

Privacy Policy of AS COMPLIANCE

Version effective as of 16.05.2023

With this Privacy Policy we, AS Compliance Consulting GmbH, Mettelacher 10, 8126 Zumikon, Switzerland (hereinafter «**AS Compliance**», «**we**» or «**us**»), describe how we collect and further process personal data. This Privacy Policy is not necessarily a comprehensive description of our data processing. It is possible that other privacy policies or general terms and conditions, mandate/delegation agreements or similar documents are applicable to specific circumstances.

The term «**personal data**» in this Privacy Policy shall mean any information that identifies, or could reasonably be used to identify any person.

If you provide us with personal data of other persons (such as beneficial owners, employees, family members, work colleagues), please make sure the respective persons are aware of this Privacy Policy and only provide us with their data if you are allowed to do so and such personal data is correct.

This Privacy Policy is aligned with the EU General Data Protection Regulation («**GDPR**») and the Swiss Data Protection Act («**DPA**») in their currently valid forms and contents. However, the application of these laws depends on each individual case.

1. **Controller / Data Protection Officer / Representative**

The "controller" of data processing as described in this Privacy Policy (i.e., the responsible person) is AS Compliance unless we have informed you differently in certain cases (e.g., in form of a data processing agreement that defines AS Compliance as the "processor"). You can notify us of any data protection related concerns using the following contact details: Mettelacher 10, 8126 Zumikon, Switzerland, info@as-compliance.com.

2. **Collection and Processing of Personal Data**

We primarily process personal data that we obtain from our clients and other business partners as well as other individuals in the context of our business relationships with them or that we collect from users when operating our social media sites (in particular www.linkedin.com/company/as-compliance/).

Insofar as it is permitted to us, we obtain certain personal data from publicly accessible sources (e.g., debt registers, land registries, commercial registers, press, internet) or we may receive such information from authorities or other third parties (such as e.g., credit rating agencies, list brokers). Apart from data you provided to us directly, the categories of data we receive about you from third parties include, but are not limited to, information from public registers, data received in connection with administrative or court proceedings, information in connection with your professional role and activities (e.g., in order to conclude and carry out contracts with your employer), information about you in correspondence and discussions with third parties, credit rating information (if we conduct business activities with you personally), information about you given to us by individuals associated with you (family, consultants, legal representatives, etc.) in order to conclude or process contracts with you or with your involvement (e.g. references, powers of attorney), information regarding legal regulations such as anti-money laundering and export restrictions, bank details, information regarding insurances, information about you found in the media or internet (insofar as indicated in

the specific case, e.g. in connection with job applications, media reviews, marketing/sales, etc.), your address and any interests and other socio-demographic data (for marketing purposes), data in connection with your use of our websites (e.g., IP address, MAC address of your smartphone or computers, information regarding your device and settings, cookies, date and time of your visit, sites and content retrieved, applications used, referring website, localization data).

3. Purpose of Data Processing and Legal Grounds

We primarily use collected data in order to conclude and process contracts with our clients and business partners, in particular in connection with advising our clients in the fields of regulatory, compliance, risk management and internal control system and the provision of further advisory services, as well as in order to comply with our legal obligations. You may be affected by our data processing in your capacity as an employee of such a client or business partner or otherwise.

In addition, in line with applicable law and where appropriate, we may process your personal data and personal data of third parties for the following purposes, which are in our (or, as the case may be, any third parties') legitimate interest, such as:

- providing and developing our products, services and websites;
- communication with you and processing of your requests (e.g., job applications);
- review and optimization of procedures regarding needs assessment for the purpose of direct customer approach as well as obtaining personal data from publicly accessible sources for customer acquisition;
- advertisement and marketing (including organizing events), provided that you have not objected to the use of your data for this purpose (if you are part of our customer base and you receive our advertisement, you may object at any time and we will place you on a blacklist against further advertising mailings);
- asserting legal claims and defense in legal disputes and official proceedings;
- prevention and investigation of criminal offences and other misconduct (e.g. conducting internal investigations, data analysis to combat fraud);
- ensuring our operation, including our IT and our websites;
- acquisition and sale of business divisions, companies or parts of companies and other corporate transactions and the transfer of personal data related thereto; and
- measures for business management and compliance with legal and regulatory obligations as well as internal regulations of AS Compliance.

If you have given us your consent to process your personal data for certain purposes (for example when registering to receive newsletters or carrying out a background check), we will process your personal data within the scope of and based on this consent, unless we have another legal basis, provided that we require one. Consent given can be withdrawn at any time, but this does not affect data processed prior to withdrawal.

4. Cookies / Tracking and Other Techniques Regarding the Use of our Website

We typically use "cookies" and similar techniques on our websites, which allow for an identification of your browser or device. A cookie is a small text file that is sent to your computer and automatically saved by the web browser on your computer or mobile device, when you visit our website. If you revisit our website, we may recognize you, even if we do not know your identity. Besides cookies that are only used during a session and deleted after your visit of the website ("session cookies"), we may use cookies in order to save user configurations and other information for a certain time

period (e.g., two years) ("permanent cookies"). Notwithstanding the foregoing, you may configure your browser settings in a way that it rejects cookies, only saves them for one session or deletes them prematurely. Most browsers are preset to accept cookies. We use permanent cookies for the purpose of saving user configuration (e.g., language, automated log in), in order to understand how you use our services and content, and to enable to show you customized offers and advertisement (which may also happen on websites of other companies; should your identity be known to us, such companies will not learn your identity from us; they will only know that the same user is visiting their website has previously visited a certain website). Certain cookies are sent to you from us, others from business partners with which we collaborate. If you block cookies, it is possible that certain functions (such as, e.g., language settings, shopping basket, ordering processes) are no longer available to you.

In accordance with applicable law, we may include visible and invisible image files in our newsletters and other marketing e-mails. If such image files are retrieved from our servers, we can determine whether and when you have opened the e-mail, so that we can measure and better understand how you use our offers and customize them. You may disable this in your e-mail program, which will usually be a default setting.

By using our websites and consenting to the receipt of newsletters and other marketing e-mails you agree to our use of such techniques. If you object, you must configure your browser or e-mail program accordingly or uninstall the app, should the respective setting not be available.

We may use Google Analytics or similar services on our website. These are services provided by third parties, which may be located in any country worldwide (in the case of Google Analytics Google Ireland Ltd. (located in Ireland), Google Ireland relies on Google LLC (located in the United States) as its sub-processor (both «Google»), www.google.com) and which allows us to measure and evaluate the use of our website (on an anonymized basis). For this purpose, permanent cookies are used, which are set by the service provider. We have configured the service so that the IP addresses of visitors are truncated by Google in Europe before forwarding them to the United States and then cannot be traced back. We have turned off the «Data sharing» option and the «Signals» option. Although we can assume that the information we share with Google is not personal data for Google, it may be possible that Google may be able to draw conclusions about the identity of visitors based on the data collected, create personal profiles and link this data with the Google accounts of these individuals for its own purposes. If you have registered with the service provider, the service provider will also know your identity. In this case, the processing of your personal data by the service provider will be conducted in accordance with its data protection regulations. The service provider only provides us with data on the use of the respective website (but not any personal information of you).

5. **Datatransfer and Transfer of Data Abroad**

In the context of our business activities and in line with the purposes of the data processing set out in Section 3, we may transfer data to third parties, insofar as such a transfer is permitted and we deem it appropriate, in order for them to process data for us or, as the case may be, their own purposes. In particular, the following categories of recipients may be concerned:

- our service providers, including processors (such as e.g. IT providers);
- dealers, suppliers, subcontractors and other business partners;
- clients;

- domestic and foreign authorities (including, without limitation, supervising authorities like FINMA) or courts;
 - acquirers or parties interested in the acquisition of AS Compliance or business divisions or other parts of AS Compliance;
 - other parties in possible or pending legal proceedings.
- together **Recipients**.

Certain Recipients may be within Switzerland, but they may be located in any country worldwide. In particular, you must anticipate your data to be transmitted to other countries in Europe and the USA where our service providers are located (such as Microsoft, Google).

If a recipient is located in a country without adequate statutory data protection (like the USA), we require the recipient to undertake to comply with an adequate level of data protection (for this purpose, we use the revised European Commission's standard contractual clauses, which can be accessed here: https://eur-lex.europa.eu/eli/dec_impl/2021/914/oj), unless the recipient is subject to a legally accepted set of rules to ensure an adequate level of data protection and unless we cannot rely on an exception. An exception may apply for example in case of legal proceedings abroad, but also in cases of overriding public interest or if the performance of a contract requires disclosure, if you have consented or if data has been made available generally by you and you have not objected against the processing.

6. Retention Periods for your Personal Data

We process and retain your personal data as long as required for the performance of our contractual obligation and compliance with legal obligations or other purposes pursued with the processing, i.e. for the duration of the entire business relationship (from the initiation, during the performance of the contract until it is terminated) as well as beyond this duration in accordance with legal retention and documentation obligations. Personal data may be retained for the period during which claims can be asserted against our company or insofar as we are otherwise legally obliged to do so or if legitimate business interests require further retention (e.g., for evidence and documentation purposes). As soon as your personal data are no longer required for the above-mentioned purposes, they will be deleted or anonymized, to the extent possible. In general, shorter retention periods of no more than twelve months apply for operational data (e.g., system logs).

7. Data Security

We have taken appropriate technical and organizational security measures to protect your personal data from unauthorized access and misuse such as internal policies, training, IT and network security solutions, access controls and restrictions, encryption of data carriers and transmissions, pseudonymization, and inspections.

8. Obligation to Provide Personal Data To Us

In the context of our business relationship you must provide us with any personal data that is necessary for the conclusion and performance of a business relationship and the performance of our contractual obligations (as a rule, there is no statutory requirement to provide us with data). Without this information, we will usually not be able to enter into or carry out a contract with you (or the entity or person you represent). In addition, the website cannot be used unless certain information is disclosed to enable data traffic (e.g. IP address).

9. Profiling and Automated Individual Decision-Making

We may partially process your personal data automatically with the aim of evaluating certain personal aspects (profiling). In particular, profiling allows us to inform and advise you about products possibly relevant for you more accurately. For this purpose, we may use evaluation tools that enable us to communicate with you and advertise you as required, including market and opinion research.

In establishing and carrying out a business relationship, we generally do not use any fully automated individual decision-making (such as pursuant to article 22 GDPR). Should we use such procedures in certain cases, we will inform you separately on this and advise you of your relevant rights if required by law.

10. Your Rights

In accordance with and as far as provided by applicable law, you have the right to access, rectification and erasure of your personal data, the right to restriction of processing or to object to our data processing, in particular for direct marketing purposes, for profiling carried out for direct marketing purposes and for other legitimate interests in processing in addition to right to receive certain personal data for transfer to another controller (data portability). Please note, however, that we reserve the right to enforce statutory restrictions on our part, for example if we are obliged to retain or process certain data, have an overriding interest (insofar as we may invoke such interests) or need the data for asserting claims. If exercising certain rights will incur costs on you, we will notify you thereof in advance. We have already informed you of the possibility to withdraw consent in Section 3 above. Please further note that the exercise of these rights may be in conflict with your contractual obligations and this may result in consequences such as premature contract termination or involve costs. If this is the case, we will inform you in advance unless it has already been contractually agreed upon.

In general, exercising these rights requires that you are able to prove your identity (e.g., by a copy of identification documents where your identity is not evident otherwise or can be verified in another way). In order to assert these rights, please contact us at the addresses provided in Section 1 above.

In addition, every data subject has the right to enforce his/her rights in court or to lodge a complaint with the competent data protection authority. The competent data protection authority of Switzerland is the Federal Data Protection and Information Commissioner (<http://www.edoeb.admin.ch>).

11. Amendments of this Privacy Policy

We may amend this Privacy Policy at any time without prior notice. The current version published on our website shall apply. If the Privacy Policy is part of an agreement with you, we will notify you by e-mail or other appropriate means in case of an amendment.

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