

# Privacy Policy

## 1. Introduction

In this privacy policy we, Dynamic Tree Asset Management AG, Churerstrasse 47, 8808 Pfäeffikon, Switzerland, aim to elucidate our procedures for collecting and processing personal data. We will henceforth refer to ourselves as "we" or "us." Our core service entails delivering investment management services tailored to your specific needs.

The purpose of this information is threefold:

- To provide you with thorough insights into how we process your personal data.
- To clarify your rights in relation to the processing of your personal data.
- To supply you with the contact details of the entity accountable for managing the processing of your personal data.

Your trust is important to us, underscoring our dedicated approach to data protection and the implementation of suitable security measures. Our commitment lies in the responsible management of your personal data. We adhere to the regulations outlined in the Federal Act on Data Protection (FADP), the Ordinance to the Federal Act on Data Protection (OFADP), the Telecommunications Act (TCA), and, where pertinent, additional stipulations of data protection legislation.

To ensure transparency regarding the personal data we collect from you and the intended purposes for its utilization, we kindly request your attention to the details provided below.

## 2. What personal data do we process and for what purpose?

The nature of your engagement determines the personal data we process, as outlined below:

### 2.1 Website visits

During your visit to our websites, our servers momentarily record each instance in a log file. The subsequent data is gathered automatically and retained by us until automated removal (no later than 12 months):

- The IP address of the requesting computer.
- The identity of your internet service provider.
- The precise date and time of access.
- The name and URL of the accessed file.
- The website and URL from which you were redirected to our site, and if applicable, the search term employed.
- The originating country for accessing our website.
- The particulars of your computer's operating system and browser (provider, version, and language).
- The transmission protocol employed (e.g., HTTP/1.1).

The collection and processing of this data serve several objectives. Firstly, they facilitate the utilization of our websites by enabling connection establishment. Additionally, this practice is pivotal in ensuring the enduring stability and security of our systems. Furthermore, it aids us in optimizing our online offerings and supports internal statistical analyses.

In cases where a network infrastructure breach is suspected or unauthorized and abusive website use is detected, the IP address may be scrutinized to uncover the incident's details. Such scrutiny would be carried out to rectify and defend against potential threats. If necessary, this data might be employed in legal

proceedings, either civil or criminal, aimed at identifying and taking action against the responsible individuals.

## **2.2 Opening and maintaining a client relationship**

When opening a client relationship and throughout its maintenance, we process a spectrum of personal data, including but not limited to:

- Name, first name\*
- Residential and mailing address\*
- Date of birth\*
- Phone number(s)
- Tax identification number\*
- Email address\*
- Gender\*
- Passport(s)/electricity bill/other proof of address\*
- Your experience and knowledge in financial markets\*
- Your investment objectives\*
- Risk assessment\*
- Know-your-client form/register of beneficial owners/passport(s)/proof of address\*.
- Register of directors/know-your-client form/passport(s)/proof of address\*.
- Name and contact information of the managing director or authorized representative\*
- Name of directors and officers\*
- Financial information according to the Swiss Financial Institutions Act (FinIA)\*
- Financial Data\*
- Criminal record

This data processing is imperative to facilitate the establishment of a contractual relationship with us. Some data fields are mandatory (indicated with\*). Failure to furnish the mandatory information will preclude the opening of a customer account. Moreover, this data serves the purpose of fostering and managing our business relationship with you, ensuring the delivery of our services, and facilitating invoicing procedures.

## **2.3 Opening of a client account**

When opening a client relationship (e.g. with a custodian bank or a broker), we process a spectrum of personal data, including but not limited to:

- Name, first name\*
- Residential and mailing address\*
- Date of birth\*
- Phone number(s)\*
- Tax identification number\*
- Legal Entity Identifier (LEI)\*
- Email address\*
- Gender\*
- US tax status\*
- Passport(s)/electricity bill/other proof of address\*
- Your experience and knowledge in financial markets\*
- Your investment objectives\*
- Risk assessment\*
- Know-your-client form/register of beneficial owners/passport(s)/proof of address\*.
- Register of directors/know-your-client form/passport(s)/proof of address\*.
- Name and contact information of the managing director or authorised representative\*
- Name of directors and officers\*

- Financial Information according to the Swiss Financial Institutions Act (FinIA)\*
- Financial data\*
- Criminal record

Some data fields are mandatory (indicated with\*). Failure to furnish the mandatory information will preclude the opening of a customer account with the custodian bank or the broker.

## **2.4 Money Laundering Act**

As part of audits to ensure compliance with the Money Laundering Act, we gather the following data, including, but not limited to:

- Name, first name\*
- Residential and mailing address\*
- Date of birth\*
- Phone number(s)\*
- Gender\*
- Passport(s)/electricity bill/other proof of address\*.
- Risk assessment\*
- Know-your-client form/register of beneficial owners/passport(s)/proof of address\*.
- Register of directors/Know-your-client form/passport(s)/proof of address\*.
- Name and contact information of the managing director or authorised representative \*
- Name of directors and officers\*
- Criminal record extract
- Other information relevant to the source of wealth

The rationale behind this data processing rests upon the legal obligation to adhere to the stipulations of the Money Laundering Act. Consequently, it becomes indispensable for the fulfilment of these legal responsibilities. Some data fields are mandatory (indicated with\*). Failure to furnish the mandatory information will hinder the successful completion of the compliance verification mandated by the Anti-Money Laundering Act.

## **2.5 Contact Form**

Through our website, you have the option to reach out to us via email. In the event that you choose to do so, the following data will be processed for the purpose of facilitating communication with you:

- Name, first name
- Email address

You bear responsibility for the content and/or messages you transmit to us. We advise against sending confidential information. Personal data is solely gathered if you choose to provide it voluntarily. Consequently, you are accountable for the data you transmit. We solely collect personal information when necessary to address your inquiries or deliver requested services.

## **3. From which sources do we collect your personal data?**

In principle, we procure personal data directly from you (e.g., through forms, during communications with us, in relation to contracts, website usage, etc.). In cases where it is legally permissible, we also acquire data from publicly accessible sources (such as debt enforcement registers, land registers, commercial registers, media outlets, and the internet, including social media). Additionally, we receive data from authoritative bodies, and from third parties like data aggregators specializing in criminal activities (like World Check, etc.).

The categories of personal data that we obtain from third parties include, but are not limited to:

- Information extracted from public registers.



- Details acquired in the context of official and legal proceedings.
- Information related to your professional roles and activities.
- Particulars about you disclosed in interactions and meetings with third parties.
- Data assessing your creditworthiness.
- Information shared by individuals in your proximity to facilitate contract formation or processing involving you (e.g., information aiding adherence to legal obligations like combating fraud, money laundering, terrorism, and export constraints).
- Relevant information about you disseminated in the media and online channels, in instances where this is pertinent to the specific case.

#### 4. Location

Your personal data is stored within Switzerland on our own servers and/or on those operated by our IT service providers.

#### 5. Is your personal data shared with third parties?

We share your personal data with the following categories of recipients:

**Service providers:** Our collaborations extend to service providers both within Switzerland and internationally. These entities either process data concerning you on our behalf, share joint responsibilities with us, or independently receive data about you from us (e.g., IT providers, custodian banks, accountants).

Key IT service providers for us are:

- TTP Consulting AG, Erlenbach, Switzerland
- Alphasys AG, Winterthur, Switzerland

We furnish these service providers with the necessary data required for the fulfilment of their services, which could involve information related to you. It is important to note that these service providers might also employ such data for their internal purposes. For instance, credit agencies could utilize data concerning your outstanding debts and payment history, while anonymized data might be employed to enhance service quality.

Contracts established with these service providers encompass clauses aimed at safeguarding your personal data. Additionally, these service providers might process data pertaining to the utilization of their services and other data generated through such usage. As independent data controllers, they may do so in pursuit of their legitimate interests, such as statistical analyses or invoicing. These service providers have their own data protection statements that elucidate their autonomous data processing practices.

**Authorities:** In certain instances, we may share personal data with governmental bodies, courts, and other authoritative entities both within Switzerland and internationally. Such actions are executed when we are either legally obligated or entitled to do so, or when it is deemed necessary to safeguard our interests. In such cases, these authorities proceed to process the data under their independent responsibility.

All of these recipient categories might engage with third parties themselves, potentially resulting in the accessibility of your data to these entities as well. While we have the capacity to limit processing by specific third parties (such as IT providers), we might not possess the same degree of control over other third parties (for instance, authorities, custodian banks, etc.).

#### 6. Third-Party Plugins

We may use third-party content (so-called plugins). Specifically, we employ the LinkedIn share button and Google Maps.

When you are visiting our website, a connection may be established with the corresponding social network. Consequently, the buttons' content is conveyed to your browser, which then incorporates it into the website.



This means that the relevant provider consistently receives the notification that you have accessed our website. The distinction of whether you are a member of the social network or logged in holds no bearing in this context. Additionally, regardless of your actual interaction with the embedded content, the social network automatically gathers information.

In this context, the following data might be transmitted:

- IP address
- Browser information and operating system
- Screen resolution
- Installed browser plugins (e.g., Adobe Flash Player)
- Visitor origin (in case you have followed a link)
- URL of the present page

If you are currently logged into any of the social networks while browsing our website, there is a possibility that the details of your website visit could be linked to your membership data and retained. Should you be a member of a social network and wish to avoid this transfer of data, it is advisable to log out of your social network account before accessing our website.

We have no authority over the extent of data collected by social networks. For comprehensive insights into the nature, scope, and intent of data processing, as well as information about subsequent data handling and your associated rights, along with privacy safeguarding settings, please consult the data protection policies of the respective social networks. Additionally, you hold the option of thwarting data transmission by employing browser add-ons to block social media plugins.

Our website incorporates functionalities from the LinkedIn network, provided by LinkedIn Inc (USA). Whenever you access any of our pages containing LinkedIn features, a connection to LinkedIn servers is initiated. This interaction informs LinkedIn of your visit to our web pages, as identified by your IP address. If you proceed to click the "Recommend Button" of LinkedIn while logged into your LinkedIn account, it becomes possible for LinkedIn to associate your website visit with both you and your user account. Please be aware that, in our capacity as the page provider, we lack insight into the content of the data transmitted or its subsequent utilization by LinkedIn.

For further information on this matter, you can refer to LinkedIn's privacy policy available at: <https://www.linkedin.com/legal/privacy-policy>.

To seamlessly present interactive maps on our website and facilitate the user-friendly utilization of map functions, we incorporate Google Maps from Google LLC (USA). For the utilization of these services, the user's IP address is transmitted to Google. This IP address is essential for content display but is exclusively employed for content delivery purposes. Google does not gather your location data without your consent, usually obtained through your device settings.

For access to Google's privacy policy, please refer to: <https://policies.google.com/privacy>.

## **7. Transmission of personal data abroad**

The personal data is processed in Switzerland and in Canada.

If a recipient is situated in a country lacking adequate legal data protection measures, we engage them in a contractual commitment to adhere to relevant data protection standards. To achieve this, we utilize the revised standard contractual clauses established by the European Commission. These clauses can be accessed here: [https://eur-lex.europa.eu/eli/dec\\_impl/2021/914/oj?](https://eur-lex.europa.eu/eli/dec_impl/2021/914/oj?), provided the recipient isn't already governed by an established and legally recognized set of data protection regulations, and we cannot avail ourselves of an exception.

Exceptions could arise, especially in cases of legal proceedings abroad, situations involving paramount public interests, instances where contractual obligations necessitate such disclosure, circumstances where you have provided consent, or when dealing with data that you have made publicly accessible without voicing opposition to its processing.



Furthermore, it is essential to acknowledge that data exchanged over the internet often traverses through third countries. Consequently, your data could be routed abroad even if the sender and recipient are located within the same country.

## 8. Your rights

You can object to data processing at any time, and you also have the following rights at your disposal:

**Right of access:** You hold the right to request free and unrestricted access to your personal data stored by us, provided we are engaged in its processing. This entitlement empowers you to verify the extent of personal data under our processing, ensuring its alignment with pertinent data protection regulations.

**Right to rectification:** You hold the right to have any inaccurate or incomplete personal data rectified, and we are obliged to notify you of such rectifications. In the event of rectifications, we will also communicate these changes to recipients of the pertinent data, unless such actions are impractical or entail a disproportionate level of effort.

**Right to erasure:** Under specific circumstances, you hold the right to request the erasure of your personal data. However, it is important to note that there might be instances where the right to erasure is not applicable.

**Right to restrict processing:** Under specific circumstances, you are entitled to request the limitation of your personal data's processing by us.

**Right to data transfer:** Under specific circumstances, you hold the right to receive the personal data you have furnished to us, in a machine-readable format, free of charge.

**Right of withdrawal:** In principle, you have the right to withdraw your consent at any time with effect for the future. Processing activities based on your consent in the past do not become unlawful as a result of your revocation.

## 9. Retention period

We retain personal data for the duration necessary to fulfil the initial purpose of collection, or for a period mandated by pertinent laws, regulations, or contractual obligations. Additionally, we retain data when there exists a predominant interest in its retention. Upon reaching the determined period, data will be deleted.

Data retention obligations emanate from accounting and tax regulations. As per these regulations, business correspondence, finalized contracts, and accounting records are to be retained for a span of up to 10 years. Similarly, specific data must be preserved for up to 10 years following the conclusion of a business relationship, in alignment with anti-money laundering legislation.

## 10. Data security

We diligently implement suitable technical and organizational security measures to safeguard personal data against unauthorized access and misuse. These measures encompass IT and network security solutions, access controls, encryption for data carriers and transmissions.

In cases where third parties are granted access to our data, specific measures are put in place, delineated within the framework of the order processing contract.



## **11. Contact**

Should you have any inquiries related to data protection, seek information, wish to voice objections against data processing, or wish to have your data erased, please feel free to reach out to us via email at:

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

You can also write us a letter to the following address:

Dynamic Tree Asset Management AG  
Churerstrasse 47  
8808 Pfaeffikon  
Switzerland

## **12. Adaptation**

This privacy policy is not a constituent of any contractual agreement with you. We reserve the right to modify this privacy policy at our discretion.

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