

## Data Protection Policy

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### Obligation to publish certain information in relation to Natural Person Data Protection Policy

We ask you to take note of the following data protection policy:

Gazprombank (Switzerland) LTD (GPBS) publishes this data protection policy in accordance with the Swiss Data Protection Act (Swiss DPA) and its future revision as well as the new EU General Data Protection Regulation (GDPR, taking effect on 25 May 2018). Although GDPR is a regulation of the EU, it is relevant to GPBS because EU domiciled clients are also serviced.

### PRIVACY NOTICE

#### The following data privacy instructions give you an overview of the collection and processing of your data

With the following information, we would like to provide you with an overview of the processing activities concerning your personal data and your rights under the data protection law. The detailed processing of data and the manner in which it is used depends essentially on the requested and agreed services.

#### 1. Who is responsible for data processing and who can I contact?

##### 1.1 Contact details of the data controller:

Gazprombank (Switzerland) Ltd  
Legal / Compliance

##### 1.2 Contact details of the Data Protection Officer of GPBS:

Gazprombank (Switzerland) Ltd  
Compliance  
Zollikerstrasse 183  
8008 Zurich  
Switzerland  
dataprotection@gazprombank.ch

## **2. Which sources and data do we use?**

We process personal data provided by our customers as part of our business relationship. In addition, we process – to the extent necessary for the provision of our services – personal data that we legitimately gain from publicly available sources (e.g. debtor directories, land registers, trade and association registers, press, internet, etc.) or which we obtain from other members of Gazprombank Group or by other third parties (e.g. a credit agency or partners, etc.).

Relevant personal data that we are processing includes in particular personal details (name, address and other contact details, date and place of birth as well as nationality), legitimacy data (e.g. passport data, identity card data) and authentication data (e.g. signature sample). In addition, this may also include order data (e.g. payment order), data from the fulfillment of our contractual obligations (e.g. turnover data in payment transactions), information about the financial situation (e.g. credit rating data, scoring / rating data, origin of assets), sales data, documentation data (e.g. consulting protocol) as well as other data comparable to the mentioned categories.

With regard to the data processed by the use of digital services ("digital channels"), we refer to case-by-case information on data protection in connection with the respective service or application.

## **3. What do we process your data for (purpose of processing) and on what legal basis?**

We process personal data in accordance with the relevant data protection regulations:

### **3.1 Based on the performance of a contract**

The processing of data is carried out for the purpose of providing banking and financial services as part of the execution of our contracts with our customers or for carrying out pre-contractual measures, which are executed on our clients' request. The purpose of the data processing is primarily based on the specific product (e.g. account, credit, securities, deposits, brokerage) and may include, but is not limited to, needs analysis, consulting, and servicing and the execution of transactions.

### **3.2 Based on legitimate interests**

If necessary, we process your data beyond the actual fulfillment of the contract for the protection of legitimate interests of us or third parties. Examples for processing activities based on a legitimate interest include, but are not limited to:

- (a) advertising or market and opinion research;
- (b) asserting legal claims and defense in legal disputes;
- (c) ensuring of IT security and IT operations of the bank;
- (d) prevention and investigation of criminal offenses;

- (e) measures for office building safety (e.g. access controls);
- (f) measures for business control, risk management within GPBS and the Gazprombank Group and further development of services and products.

### **3.3 Based on your consent**

Insofar as you have given us consent to the processing of personal data for specific purposes, the processing of your personal data is based on this consent. A given consent can be revoked at any time. The revocation of consent does not affect the lawfulness of the data processed until the revocation.

### **3.4 Based on legal obligations**

In addition, as a bank we are subject to various legal obligations, i.e. legal, regulatory or professional requirements (e.g. Banking Act, Collective Investment Schemes Act, Money Laundering Act, Pfandbrief Act, tax laws MIFID II, guidelines of the Swiss Bankers Association) as well as other bank supervisory decrees and requirements issued by e.g. the Swiss Financial Market Supervisory Authority FINMA, the Swiss National Bank or SECO. The purposes of processing include, but are not limited to, the examination of creditworthiness, identity and age verification, fraud and money laundering prevention, the fulfillment of tax control and reporting obligations, and the assessment and management of risks within the Bank and the Gazprombank Group.

## **4. Who receives my data?**

Within the bank, those departments and employees gain access to your data, which need it in order to fulfill the contractual and legal obligations. Our service providers may also receive data for these purposes. The involvement of service providers (especially so-called order processors or processors) is carried out in accordance with banking and data protection regulations. In this respect, external service providers are obliged to maintain bank secrecy and data protection requirements. We involve external service providers in particular companies for certain banking and financial services, IT services, logistics, telecommunications, debt collection, consulting as well as sales and marketing.

We may only disclose or make available to third parties information about you if there is a legal basis for this or if you have given your consent (e.g. to carry out a financial transaction commissioned by you). Under these conditions, recipients of personal data may be, for example:

- (a) public authorities (e.g. law enforcement authorities, supervisory authorities such as, in particular, the Swiss Financial Market Supervisory Authority FINMA, MROS, debt collection and bankruptcy offices, inheritance authorities, etc.) if there is a legal or other juridical basis or obligation;
- (b) other credit and financial services institutions or similar entities to which we provide personal information to be able to execute business which is based on contractual

relationship with you (such as correspondent banks, custodians, brokers, exchanges, etc.);

- (c) other companies within the Gazprombank Group for risk control due to legal or regulatory obligation or your consent;
- (d) natural or legal person, public authority, agency or body for which you have given us your consent to transfer personal data to or for which you have released us from banking confidentiality.

#### **5. Is data transmitted to a third country?**

A transfer of data to locations in countries outside of Switzerland (so-called third countries) takes place, as far as

- (a) it is required to execute your orders (e.g. cross-border payment and international securities orders);
- (b) it is required by law (e.g. tax reporting obligations); or
- (c) you have given us your consent.

If service providers in the third country are used or if data is shared with third-country companies, they are obliged to comply with the data protection level in Switzerland and Europe.

#### **6. How long will my data be stored?**

We process and store your personal data as long as it is necessary for the fulfillment of our contractual and legal obligations. It should be noted that our business relationship is a continuing obligation, which is set up on the basis of periods of years.

We will assess and respond to requests to delete data. We will delete data provided that the data is no longer required in order to fulfill contractual, regulatory or statutory obligations, or the fulfillment of any obligations to preserve records according to commercial and tax law.

We will normally retain your records for a minimum of ten years to comply with regulatory and contractual requirements unless there is a particular reason to hold the records for longer, including legal hold requirements, which require us to keep records for an undefined period of time.

#### **7. Which data protection rights do I have?**

Each affected person, depending on his/her habitual residence, has the right to request information, the right of rectification, the right to deletion, the right to a restriction of processing and a right to objection, with respect to the data concerning him/her. In addition, insofar as applicable to you, there is a right of complaint to a competent data protection

supervisory authority. You may revoke your consent to the processing of personal data at any time. Please note that the revocation only is effective for the future. Data processing that took place before the revocation is not affected.

#### **8. Is there an obligation for me to provide data?**

As part of our business relationship, you must provide the personal data necessary to enter into a business relationship and perform the related contractual obligations that we are required to collect by law. Without this data, we generally are unable to maintain a banking relationship with you or to provide services or products you require.

In particular, we are required according to the anti-money laundering regulations to identify you prior to the establishment of the business relationship on the basis of your identity document and thereby to collect and record information such as name, place of birth, date of birth, nationality, address and identity document data. In order for us to be able to fulfill this legal obligation, you must provide us with the required information and documents in accordance with the Federal Act on Combating Money Laundering and Terrorist Financing and immediately notify us of any changes resulting from the business relationship. If you do not provide us with the necessary information and documents, we may not take up or continue the desired business relationship.

#### **9. To what extent is there an automated decision-making process?**

In principle, we do not use fully automated decision-making to establish and implement business relationships. If we use these procedures in individual cases, we will inform you about this separately, if this is required by law.

#### **10. Is profiling taking place?**

We sometimes process your data automatically with the aim of evaluating certain personal aspects (profiling). For example, we use profiling in the following case:

Due to legal and regulatory requirements, we are obligated to combating money laundering, the financing of terrorism and property and asset endangering offenses. In this process, data analysis (among others in payment transactions) are carried out. These measures also serve for your protection.

### **Information on the right to object under Article 21 of the EU General Data Protection Regulation (EU GDPR)**

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You have the right to object at any time for reasons arising out of your particular situation to the processing of personal data relating to you on the basis of a legitimate interest of the Bank; this also applies to a profiling based on these reasons. If you object, we will no longer process your personal data, unless we can prove compelling legitimate grounds for processing that outweigh your personal interests, rights and freedom, or the processing is for the purposes of asserting, exercising or defending legal claims.

The objection can be made form-free and should be directed to the bank's data protection office:

Gazprombank (Switzerland) Ltd

Compliance

Zollikerstrasse 183

8008 Zurich

Switzerland

[dataprotection@gazprombank.ch](mailto:dataprotection@gazprombank.ch)

Thank you for your attention

Gazprombank (Switzerland) Ltd