

PRIVACY POLICY

LAST REVISED: APRIL 2023

Introduction

OpenFunds is committed to protecting your information by handling it responsibly and safeguarding it using appropriate technical, administrative and physical security measures.

The privacy notice below explains what information we gather about you, what we use it for and who we share it with. It also sets out your rights and who you can contact for more information or queries.

Who is responsible for data processing and who you can turn to?

For the data processing is responsible
OpenFunds Investment Services AG
Seefeldstrasse 35
8008 Zürich
Phone 0041 44 500 31 08
E-Mail: info@open-funds.ch
UID CHE 189.857.327

Who is addressee of the data privacy policy?

This privacy policy applies to:

- People who are interested in our products and may enter into a contractual relationship
- People who visit our website and register
- Further natural persons who stay in contact with our company such as representatives, carriers, employees of legal entities

What personal data we may collect for what purpose

The personal data we process may include your:

- name, gender, age and date of birth;
- Contact information, such as address, email, and mobile phone number;
- country of residence;
- lifestyle, social circumstances (e.g. your hobbies) or family circumstances (e.g. your marital status);
- Employment and education details (e.g. the organisation you work for, your job title and your education details);
- IP address, browser type and language, your access times
- details of how you use our products and services;

We may collect, record and use your personal data in physical and electronic form, and will hold, use and otherwise process that data in line with the Data Protection Legislation and as set out in this statement.

When we provide services to you or our clients in connection with our services (or discuss possible services we might provide), we will process personal data about you. We may also collect personal data from you when you use our Website.

We may process your data because:

- you give it to us (for example in a form on our Website)
- other people give it to us in a legitimate manner such as for the execution of orders, for the fulfilment of the contract or with your consent (for example, your employer or adviser, or third party service providers that we use to help our business); or
- it is publicly available

We may process personal data from you because we observe or infer that data about you from the way you interact with us or others. For example, we (or our service providers) may use cookies (small text files stored in a user's browser) to collect personal data. This may for instance be used to enhance website functionality by providing account log-in prompts and by recording preferences that you input on areas of the website so that you do not have to keep re-entering information.

If you choose not to provide or object to us processing the information we collect, we may not be able to process your instructions or continue to provide some or all of our services to you or our client.

How we may use your personal data

We process information about you and/or your business to enable us to provide our services to you, and to meet our legal or regulatory obligations.

We may also use your personal data in connection with:

- legal or regulatory requirements;
- requests and communications from competent authorities;
- financial accounting and invoicing
- relationship management, which may involve:
 - a) sending you details of our products and services;
 - b) contacting you for feedback on services;
 - c) sending you event invitations; and
 - d) other marketing or research purposes.
- recruitment
 - a) the use of testimonials
 - b) the use of third-party sources to help us verify and improve the information we hold
- services we receive from our professional advisors, such as lawyers, accountants and consultants;
- protecting our rights

Use of personal data collected via our Website

- to manage and improve our Website;
- to draw your attention to information about our products and services that may be of interest to you; or
- to manage and respond to any request you submit through our Website

The legal grounds we use for processing personal data

We are required by law to set out in this privacy statement the legal grounds on which we rely in order to process your personal data. We rely on one or more of the following lawful grounds:

- you have explicitly agreed to us processing your information for a specific reason;
- the processing is necessary to perform the agreement we have with you or to take steps to enter into an agreement with you;
- the processing is necessary for compliance with a legal obligation we have such as keeping records for accounting purposes or providing information to a public body or law enforcement agency; or
- the processing is necessary for the purposes of a legitimate interest pursued by us or a third party, which might be:
 - a) to provide our services to you or our clients and other third parties and ensure that our client engagements are well-managed;
 - b) to protect our business interests such as enforcement of legal claims; Measures to ensure IT security and IT operations or Measures to prevent and investigate criminal offences;
 - c) to evaluate, develop or improve our services or products; or
 - d) to keep you or our clients informed about relevant products and services and provide you with information, unless you have indicated at any time that you do not wish us to do so.

To whom your data will be disclosed?

Within OpenFunds Investment Services AG, only those persons who need your data for the fulfilment of our contractual obligations and the provision of our products and services have access to it. In addition to our employees, these include service providers (e.g. IT and telecommunication providers, lettershops, consulting, marketing, lawyers) who have confirmed in writing to be compliant with applicable data protection regulations. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to access them to proceed your personal data for specified purposes and in accordance with our instructions.

We do not transfer your personal data outside the European Economic Area.

Should we in the future transfer your personal data out of the European Economic Area, we ensure a similar degree of protection is afforded to it.

Protecting your personal data

We have implemented security policies and technical measures to protect the personal data that we collect, consistent with applicable privacy and security laws. These security measures are designed to

prevent unauthorized access, improper use or disclosure, unauthorized modification, and unlawful destruction or accidental loss of your personal data.

We update our personal data privacy and security measures on a regular basis. We ensure that only employees who need to know your personal data to fulfil the purpose of processing that personal data (as described in this privacy policy) have access to it.

Is there automated decision making or profiling?

We do not use fully automated decision making with legal effect to establish or carry out the business relationship. Should we use this procedure in individual cases, we will inform you separately.

How long we keep your personal data for

We retain your personal data only for as long as is necessary for our relationship with you, in accordance with our retention policies, and in accordance with applicable law.

Your rights

You have the following rights in relation to your personal data:

- to receive information whether personal data is being processed about you;
- to withdraw any consent that you have provided to us to process your personal data;
- to access or rectify your personal data;
- to have your personal data erased if it is no longer necessary for the purposes for which it was processed, you have withdrawn your consent to, or object to its processing and there are no other legitimate grounds for processing it or you consider it has been unlawfully processed;
- to have the processing of your personal data restricted if you contest its accuracy;
- to have your personal data transferred to another you or to a third party under certain circumstances;
- to object the processing of your data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms;
- to object where your personal data is processed for direct marketing purposes, you also can ask us or a third party to stop sending you marketing messages at any time;
- to appeal to a competent data protection supervisory authority.

Contact If you would like additional information on anything in or related to this privacy policy, or you would like to exercise any rights that you may have in relation to your personal data, please contact us via the contact details mentioned above or by emailing to info@open-funds.ch.