

DATA PROTECTION NOTICE

1 General and personal scope

This data protection notice (hereinafter the "**Notice**") describes how MBS Capital Advice SA (hereinafter: the "**Company**") processes Personal Data concerning the customer and/or any person linked to the customer (the "**Customer**").

Reference to the term Customer also includes prospects whose Personal Data the Company processes.

The term "**related person**" refers to any individual about whom the Customer or a third party provides information and/or who is otherwise brought to the Company's attention in the course of a business relationship.

Customers who supply the Company with Personal Data of a related party must provide the Company with the information set out in this Notice.

This Notice is subject to the Company's contractual terms and conditions, which are applicable to the remainder.

2 What Personal Data is processed by the Company?

Personal Data" within the meaning of this Notice includes any information relating to an identified or identifiable natural person, such as name or passport or identity card numbers.

The Customer Personal Data that the Company may process include, in particular:

- identification data, such as first name, surname, address, telephone number, e-mail address, tax identification number, identity card and/or passport numbers;
- personal characteristics, such as date and place of birth;
- professional information, such as professional contact details, employment, professional history and powers of representation;
- financial information, such as bank details and financial history;

- transaction/investment data, such as investment profile, amounts invested, details of current and past transactions and investments, investment preferences, number and value of financial instruments held, role played in a transaction (*i.e.* buyer or seller);
- information relating to criminal and administrative prosecutions and sanctions (where applicable); and
- data from exchanges between the Company and the Customer, such as meetings, calls, instant messages, e-mails and telephone conversations.

3 What are the sources of Personal Data?

Personal Data concerning Customers processed by the Company may be provided:

- directly by Customers, for example when a Customer contacts the Company; or
- indirectly, from other sources, including publicly available external sources, such as:
 - publications/databases made available by official authorities (e.g. UN or EU sanctions lists);
 - databases made public by third parties;
 - an entity to which the Company provides services; and
 - information available via subscription services (e.g. Bloomberg).

4 For what purposes does the Company process Personal Data?

The Company processes Personal Data in particular for the following purposes (objectives):

4.1 Compliance with the Company's legal obligations

The Company may process Personal Data in order to comply with its legal and/or regulatory obligations, such as:

- providing customers with information on the services provided by the Company;

- monitoring compliance with legal obligations in terms of financial market regulations, including investor protection;
- monitoring compliance with regulations on the fight against money laundering, the financing of terrorism, financial crime and market abuse (in particular, controls relating to the opening and maintenance of the contractual relationship; *know-your-customer*);
- any form of cooperation with competent authorities, such as prudential supervisors and authorities responsible for combating money laundering and the financing of terrorism; and
- any risk management measures put in place (including market, operational, liquidity and legal risks) and the assessment of risks to which the Company is subject.

In any case, the Company specifies that some of these processing operations may also be based on other justifiable reasons.

4.2 Compliance with the Company's contractual obligations

The Company may process Personal Data in order to comply with its contractual obligations, such as:

- compliance with applicable contract clauses;
- the start of a business relationship with the Company, including all the formalities involved in identifying a Customer;
- any financial services related to the business relationship, including financial services specifically requested by the Customer; and
- the provision of services (including billing and payment of fees) and the management of the business relationship and related communications with the Customer.

In any case, the Company specifies that some of these processing operations may also be based on other justifiable reasons.

4.3 The pursuit of the Company's legitimate interests

The Company may process Personal Data in connection with the legitimate interests it pursues, such as:

- any processing necessary to enable the Company to prove a transaction;
- the recording of electronic communications with Customers for the purposes of protecting the Company's interests, analyzing and improving the quality of the services provided and managing the Company's risks;
- any processing for the purpose of developing business relations with customers;
- any processing with a view to improving the Company's internal sales organization and operational activities, particularly in terms of risk management;
- any processing to ensure the security of the Company's computer systems and premises; and
- any processing necessary to enable the Company to establish, exercise or defend itself against an actual, potential or future claim, or to enable the Company to deal with an investigation by a public authority, in Switzerland or abroad.

In any case, the Company specifies that some of these processing operations may also be based on other justifiable reasons.

5 Does the Company engage in profiling or automated decision making?

The Company does not use profiling or automated individual decision-making in relation to Customers.

6 Does the Company communicate Personal Data to third parties?

The Company reserves the right to communicate or make accessible Personal Data:

- certain of the Company's service providers, such as IT service providers;
- to subcontractors in the context of outsourcing;
- judicial or administrative authorities (e.g., financial supervisory authorities) or financial market participants (e.g., custodian banks, central depositories, sub-depositories, exchanges and registries); and/or

- the Company's auditors and/or legal advisors.

The Company undertakes not to transfer Personal Data to third parties other than those listed above, except in cases notified to Customers from time to time or in the event of obligations applicable to them, or the decision of a court, governmental, supervisory or regulatory body, in particular the tax authorities.

7 Does the Company transfer Personal Data outside Switzerland?

The Company may disclose, communicate, transfer, make accessible and/or store Personal Data abroad:

- to the recipients mentioned in article 6 above;
- in connection with the conclusion or performance of contracts directly or indirectly related to the business relationship (i.e. a contract concluded with a Customer or with a third party, but in the interest of a Customer);
- when the transfer is necessary to enable the Company to establish, exercise or defend itself against a present or future claim, or to enable the Company to face an investigation by a public authority, in Switzerland or abroad; or
- in exceptional cases duly provided for by the applicable laws (e.g. disclosure of certain stock market transactions).

As part of an international transfer, Personal Data may be transferred to a country offering an adequate level of data protection (in accordance with Appendix 1 of the Federal Data Protection Ordinance).

If such a transfer of Personal Data is made to a country that does not offer an adequate level of data protection, the Company will, if required by applicable law, (i) put in place appropriate contractual (e.g. through the conclusion of standard data protection clauses with the recipient), organizational and technical safeguards and/or (ii) obtain the Customer's consent.

Customers may contact the Company for further information on this subject (see contact details in Question 10 below).

8 What rights do customers have in relation to their Personal Data?

Subject to the applicable regulations, each Customer has the right to use his/her Personal Data:

- to access their Personal Data and obtain information about how the Company processes their Personal Data;
- to object to the processing of Personal Data;
- to rectify inaccurate or incomplete Personal Data;
- to request the limitation of the processing of its Personal Data;
- to withdraw at any time the consent given for the processing of Personal Data, where such consent is at the origin of the processing of Personal Data, with effect for the future; and
- to request the deletion of their Personal Data when it is no longer necessary for the purposes for which it was collected or processed, or when the Customer has withdrawn their consent (for cases in which the processing of the Personal Data in question is based on the Customer's consent), subject to the applicable retention periods (see Question 9 below).

The Customer may obtain additional information from the contact person whose details are given under Question 10 below and, if the Customer considers that the answer given is not satisfactory, he may lodge a complaint with the Swiss Federal Data Protection and Information Commissioner (<https://www.edoeb.admin.ch/edoeb/fr/home.html>).

Even if a Customer objects to the processing of his Personal Data, the Company is authorized to continue such processing if it is (i) based on a legal obligation, (ii) necessary for the performance of the contract to which the Customer is a party, (iii) necessary for the performance of a task carried out in the public interest or (iv) necessary for the purposes of overriding legitimate interests pursued by the Company, including the establishment, exercise or defense of legal claims.

In the absence of certain Personal Data concerning the Customer (or if the Customer exercises his/her right to object to the processing of Personal Data), the Company may not be able to provide the Customer with the service for which the processing of such Personal Data is required.

9 How long does the Company keep Personal Data?

In principle, the Company retains Personal Data for as long as necessary to achieve the intended purpose (see Question 4 above). In the same sense, the Company deletes or anonymizes (or takes equivalent measures) Personal Data when they are no longer necessary to achieve the intended purpose, subject however:

- legal and/or regulatory requirements relating to the retention period of Personal Data;
- for as long as is necessary to enable the Company to fulfil its operational obligations, such as the proper maintenance of accounts, the management of customer relations and to satisfy legal claims or respond to requests from regulatory authorities; or
- the need to establish, exercise and/or defend rights in legal actions, investigations or similar proceedings, including retention for legal purposes that the Company may impose in order to preserve relevant information.

10 Who should I contact if I have questions about the processing of Personal Data?

If a customer wishes to obtain further information on any of the points covered in this Notice, the Company can be contacted at the following address:

MBS Capital Advice SA
Rue du Général-Dufour 20
1204 Geneva
Email: dataprotection@mbscapital.com