to enter them again. These cookies expire automatically after a defined period of time. If you do not wish cookies to be used on your computer, you must delete our cookies from your hard drive yourself. Under no circumstances do we use the data from the cookies to draw conclusions about your person.

19. Against the background of constant technical change, these notes shall be adapted as necessary. Please check regularly and in particular before each use of a service whether an updated version is available. You can call up and print out the current data protection declaration at any time on the website at [www.stgfm.com](http://www.stgfm.com). This data protection declaration is currently valid and as of 5 November 2019. We reserve the right to change this data protection declaration from time to time. We will inform you about fundamental changes on the website and via the usual communication channels.

## **Information about your right of objection**

### **1. Right of objection in individual cases**

You have the right to object at any time, for reasons related to your particular situation, to the processing of personal data concerning you carried out on the basis of data processing in the public interest and data processing on the basis of a balancing of interests; this also applies to a Profiling based on this provision. If you file an objection, we will no longer process your personal data unless we can prove compelling reasons for processing worthy of protection which outweigh your interests, rights and freedoms, or the processing serves the assertion, exercise or defence of legal claims.

### **2. Right to object to the processing of data for advertising purposes**

In individual cases we process your personal data in order to operate direct advertising. You have the right to object at any time to the processing of your personal data for the purpose of such advertising; this also applies to Profiling, insofar as it is connected with such direct advertising. If you object to the processing for purposes of direct advertising, we will no longer process your personal data for these purposes.

The objection can be made in any form and should be addressed to by telephone if possible: 00357 25 731 880 or alternatively by sending an e-mail to [info@stgfm.com](mailto:info@stgfm.com).