

Data protection notice for Elite Asset Management SA

Elite Asset Management SA (hereinafter "EAM") attaches great importance to the protection of the Personal Data of its customers (hereinafter the "Customer") and undertakes to collect and process them in a transparent manner in compliance with the Swiss Federal Data Protection Act (hereinafter the "Act"). The purpose of this notice is to inform any Data Subject (see definition below) of the types of Personal Data processed by EAM and the use made of it by the latter, as well as the legal grounds on which it is based. This notice also describes the Customer's rights in this context. It supplements the contractual agreements between the Customer and EAM (including articles 4 and 5 of the discretionary management mandate contract).

1. Types of Personal Data and their sources

The term Personal Data refers to all information relating to an identified (e.g. by first name, surname) or identifiable (e.g. by name or passport number) person. In the course of its activities, EAM may collect and process Personal Data concerning the Customer and persons linked to the Customer (hereinafter referred to together as the "Data Subject"), for example the representative of a legal entity, a trustee, a beneficial owner, the recipient of a payment order or the person holding power of attorney over a Customer account. EAM asks the Customer to provide these persons with the information contained in this data protection notice.

Depending on the product or service provided, EAM may process the following categories of Personal Data in particular:

- personal information, such as name, passport number, date of birth, postal and e-mail address, telephone number, name of curator if applicable, family information such as name of spouse and children, marital status and KYC (Know Your Customer) documents;
- professional characteristics, such as sector of activity, professional title, name of employer and professional experience;
- bank identification, such as bank details and credit card number;
- financial information, such as bank transactions, payment statements and all information relating to income (salary, income from securities portfolio, etc.), movable and immovable property, debts, taxes (e.g. tax domicile) and other commitments (e.g. credit with a third-party bank);
- product experience and knowledge, such as customer segment, investor profile, investment knowledge and experience, details of EAM's interactions with the customer and the products and services he uses;
- relationships, e.g. monitoring, power of attorney, principal, beneficial owner.

This information may be collected by EAM directly from each Concerned Person or, in some cases, via external sources, both publicly available information (e.g. UN sanctions lists) and information obtained from third parties (e.g. business introducer or wealth verification services).

2. Legal basis and purposes of the processing of Personal Data by EAM

2.1 Legal basis

EAM processes Personal Data of Data Subjects on the basis of the following justified legal grounds:

- in the presence of a legitimate interest of EAM, while respecting the Data Subject's interest in the protection of his or her Personal Data;
- in order to fulfill a contractual obligation towards a Data Subject;
- to comply with a legal or regulatory obligation;
- in the event of a request for mutual assistance, proceedings or any other form of cooperation with the competent authorities;
- with the consent of the Data Subject, if the envisaged processing is not based on one of the justified reasons listed above, or if required by law.

2.2 Purpose

Based on the legal grounds described in article 2.1 above, EAM processes Personal Data in particular for the following purposes:

- to identify the Data Subject when opening an account and/or initiating a business relationship with EAM ;
- to ensure the proper management and follow-up of the business relationship with the Customer and the execution of transactions in accordance with the Customer's instructions and the contractual terms and conditions;
- to improve EAM's organization, products, services and internal processes, including risk management;
- to develop the business relationship, in particular in order to offer other products or services that may be of interest to the Customer;
- to enable EAM to establish facts, exercise its rights or defend itself against a current or future claim, or to enable EAM to deal with an investigation by a public authority, in Switzerland or abroad;
- in order to fulfill EAM's legal and regulatory obligations, in particular in the fight against money laundering, during the implementation of international sanctions in accordance with procedures established by EAM (which implies in particular the processing of Personal Data for verification and control purposes), as well as in the management of risks, including market, credit, operational and liquidity risks;
- to comply with requests addressed to it by criminal prosecution authorities, prudential supervisory authorities, authorities responsible for combating money laundering and the financing of terrorism, and authorities involved in the automatic exchange of information in tax matters.

3. Communication of Personal Data

3.1 Communication to third parties

In the course of providing its products and services, EAM may communicate Personal Data to:

- third parties involved in the transaction or acting on behalf of the Customer, such as an operator of a financial market infrastructure (e.g. stock exchange), the custodian bank ;
- outsourced service providers, such as IT and hosting service providers;
- auditing firms or other advisors external to EAM.

In accordance with article 4.4. of the discretionary management mandate contract, EAM subjects its service providers to a contractual obligation to guarantee the confidentiality of the Personal Data they process and to ensure its protection.

3.2 To the authorities

At the request of public, judicial or administrative authorities or regulatory or governmental bodies (e.g. prudential supervisory authorities), Personal Data may be handed over to them. Personal Data may also be handed over to such entities when this is necessary to enable EAM to establish facts, exercise its rights or defend itself against a current or future claim, or to enable EAM to deal with an investigation by a public authority, in Switzerland or abroad.

3.3 Communication abroad

Personal Data may also be communicated outside Switzerland to the persons mentioned in art. 3.1 above, in compliance with Swiss law. If Personal Data is communicated to a country that does not offer an adequate level of data protection within the meaning of Swiss law, EAM will ensure that appropriate technical, organizational and legal safeguards are in place to protect the Personal Data, including binding contractual commitments with the recipient of the Personal Data.

With regard to the communication of Personal Data to authorities outside Switzerland, as defined in art. 3.2 above, EAM complies with the applicable legal provisions on international mutual assistance and with Finma regulations on the direct transmission of non-public information to foreign authorities and services.

4. Retention period of Personal Data

The period during which Personal Data is retained depends on the applicable legal and regulatory retention period, as well as the purpose for which the Personal Data is processed. As a general rule, EAM retains Personal Data for a period of 10 years from the end of the business relationship. A longer retention period may be justified in particular to enable EAM to establish facts, exercise its rights or defend itself against a current or future claim, or to enable EAM to deal with an investigation by a public authority, in Switzerland or abroad.

5. Rights of each Data Subject in relation to his or her Personal Data

Each Data Subject has the following rights in relation to his or her Personal Data, within the limits of the applicable regulations, in particular in the event of legal restriction, overriding interest of third parties or abusive request:

- right of access to Personal Data ;
- the right to rectify inaccurate or incomplete Personal Data. In this respect, EAM takes care to keep Personal Data accurate and up to date. Consequently, if the Personal Data changes, the Data Subject is invited to inform EAM as soon as possible;
- the right to object to their processing and/or to request that their processing be limited. In this context, the Customer is made aware of the fact that, in the absence of certain Personal Data concerning him or her, EAM may not be able to provide the Customer with the service or product for which the processing of such Personal Data is required;
- the right to request the deletion of Personal Data. The right to deletion of Personal Data is not absolute, however, and may be restricted on the basis of overriding interests that require the continued processing of Personal Data.

Any Data Subject may exercise the rights mentioned in this Article 5 by writing to EAM at the address below. Please enclose a copy of your passport or identity card with your signed letter.

Elite Asset Management SA
Compliance Department
Rue du Mont-Blanc 14
1201 Geneva, Switzerland

6. Update

This information was published on September 1, 2023 and may be updated from time to time via the EAM website.

The present notice is established in English. In the event of a discrepancy between the French and the English version, the French text alone shall be binding.