

Privacy Notice

This text applies analogously to persons of all genders and to groups of individuals.

Version July 2023

Data protection is of the utmost importance to the simply3a Foundation (hereinafter referred to as the 'Foundation'). In this Privacy Notice, the Foundation provides information about the nature, scope, and purpose of the personal data collected, used, and processed by the Foundation. It also provides information about the rights held by the data subject. The extent to which the Foundation processes personal data is largely determined by the products purchased by the data subject, the agreed service and the legal and regulatory obligations vis-à-vis the collection and processing of personal data.

1. Sources of the Foundation's personal data

In connection with business relationships with clients or potential clients (hereinafter 'Client(s)'), the data processed is the data the Foundation receives from the Client. The Foundation also obtains data from public registers (e.g. Central Compensation Office, courts, etc.). The Foundation requires such data for the provision of the service or for legal or regulatory reasons.

2. Types of personal data processed by the Foundation

The categories of personal data processed by the Foundation include personal information such as name, date of birth, social security (OASI) number, marital status, family relationships, contact details (address, telephone number or email address), financial circumstances, occupation, training/education, signatures, contracts pertaining to the business relationship, health data such as information about legal capacity, details of relatives and acquaintances such as name of spouse, customer and account number, tax residency and tax information, investment objectives and any communication records.

It is possible that data other than the aforementioned data will be processed when a specific service is concluded or a specific product offer is accepted.

Insofar as the Foundation processes categories of personal data requiring particular protection (e.g. health data and information relating to criminal and administrative convictions or penalties), it does so in the following context:

- in connection with processing for which the data subject has granted their explicit consent. The Client expressly consents to such processing by signing the pension agreement or vested benefits agreement.
- in connection with the assertion, exercise or defence of legal claims.
- in connection with the processing of personal data relating to data which the data subject has made public or data which has been made public.
- in order to comply with legal or regulatory obligations.

3. Purposes of data processing

The Foundation only collects and processes personal data if such data is necessary to achieve a specific purpose. Personal data is processed for the following purposes, in particular:

- in connection with the products and services provided by the Foundation, e.g. for the (potential) commencement or administration of a business relationship.
- in order to comply with legal and regulatory obligations, such as those relating to Pillar 2 and Pillar 3 legislation or disclosure requirements vis-à-vis the authorities.

4. Compliance with data protection principles

The Foundation processes personal data in compliance with the Swiss Federal Act on Data Protection (FADP) and the Swiss Ordinance

to the Federal Act on Data Protection (DPO), in particular. When processing personal data, the Foundation checks that said personal data is processed lawfully and in accordance with the principles of good faith and proportionality. The data will only be processed as stated when it was procured, in a manner identifiable to the data subject or as provided for by law. Personal data is only procured by the

Foundation for a specific purpose that is apparent to the data subject. Giving due consideration to the technology available and the implementation costs, the Foundation takes appropriate technical and organisational measures to ensure that the personal data processed:

- is only accessible to authorised parties,
- is available when it is needed,
- is not changed unintentionally and/or without authorisation, and
- is processed in a comprehensible manner.

If it becomes apparent that personal data is inaccurate or incomplete, the Foundation will correct, erase or destroy said personal data, unless prohibited by law or regulatory provisions.

5. Bases for personal data processing

Where necessary, the Foundation processes personal data on the following bases:

5.1 Legal basis

The Foundation is obliged to process personal data on the following legal and regulatory bases.

5.2 Consent

Insofar as consent is required for the purpose of processing personal data, the Foundation obtains such consent from the data subject. The consent granted can be revoked at any time. A revocation of consent is only effective from the time of receipt by the Foundation and does not affect the lawfulness of the personal data processing up to the time of revocation. There may be reasons (e.g. based on law) which make it necessary to process the personal data despite the revocation. Revocation may lead to the restriction of certain services or the termination of the business relationship.

6. Storage period for personal data

The Foundation processes and retains personal data for as long as is necessary to fulfil the purpose for which the personal data was collected or to meet contractual or legal obligations.

Insofar as personal data cannot be erased, technical and organisational endeavours are made to ensure that:

- technical and organisational measures are implemented to ensure the integrity of the data, particularly the authenticity and integrity of the data or documents (e.g. digital signature or time stamp). The Foundation also ensures that the data cannot be changed subsequently without such a change going unnoticed;
- the content of the data is traceable at all times
- 'log files' are used to log and document access and logins.

7. Data protection rights

In principle, the data subject has the following rights, unless there is a legal obligation to the contrary:

- Right to access personal data,
- Right to rectify personal data,
- Right to receive personal data,
- Right to personal data portability,
- Right to object to personal data processing in certain circumstances,
- Right to restrict personal data processing,
- Right to withdraw any consent granted for personal data processing,
- Right to the erasure of any personal data collected and to object to its collection.

Insofar as the provision of access, the release or transfer of data involves disproportionate effort, the Foundation may seek compensation for costs incurred up to a maximum of CHF 300.

8. Recipients of personal data

Personal data is only processed by those parties who need such data to fulfil contractual or legal obligations and to protect legitimate

interests. If necessary, service providers and third parties (e.g. outsourcing partners) are granted access to the data. Confidentiality and other legal requirements are respected.

Service providers and third parties as recipients of personal data can include:

- processors (e.g. outsourcing service providers),
- public bodies (e.g. authorities), insofar as a legal or official obligation provides for this.
- Other data recipients for which the customer has granted their consent.

The Foundation uses the services of Lienhardt & Partner Privatbank Zürich AG (hereinafter referred to as 'Bank') to provide its offering. Insofar as personal data is processed by the Bank, the Bank's privacy notice applies. This can be accessed via the following link: <https://www.lienhardt.ch/datenschutz/erklaerung/>

9. International data transfers

Data is not generally transferred internationally. Should personal data be transferred abroad, this transfer takes place in compliance with the legally prescribed provisions and where such a transfer is necessary for the performance of the contract. If overseas processors are used, such processors are obliged to comply with confidentiality requirements and the Swiss Federal Act on Data Protection.

10. Automated processing

The Foundation deploys automated personal data processing in certain circumstances. The Foundation reserves the right to deploy automated personal data processing in the future.

11. Logging of certain personal data processing activities

Insofar as the Foundation automatically processes special categories of personal data on a large scale, the Foundation logs such processing via a technical and organisational measure and governs it internally in its regulations to ensure that the processing activity can be subsequently checked to ensure its conformity with the purpose, for example.

12. Protection of personal data

The protection of personal data is the Foundation's utmost priority. Clients' personal data is subject to confidentiality. Personal data is treated as strictly confidential and is protected to prevent it being accessed by unauthorised third parties. Parties who are not subject to a confidentiality obligation do not have access to the personal data collected. The Foundation also ensures that the recipients of the personal data comply with the applicable data protection provisions.

13. Data relating to the website

13.1 General

The following information explains how the Foundation processes data in relation to its website.

Registration is not a prerequisite for using the Foundation's website. Personal data is only processed by the Foundation to the extent that such processing is necessary for the provision of the services and products offered.

Personal data – with the exception of the IP address – is not automatically collected in conjunction with the procurement of the services on offer. Insofar as personal data is collected, such data must be provided by the data subject themselves.

13.2 Cookies

Cookies are used on the website to make the website attractive to visit and to enable the use of certain features. These cookies are small text files that are stored on the user's end device. Some of the cookies used are deleted at the end of the browser session, i.e. after closing the browser (referred to as 'session cookies'). Other cookies remain on the end device and enable the browser to recognise the user when they next visit the site (referred to as 'persistent cookies'). If cookies are set, they collect and process certain user information – such as browser and location data and IP address details – to a certain user-specific extent. Persistent cookies are automatically deleted

after a predefined period of time. This period may differ depending on the cookie in question.

If cookies stored on the device are to be restricted or blocked, this can be undertaken via the browser settings. Information in this regard is available via the browser's 'Help' function. If cookies are deactivated, some features of the Foundation's website may become unavailable.

13.3 Use of Google Analytics

The Foundation's website uses Google Analytics, a web analytics service provided by Google, Inc (Google). Google Analytics uses cookies. These are text files which are stored on the user's computer and which enable website use to be analysed. The information generated by the cookie about website use (including the IP address) is transferred to Google and stored by Google on servers in the United States of America. If IP anonymisation is activated on the website, Google truncates the IP address beforehand within the member states of the European Union (EU) or in other contracting states of the Agreement on the European Economic Area (EEA). Only in exceptional cases is the full IP address transferred to a Google server in the USA and truncated there.

Google uses this information for the purpose of evaluating the use of the Foundation's website, compiling reports on website activity for website operators and providing other services relating to website and internet usage. Google may also transfer this information to third parties if required to do so by law, or if third parties process this data on Google's behalf. Google does not link the IP address to any other data held by Google. Further information about terms of use and data protection are available on the Google Analytics website. The Foundation expressly refers to the fact that the code 'AnonymizeIP' has been added to Google Analytics on this website to ensure anonymised recording of IP addresses (referred to as 'IP masking').

By using the Foundation's website, the user consents to Google's processing of the data collected in the manner and for the purposes set out above.

13.4 Use of Google Maps

The Foundation's website uses Google Maps, a web service provided by Google Inc. (Google) to display interactive (country) maps in order to visually depict geographical information. Using this service enables the Foundation's registered office to be displayed and directions to be provided. Each time the Google Maps component is accessed, a cookie is set by Google to process user settings and data when displaying the page on which the Google Maps component is integrated. In general, this cookie is not deleted when the browser is closed, but expires after a certain period of time unless the user deletes it manually beforehand.

If the user of the website does not consent to such data processing, the Google Maps service can be deactivated, which will prevent data from being transferred to Google. The browser's Javascript function must be deactivated to this end. This may mean that some of the website's features will not work properly.

The use of Google Maps and the information obtained via Google Maps is subject to the Google Terms of Service and the Additional Terms of Service for Google Maps. Further information about the terms of use and data protection are available on the Google Maps website.

14. Reservation of the right to make changes

The Foundation reserves the right to adapt the Privacy Notice at any time in compliance with data protection law. The current version of this Privacy Notice is available on the Foundation's website.

15. Contact details

The Foundation is the controller vis-à-vis the processing of personal data. Please direct data protection enquiries to:

The simply3a Foundation

Zurich, July 2023