

# Privacy Policy

## Waystone Fund Services (Switzerland) SA

This Privacy Policy explains which personal data are collected by Waystone Fund Service (Switzerland) SA (“**Waystone Switzerland**”) when providing its services, the purposes of collecting these data, the way these data are processed, as well as the rights of the individuals whose data are processed (the “**Data Subject**”) in respect of these data. This Privacy Policy is based on the Swiss Data Protection Act of 1<sup>st</sup> September 2023 (“**FDAP**”), as amended from time to time.

### 1 – Introduction

- 1.1. Waystone Switzerland is a limited company (SA) established in Switzerland which provides representation services and related services on behalf of collective investment schemes offered to both qualified and non-qualified investors in Switzerland. Waystone Switzerland is licensed by the Swiss Financial Market Supervisory Authority (“**FINMA**”) and is part of the Waystone Group. The Waystone Group provides specialist services for the asset management industry in various jurisdictions around the world (the “**Waystone Group**”).
- 1.2. Waystone Switzerland acts as personal data controller (“*responsable du traitement*”) within the meaning of the FADP and determines the purpose and the means of processing Personal Data (as defined hereinafter).
- 1.3. Personal data shall mean any information relating to an identified or identifiable natural person (the “**Personal Data**”).
- 1.4. Waystone Switzerland processes the Personal Data lawfully, fairly and in a transparent manner. As explained in this Privacy Policy, Personal Data are collected for specified and explicit purposes and not further processed in a manner that is inconsistent with those purposes.
- 1.5. Waystone Switzerland shall take reasonable steps to ensure that Personal Data processed are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- 1.6. It is Waystone Switzerland’s responsibility to provide clear and accessible information about how and why Personal Data are processed.

## 2 – Identity and contact within the Personal Data Controller

2.1. Waystone Switzerland is the data controller in respect of all Personal Data collected from the Data Subject.

2.2. The contact details of Waystone Switzerland are as follows:

Registered address: Av. Villamont 17, 1005 Lausanne, Switzerland

Contact for any questions related to data protection: [swissdataprotection@waystone.com](mailto:swissdataprotection@waystone.com).

## 3 – Purposes of Personal Data processing

3.1. Waystone Switzerland processes data primarily only to the extent that it is necessary for the purposes of performing the services provided to its clients. As a result, Waystone Switzerland may use Personal Data for the following purposes:

- providing the services agreed with the client and fulfilling its contractual obligations to clients and other third parties, which includes notably coordinating with third-party services providers, authorities and/or regulatory bodies when assisting the client in onboarding processes with services providers and/or with affiliation or registration procedures with regulatory authorities or regulatory bodies ;
- conducting due diligence in the process of clients' onboarding as well as ongoing due diligence, whether at the level of Waystone Switzerland or at the level of the Waystone Group;
- administering clients' relationship (e.g., invoicing, updating the client's contact details, etc.);
- communicating with the client in relation to the services provided (e.g. regulatory updates);
- communicating with the client via any means (including via email, telephone) to send newsletters, other marketing materials and/or invite the client or any related parties to events organized by Waystone Switzerland or the Waystone Group;
- providing products and/or services referrals at the Waystone Group's level;
- answering the request of the Data Subject as provided in Section 8 below;
- defending Waystone Switzerland's rights where required;
- complying with audit, compliance, controls and other risk management requirements.

## 4 – Categories of Personal Data processed

4.1. Waystone Switzerland may process the following categories of Personal Data of the Data Subject:

- Personal details: names; date of birth / age; nationality; identity card or passport.
- Contact details: address; telephone number; email address.
- Employment details: industry; role; business activities.
- Education history: CV and professional qualifications (diplomas, work certificates, etc.).

4.2. In addition to the above mentioned categories of Personal Data, Waystone Switzerland and/or other entities at the level of the Waystone Group process sensitive Personal Data (notably data on criminal and administrative proceedings and sanctions, screening against government, supranational bodies, including but not limited to the European Union and the United Nations Security Council, and/ or law enforcement agency sanctions lists as well as internal sanctions lists and other legal restrictions) only where the processing is necessary for the purpose of complying with regulatory and/or legal obligations.

## 5 – Personal Data recipients

5.1. Personal Data are disclosed to the employees of Waystone Switzerland only on a need-to-know basis. Personal Data are also disclosed to other entities within the Waystone Group, for legitimate business purposes (compliance requirements and product/services referrals).

5.2. In addition, Personal Data may be disclosed to:

- Governmental, legal, tax and regulatory, or similar authorities upon request or where required;
- Accountants, auditors, financial and tax advisors, lawyers, notaries and other professional advisors to Waystone Switzerland, subject to binding contractual obligations of confidentiality;
- Third-party services providers (such as the Swiss paying agent) and/or authorities or regulatory bodies involved in the services provided by Waystone Switzerland (Register of Clients Advisers, Mediation Office);
- Third-party processors (such as IT service providers).

## 6 – International transfer of Personal Data

6.1. Waystone may need to transfer the Personal Data within the Waystone Group, and to third parties as mentioned in Section 5 above, in connection with the purposes set out in Section 3 above. For this reason, Waystone Switzerland may transfer the Personal Data to other countries that may have different laws and data protection compliance requirements.

6.2. Where Waystone Switzerland transfers Personal Data to other countries, it is done on the basis of:

- Federal Council's adequacy decisions; or
- Binding corporate rules; or
- Suitable standard contractual clauses.

6.3. Personal Data are transferred to the following countries:

- European Union;
- Channel Islands;
- United States of America.

## 7 – Personal Data security

7.1. Waystone Switzerland has implemented appropriate technical and organizational security measures designed to protect Personal Data against accidental or unlawful destruction, loss, alteration, unauthorised disclosure, unauthorised access, and other unlawful or unauthorised forms of processing.

7.2. Nevertheless, the Data Subject is responsible for ensuring that any Personal Data sent to Waystone Switzerland are sent securely.

## 8 – Data Subject's rights

8.1. The Data Subject can exercise the following rights:

- i. The right to request access to, or copies of, his/her Personal Data that are processed, together with information regarding the identity and contact details of the contact person within the Personal Data Controller, the purpose of the processing, how long the Personal Data will be kept or, if this is not possible, the criteria for setting the retention period, available information on the origin of Personal Data if they have not been collected from the Data Subject, the recipients or categories of recipient to whom Personal Data are communicated and, where applicable, the existence of any automated individual decision and the rationale on which the decision is based.

Waystone Switzerland takes reasonable steps to provide this information within 30 days upon reception of the request. It is provided free of charge unless the treatment of such request requires disproportionate efforts.

- ii. The right to have his/her Personal Data in a commonly used electronic format and, as far as this does not require disproportionate efforts, the right to have his/her Personal Data transferred to another data controller.

Waystone Switzerland provides or transmits Personal Data free of charge unless it requires disproportionate efforts.

8.2. A copy of the identity card or passport may be asked by Waystone Switzerland in order to verify the identity of the person asking for the exercise of his/her Personal Data rights.

8.3. All requests related to the exercise of one or more of these rights, or any questions about these rights, or about processing of Personal Data, shall be sent to Waystone Switzerland contact details provided in Section 2.2 above.

## 9 – Amendments

Waystone Switzerland may amend this Privacy Policy from time to time. Waystone Switzerland informs the Data Subject of the revised Privacy Policy by any means it considers appropriate (notably by e-mails). Any revised Privacy Policy is made available to the Data Subject on Waystone Switzerland's website.

1st September 2023