



## DATA PRIVACY NOTICE

FF Marcuard SA takes your privacy seriously. FF Marcuard SA adheres to high data protection standards as well as transparency of personal data collection and processing for our clients. This privacy notice contains general information on what personal data we collect, what we do with that information, and what rights you have.

### 1. Processing and categories of personal data

Within the framework of the provision of the services to you, FF Marcuard SA is required to obtain and to process your personal data, information about authorized persons, your partners, advisors and related persons and/or beneficial owner(s) / beneficiary(-ies). In particular, FF Marcuard SA, depending on the service provided to you (if any), collects and processes personal data about you including, but not limited to:

- personal details such as your name, identification number, date of birth, KYC documents (including a copy of your national identity card or passport), phone number physical and electronic address, and family details such as the name of your spouse, partner or children;
- financial information, including payment and transaction records and information relating to your bankable and non-bankable assets, financial statements, liabilities, taxes, revenues, earnings and investments (including your investment objectives);
- tax domicile and other tax-related documents and information;
- where applicable, professional information about you, such as your job title and work experience;
- your knowledge of and experience in investment matters;
- various records related to our services provided to you;
- identifiers we assign to you, such as your client or account number;
- when you access [www.marcuardticino.com](http://www.marcuardticino.com), data transmitted by your browser and automatically recorded by our server, including the date and time of the access, name of the accessed file as well as the transmitted data volume and the performance of the access, your web browser, browser language and requesting domain, and IP address. Please consult [www.marcuardticino.com](http://www.marcuardticino.com) website for additional information related to cookies;

and any other information required to be obtained under the applicable laws (hereinafter altogether referred to as **personal data**).

In some cases, we collect this information from public sources (e.g. official company register, press, and the internet) or third-party sources, such as due diligence service providers (e.g. name checking data base) or share it within the **Marcuard Heritage Group** (incl. FF Marcuard SA's sister companies and/or any of its subsidiaries and/or affiliates).

In case, where you provide us with personal data of any affected person, you should provide a copy of our Data Privacy Notice to those individuals.

FF Marcuard SA limits the type and amount of data collected to the level required for the provisions of our services rendered to you and to be in line with our legal obligations.

### 2. Legal basis for and purpose of processing of personal data

We always process personal data for a specific purpose and only process the personal data, which is relevant to achieve that purpose. In particular, we process personal data for the following purposes:

#### a. For fulfilment of contractual obligations

Personal data is processed in order to provide you with financial intermediary services such as asset management, investment advisory, reporting, concierge and other services (hereinafter "**services**"). Further, we process personal data to carry out pre-contractual measures that occur as part of a request from an interested party.

We also process your personal data in the scope of managing of our relationship with you, including communicating with you in relation to the services you obtain from FF Marcuard SA.

#### b. In the context of balancing interests or of the public interest

Where required, we process your data for the purposes of the legitimate interests pursued by us or a third party, or required due to statutory provisions or in the public interest. In particular we process personal data for:

- meeting our on-going regulatory and compliance obligations (laws applicable to financial sector e.g. anti-money-laundering law), including in relation to recording and monitoring communications, disclosures to tax authorities, financial service regulators and other regulatory and governmental bodies;
- risk control;
- valuation and enhancement of IT security and IT operation;
- ensuring the safety of our customers, employees and shareholders;
- any other purposes we notify to you from time to time.

### 3. Personal data transfer and sharing

We share your personal data within the Marcuard Heritage Group, with external service providers or authorities in the course of conducting our usual



business, or if legal, regulatory or market practice requirements demand it to the following external recipients, or if you have given your consent (e.g. to process a financial transaction you have ordered us to fulfil). This may affect the transfer of personal data to third parties in Switzerland or abroad for the processing, storing, retention, printing, evaluation, management, etc. of such personal data. In particular, we may share your personal data:

#### **a. Within the Marcuard Heritage Group**

We may share your personal data within the Marcuard Heritage Group where required to fulfil our contractual and statutory or legal obligations, in connection with any services offered by FF Marcuard SA or if we outsource some of our business areas and services in full or in part. We will implement appropriate organizational and technical safeguards to protect the personal data for which we act as data controller at all times;

#### **b. With third parties**

When providing services to you, we may share personal data with persons acting on your behalf or otherwise involved in the transaction (depending on the type of service you receive from us), including, where relevant the following third parties: payment recipients, beneficiaries, account nominees, intermediaries, banks, correspondent and agent banks, stock exchanges and other financial institutions;

#### **c. With authorities**

If required from time to time, we may disclose personal data to authorities, regulators or governmental bodies, including when required by law or regulation, or when these authorities or bodies require us to do so;

#### **d. With external service providers**

We may transfer your personal data to service providers and agents appointed by us for the purposes given. These are companies in the categories of banking services, IT services, accounting, logistics and telecommunications. When we do so, we take steps to ensure they meet our data security standards, so that your personal data remains secure.

The recipients referred to above may be located outside Switzerland. When transferring personal data internationally we make sure that we comply with applicable laws and regulations, for example, by entering into agreements, which will ensure that the recipients of your information maintain an adequate level of data protection.

### **4. How long we store your personal data**

FF Marcuard SA will only retain personal data for as long as necessary to fulfil the purpose for which it was collected or to comply with legal, regulatory or internal

policy requirements. To help us do this, we apply criteria to determine the appropriate periods for retaining your personal data depending on its purpose, such as proper account maintenance, facilitating client relationship management, and responding to legal claims or regulatory requests.

In general, FF Marcuard SA will retain personal data for the period of your relationship or contract with us plus 10 years, reflecting the length of time for which legal claims may be made following the termination of such relationship or contract. An ongoing or anticipated legal or regulatory proceeding may lead to retention beyond this period.

### **5. Your rights**

You have a right to get access and obtain information about the purpose for which personal data is processed, stored and to obtain information about recipients with whom FF Marcuard SA shares your personal data.

You have a right to ask FF Marcuard SA to rectify inaccurate personal data we collect and process and the right to request restriction of your personal data pending such a request being considered.

You have a right to ask us to stop processing your personal data, or to request deletion of your personal data – these rights are not absolute (as sometimes there may be overriding interests that require the processing to continue), but we will consider your request and respond to you with the outcome.

Where we process your personal data on the basis of your consent, or where such processing is necessary for entering into or performing our obligations under a contract with you, you may have the right under the applicable data protection laws to request your personal data be transferred to you or to another controller. You have the right to ask us for a copy of some or all of the personal data we collect and process about you.

### **6. Exercising your rights, and complaints**

If you are not satisfied with any aspect of the processing of your personal data by FF Marcuard SA, you can contact us by email at:

[info@ffmarcuard.com](mailto:info@ffmarcuard.com)

or via mail at:

*FF Marcuard SA  
Via Nassa 56  
6900 Lugano  
Svizzera*

If you are not satisfied with FF Marcuard SA's response, you may have the right to make a complaint to the data protection authority in the jurisdiction where you live or work, or in the place where you think an issue in relation to your data has arisen.



**FF MARCUARD SA**  
A MEMBER OF THE MARCUARD HERITAGE GROUP

## **7. Security note**

FF Marcuard SA ensures an appropriate level of security while processing your personal data. We have in place appropriate technical and organisational measures to prevent unauthorised or unlawful access to the personal data you have provided to us. As complete data security cannot be guaranteed for communication via e-mails, instant messaging, and similar means of communication, we would recommend sending any particularly confidential information by an alternative secure means.

## **8. Further Information**

FF Marcuard SA processes your personal data both in its role as a data controller and a data processor, lawfully, fairly and in particular considering the legitimate purpose for which it has been collected.

We are committed to keeping your personal data accurate and up to date. Therefore, if your personal data changes, please inform us of the change as soon as possible.

## **9. Status of this privacy notice**

This privacy notice has been updated in May 2018. It is a notice explaining what FF Marcuard SA does, rather than a document that binds FF Marcuard SA or any other party contractually. We reserve the right to amend it from time to time. If the notice has been updated, we will take steps to inform you of the update by appropriate means, depending on how we normally communicate with you, such as through your account statement.