

# ARCUS

## Internal data protection policy

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### Introduction

This data protection policy (the "Rules") is adopted by the Board of Directors of Arcus Finance SA (hereinafter: "the Company") in application of article 716b al.2 and 3 of the Code of obligations (hereinafter: CO), articles 9 and 21 FinIA (hereinafter: FinIA), as well as the articles of association of the Company. This Data Protection Policy explains how the company collects data from data subjects. In addition, this policy describes what the company does with this data when people are in contact with our company within a framework contract or when they communicate with us in any other way.

### Data collection

As part of its activities, the company is required to collect and process the personal data of its customers and prospects, as well as people related to them (beneficial owner, control holder, agent, etc.). Personal data means information which relates to an identified or identifiable natural person.

There are several types of data that may be processed by the company, including:

- *Identification data (for example : surname, first name, date of birth, gender, region of residence, identifier, access data, contract number, identity document/passport number, telephone number, address email), authentication data (for example: specimen signature, password),*
- *Data related to transactions/investments (for example: contact details of the beneficiary or principals, communications)*
- *Contractual data (for example: data linked to a product, a financial service or a request/granting of credit), data linked to family status (for example: marital status, matrimonial regime, heirs*
- *Professional data (professional contact details, professional activity carried out, employers)*
- *Financial data (extract from the register of the prosecution office, income, assets).*

### Source, consent, reason to know

The personal data processed by the company comes directly from the data subject and within the framework of the contractual relationship with the person (Consent of the reporting person). The data held by us may also come from authorized third parties (for example: business provider, competent authorities), or by searching for information in public databases (for example: commercial register, land register, research database...)

### Purpose of processing

The company processes your data for the conclusion, administration and execution of **contractual relationships**. It may also process your data for **security and statistical purposes**.



## **Communication and personal data**

### Communication with third parties

As part of its mandates and the execution of contracts, the company may be required to communicate and exchange data with third parties, namely:

- third parties involved in the relationship or acting on behalf of the client, such as a financial infrastructure operator, a broker, a custodian bank or an issuer;
- outsourced service providers, such as IT, hosting, accounting, compliance or risk management service providers;
- providers of monitoring, analysis or consulting services.

In order to guarantee a level of security in accordance with the law, the company subjects its service providers to a contractual obligation to guarantee the confidentiality of the personal data they process and ensures proper compliance with it.

### Communication to authorities

Upon request from public, judicial, or administrative authorities, or regulatory or governmental bodies, personal data may be transferred to them. A legal basis or decision will always justify such transfer.

### Communication abroad

The company may disclose, transfer and/or store personal data outside Switzerland:

- in the context of the conclusion or execution of contracts linked directly or indirectly to the business relationship, for example in the context of outsourcing,
- if such a transfer is necessary to safeguard an overriding public interest,
- if such transfer is necessary to enable the company to establish, exercise or defend itself against a current or future claim, or to enable the company to face an investigation by a public authority, in Switzerland or abroad; or
- in exceptional cases, when such a transfer is provided for by the applicable regulations (in particular in order to comply with obligations regarding announcements of stock market transactions).

If such a transfer of personal data is carried out to a jurisdiction which does not offer an adequate level of protection of personal data, the company will ensure that it obtains the consent of the customer or puts in place appropriate guarantees, in particular commitments contractual agreements in order to guarantee secure and confidential treatment.

## **Data security and privacy**

The company gathers and handles personal data in compliance with the DPA and adheres to confidentiality obligations inherent to its industry.

## **Data retention**

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. Generally, the company retains personal data for a period of 10 years from the end of the business relationship. A longer retention period may be justified in situations that require it.



## Personal rights

Any concerned individual holds the following rights regarding their personal data, within the limits of applicable regulations, particularly in cases of legal restriction, overriding interests of third parties, or abusive requests:

- right to access personal data
- right to have them rectified when they are inaccurate or incomplete
- right to object to their processing and / or request limitation of their processing
- right to request their deletion. The right to deletion is, however, not absolute and may be restricted depending on overriding interests which require the continued processing of personal data.

Any concerned individual can exercise the aforementioned rights by addressing the company in writing at the address below. The request must be signed and accompanied by a copy of the concerned individual's identification document.

## Contact

The company is responsible for data processing under this Data Protection Policy, unless otherwise legally required. You can contact us for data protection inquiries and to exercise your rights at the following address (postal and email address) or online contact form:

Arcus Finance SA  
Rue Ferdinand-Hodler 23  
Case postale  
CH – 1211 Genève 3

**Mail** : [dir@arcus-fin.ch](mailto:dir@arcus-fin.ch)

La présente Directive est entre en vigueur le **01.09.2023**

