

# EFG Wealth Solutions (Jersey) Privacy Policy

## Our Commitment to Protecting Your Personal Data

EFG Wealth Solutions (Jersey) Limited, including representative offices and branches wherever located, (together or separately, “we”, “us”, “our”, “EFG” or “EFG Group”) is committed to protecting the Personal Data and Special Category Data of our data subjects (“you”), and maintaining your privacy. In the ordinary course of our business, and on an ongoing basis, you entrust us with important information (such as, without limitation, data that can be used to identify an individual), and we take our responsibility for protecting and safeguarding this information seriously. In this respect, we endeavour to adhere to and comply with the strictest standards of security and confidentiality that are set forth in the EU Data Protection Directive 95/46/EC (effective until 25 May 2018) and the General Data Protection Regulation (EU) 2016/679 (“GDPR”) (effective on and from 25 May 2018), including any applicable legislation which substantially replaces, supersedes or applies the operation of the foregoing as if it were part of national law (together, the “Data Protection Laws”). This privacy policy sets out our standards for protecting your Personal Data and Special Category Data in relation to its collection, handling, processing, storage, use, transportation and destruction by us and any third party dealing with your Personal Data or Special Category Data on our behalf, including any affiliates. We require that all members of staff, and any third party dealing with Personal Data or Special Category Data on our behalf, comply fully with the terms of this privacy policy and any other instructions relating to data protection that may be issued or updated by us from time to time.

Where EFG transfers your personal data outside of Switzerland, the European Union (“EU”), the European Economic Area (“EEA”) or Jersey or Guernsey, such as to EFG entities or affiliates in the Americas and Asia, we will take all steps necessary to ensure that your personal data is kept secure and treated in accordance with this privacy policy and the requirements of applicable law wherever the data is located. Where applicable, the EFG Group will ensure that appropriate transfer agreements and mechanisms (such as Standard Contractual Clauses (defined below)) are in place to help ensure that our third party service providers, including those outside of the EEA, provide an adequate level of protection to your Personal Data. If you would like further information about these agreements or mechanisms, please contact us.

## Definitions

For purposes of this privacy policy, please note the following definitions will apply:

**"Personal Data"** and **"Special Category Data"** have the meaning given to them in the Data Protection Laws;

**"Process/Processing"**, **"Data Controller"**, **"Data Processor"**, **"Data Subject"**, and **"Personal Data Breach"** shall have the same meanings as in the Data Protection Laws;

**"Standard Contractual Clauses"** means the standard contractual clauses as approved pursuant to Commission Decision of 5 February 2010 (on standard contractual clauses for the transfer of personal data to processors established in third countries under Directive 95/46/EC of the European Parliament and the Council), the standard contractual clauses as approved pursuant to Commission Decision of 27 December 2004 (on standard contractual clauses for the transfer of personal data to controllers established in third countries under Directive 95/46/EC of the European Parliament and the Council) or any set of standard contractual clauses which substantially amends, replaces or supersedes the foregoing; and

**"Sub processor"** means any Data Processor appointed by the EFG Group, which may include an affiliate.

## Privacy Policy Statement

We wish to inform you that any Personal Data or Special Category Data we obtain from or concerning you will be collected, handled, processed, stored, used, transported and destroyed in accordance with EFG Group’s legal and regulatory obligations, books and recordkeeping policies and this privacy policy. We may collect Personal Data or Special Category Data about you either directly, from third parties such as financial advisers, authorised representatives or joint clients, or from publically available sources (e.g. the Internet and social media websites). As such, the applicable EFG entity will be the Data Controller. EFG Group entities may also process your Personal Data or Special Category Data as a Data Processor or even Sub-processor, on behalf of another EFG Group entity acting as Data Controller, depending on the respective entity’s role in the collection, handling, processing, storage, use, transport and destruction of such data, if any. EFG Group entities may also process your Personal Data or Special Category Data as a Data Processor or even Sub-processor, on behalf of a third

party (i.e. a non-EFG Group entity) acting as Data Controller. Where this is the case, the applicable EFG Group entity will comply with the Data Protection Laws, but such processing may otherwise be governed by the third party's privacy policy.

Generally, we collect, handle, process, store, use and transport your Personal Data and Special Category Data for the purposes of (1) providing the products and services that you have requested (including where you have requested products and services from multiple EFG Group entities), (2) administering your account(s) and mandates, (3) administering and maintaining your electronic communications with us (e-mail, fax and telephone), (4) identifying and offering suitable products and services (as you may request from time to time), (5) managing risk on a local and consolidated basis, (6) meeting requests or demands for information from authorities or third-parties, (7) meeting applicable legal and regulatory requirements, (8) and endeavouring to adhere to industry best practices (the "**General Processing Purposes**"). In processing your Personal Data and Special Category Data for the General Processing Purposes, the primary legal grounds that we will rely on are that:

- (i) the processing is necessary to comply with your request for products or services as required by our contract with you, or in order for us to take steps at your request before entering into such contract; and/or
- (ii) the processing is necessary for our legitimate business interests, namely fraud prevention, ensuring network and information security, identifying possible criminal acts or threats to public security and adherence to industry best practice.

There may also be circumstances where we also rely on other valid legal grounds for the General Processing Purposes. These include your express consent in the case of administering and maintaining electronic communications and any accounts you hold with us, or our compliance with a legal obligation in the case of meeting requests from information from authorities.

We destroy documents and information that may contain your Personal Data and Special Category Data in accordance with our record retention policies that apply to specific types of records. These are subject to periodic review. However, as a general principle, we will retain your Personal Data until your last use or purchase of our products and services and for a minimum period of 5 years thereafter, unless longer retention is required by applicable local law or where we have a legitimate and lawful purpose to do so. Notwithstanding the foregoing, unless you indicate in writing to the contrary, we reserve the right to destroy documents containing your Personal Data immediately upon your last use or purchase of our products and services.

EFG Group entities may also use your Personal Data or Special Category Data to (1) confirm your identity, reputation, educational background, and source of funds; (2) to improve service levels being provided to you; (3) to administer our business; (4) to maintain our records; (5) to communicate with you (including sending alerts, notifications, updates, content or information); (6) to conduct analysis and better understand client behaviors on a statistical basis as well as specific interactions; (7) to enhance and support our operations; (8) to conduct audits; (9) to manage our risks; to carry out servicing, maintenance and security of your accounts (including e-Banking); (10) to market our products and services; (11) to tailor our offerings to you; (12) and to the extent necessary to comply with court orders, law, rules, regulations, codes of practice, guidelines or requests applicable to us (including reporting to regulators, trade depositories, or responding to requests from law enforcement authorities or governmental agencies)("Specific Processing Purposes" and, together with the General Processing Purposes, the "**EFG Group Processing Purposes**"). Our primary legal grounds for the Specific Processing Purposes are that:

- (i) the processing is necessary for compliance with a legal obligation to which we are subject; and
- (ii) the processing is necessary for our legitimate business interests, namely fraud prevention, ensuring network and information security, identifying possible criminal acts or threats to public security and enhancing and supporting our operations.

There may also be circumstances where we also rely on other valid legal grounds for the Specific Processing Purposes. These include where we have sought your express consent to send you alert notifications, and where the processing is necessary in order to perform our contract with you (such as, for example, in the case of confirming your identity, source of wealth or credit worthiness).

EFG Group products and services include financial, banking, fiduciary, securities, advisory, asset management, investment products and services, including but not limited to derivatives, securities trading, commodity, equity and fixed income sales, prime services (including execution, brokerage, settlement, give-up, clearing, custody, reporting and financing services), mortgages and a variety of other lending products.

With a view towards the EFG Group Processing Purposes, and without further notice to you, EFG Group may collect, handle, process, store, use and transport your Personal Data and Special Category Data, including through one of our affiliates, third-party service providers, regulators and other authorities, which may or may not be within the EEA, Jersey or Guernsey. Further, please be advised that EFG Group entities may engage each other as well as other

affiliates and third-party service providers as Sub processors for services relevant to the EFG Group Processing Purposes whilst we endeavor to consolidate all information about how we use your Personal Data in this privacy policy.

Further information about the purposes for which we may use your Personal Data or Special Category Data may be contained in privacy notifications provided to you on or before collection of your Personal Data or Special Category Data, within our agreements with you, or our terms and conditions which govern our relationship with you. Any processing of your Personal Data or Special Category Data will be only for EFG Group Processing Purposes or for any other purposes specifically permitted by applicable Data Protection Laws. If it becomes necessary to change the purpose(s) for which the data is processed, we will inform you of the new purpose(s) and, if required, obtain your consent before any processing occurs.

### **Direct Marketing**

We will not use your Personal Data or Special Category Data for marketing purposes unless you have given us your express consent to do so under the relevant Data Protection Laws.

Even if you have previously given us your express consent to use and disclose your Personal Data for the above direct marketing purposes, you may withdraw your consent at any time free of charge by contacting us. The withdrawal of your consent will be processed and will take effect as soon as possible.

### **Cookies**

Cookies are small files which are stored on your computer or device to keep track of your visit to the website and your preferences; as you move between pages, and sometimes to save settings between visits. Cookies help us gather statistics about how often people visit certain areas of the site, and help in tailoring websites to be more useful and user-friendly. For more information on cookies, and for information on how to control and delete cookies from your browser, please visit [www.aboutcookies.org](http://www.aboutcookies.org) or [www.allaboutcookies.org](http://www.allaboutcookies.org).

We may use cookies on this site to collect information pertaining to your usage of the site, improve user experience and to facilitate your movement within the site. In addition, the cookies we store on this site may be used to:

- track the number, and type of visits to the site and its pages, in order for us to determine which parts of the site are working well, and which need improvement;
- store your preferences such as your preferred

language;

- gather statistics on the number of users and their usage patterns; and
- improve the speed and performance of the site.

By accessing this site you agree to our use of cookies for these purposes.

### **Links to Third-Party Sites**

This site may contain hyperlinks to other websites that are not operated or controlled by the EFG Group, including the sites of regulators or the companies that host these pages. These sites and the persons that control them are not subject to this privacy policy. Further, to the extent you access their sites via the links on this site, we are not responsible for their content, their treatment of your data or their use of web bugs or cookies.

### **Call Recordings**

We may collect Personal Data and Special Category Data about you as a result of us recording telephone calls which our employees may have with you, and store those recordings, in order to satisfy our legal and regulatory obligations and (in relation to Personal Data) pursuant to our legitimate business interests in managing risk and compliance issues and improving client experiences and service levels.

### **Electronic Communications**

We are pleased to offer the convenience of having account-related information as well as account documents, including, but not limited to, statements and advices, regulatory notices and disclosures, electronically communicated to you (the "Account Documents"). Any Account Document delivered electronically will contain the same information as a paper version of the same document, and at any time you may request a paper copy of any electronic version of a document.

Sending private and confidential information via e-mail or fax involves the use of insecure channels and carries enhanced risk of unauthorized third-party access as well as potential misuse of such information.

Please be advised that all private and confidential account information, including Account Documents, sent via electronic communication will be deemed to be good and effective delivery to you when sent by the EFG Group, regardless of whether or not you actually or timely receive such communications or are able to access the Account Documents. The EFG Group will communicate with you via the numbers, accounts or address(es) (physical and electronic) you have provided to us, and you must promptly notify the EFG Group of any changes thereto. If we receive notification that an electronic communication is undeliverable, or if we reasonably believe that your

designated accounts, numbers or addresses have been compromised, or if we reasonably believe that you are not receiving or accessing electronically delivered communications or Account Documents, we may discontinue electronic communications without notice to you and provide delivery of communications and Account Documents exclusively to your designated mailing address listed, even if you had previously elected to be a 'Paperless' client. It is your responsibility to promptly notify the EFG Group if any of your designated numbers, e-mail accounts or addresses have been compromised.

We do not charge for any electronic delivery service. However, you may incur costs associated with electronic access to documents, such as usage or data charges from an Internet access provider and/or telephone company. An e-mail account and access to an Internet browser will be required in order to communicate electronically with the EFG Group, and in order to review Account Documents that require PDF readers, options such as Adobe Acrobat Reader®, Acrobat® software are available for download free of charge. If you wish to print documents, you must have access to a printer, the costs of which are your sole responsibility. In order to access password protected or encrypted Account Documents on mobile devices or otherwise, you may be required to download and install WinZip for iOS, RAR/And or Zip for Android or other software as instructed by the EFG Group entity where you have your accounts.

Internet-based communication is not secure from access by third parties and by engaging in electronic communications with the EFG Group you are accepting the risk that such communications or web-based account access may be intercepted, misused and may fail to be received by you or the EFG Group. In accordance with industry standards and practices, and to comply with our legal and regulatory retention requirements, the EFG Group retains e-mail messages for a period of time in accordance with our established policies, guidelines and procedures. Those messages are kept confidential and are accessed and used in accordance with our policies, guidelines and procedures.

The privacy and security of electronic communications cannot be guaranteed and presents inherent and prevalent security risks including the risk of interception and misuse. Further, actual delivery of electronic communications is not guaranteed, and communication by mobile text, Bloomberg messaging, e-mail or fax maybe subject to delay or even mis-delivery. The EFG Group may rely on and act in good faith upon receipt of electronic communications from the designated numbers, addresses and accounts detailed above, and shall not be required to make any enquiries as to the authenticity of such instructions or to the authority or identity of the person making or purporting to make the instructions. It is your responsibility to confirm that the EFG Group has executed

any instructions you send electronically, including any securities orders or payment instructions, to the extent receipt of your instructions is not otherwise acknowledged as accepted by the EFG Group, in order to prevent losses, including any opportunity cost, to you. The EFG Group will not be liable to you for any actual or alleged loss due to the EFG Group executing instructions received from the designated numbers, accounts and addresses set forth above, inability to timely execute instructions sent by you electronically where delivery of your communication is delayed, fails to be received or is inadvertently misdirected due to our security filters or other factors.

### **Your Rights**

Under applicable Data Protection Laws you have certain rights that may include the right to limit how your Personal Data or Special Category Data is processed. You have the right to decline providing information we may request but we may not be able to make certain products and services available as a result.

In addition, you may, where permitted under the Data Protection Laws:

- check whether we hold your Personal Data or Special Category Data;
- ask us to provide you with a copy of your Personal Data or Special Category Data;
- ask us how we process, maintain and share your Personal Data or Special Category Data;
- require us to correct any of your Personal Data or Special Category Data that is inaccurate, under certain circumstances;
- request the deletion of your Personal Data or Special Category Data so long as the EFG Group is not required to retain such information in order to meet its legal or regulatory obligations, manage risks or business purposes;

Should you have a request regarding the processing of your Personal Data please contact us. Further, if you wish to enforce any of your rights please contact the relevant Data Protection Officer, Privacy Officer or Compliance Department of the EFG Group entity you have a relationship with. If you are concerned that EFG Group has not complied with your legal rights, you may contact the Office of the Information Commissioner in Jersey, The Office of the Data Protection Commissioner in Guernsey or the data protection authority located in the particular jurisdiction where you reside. If you are dissatisfied with a determination made by a data protection authority, you may lodge an appeal against that determination.

This privacy policy constitutes an important part of any

agreements, mandates or other binding arrangements we may have or enter into with you from time to time, and amended versions reflecting changes may be posted on this site from time to time. Please make sure that you regularly reference this site in order to remain aware of changes to our policies.

However, nothing in this privacy policy or any amended version will serve to limit your rights under applicable Data Protection Laws.