

## General Privacy Notice

This general privacy notice (**Privacy Notice**) informs our website visitors, newsletter subscribers, event participants, prospective clients (or persons acting on behalf of prospective clients), other interested parties and job applicants (**you**) about how Schellenberg Wittmer Ltd (**we, us**) treats personal data (**Data**) in accordance with the Swiss Federal Act on Data Protection (**FADP**) and the EU and UK General Data Protection Regulation (collectively **GDPR**), as applicable, when using our website, communicating with us, subscribing to our newsletters, registering for and participating in events, applying for a job vacancy or in any of the other situations set out in Section 3 below. In this Privacy Notice, specific references to the GDPR are only relevant to the extent the GDPR applies.

### 1. Controller, Representative and Contact Details

The controller is **Schellenberg Wittmer Ltd**, Löwenstrasse 19, P.O. Box 2201, 8021 Zurich, Switzerland, and 15bis, rue des Alpes, P.O. Box 2088, 1211 Geneva, Switzerland (e-mail address: [dataprotection@swlegal.ch](mailto:dataprotection@swlegal.ch)).

Individuals from the EEA and the UK may also contact our representative VGS Datenschutzpartner GmbH, Am Kaiserkai 69, 20457 Hamburg, Germany (contact form: <https://www.datenschutzpartner.eu/anfragen-betroffene-personen/>).

### 2. Obligation to Provide Data and Your Sharing of Third-Party Data

You are in general under no obligation to provide us with any Data. However, if you do not provide the required information regarding certain use cases set out in Section 3, we may not be able to process your corresponding request, get in contact with you, send you our newsletter, invite you to our events, process your application etc.

If you share with us Data regarding any other individual (e.g. your employees, colleagues, ultimate beneficial owners, relatives, etc.), we assume that this Data is correct. By sharing such Data with us, you confirm that you are authorized to do so and that you have informed the affected individuals about this Privacy Notice and our processing of their Data.

### 3. Processed Data, Purpose and Legal Basis

#### 3.1 Website Use

The processing related to your use of our website is limited to Data that is required to operate, provide and secure the website and the services provided thereon (**Website Use Data**) and for web analysis purposes (**Website Analysis Data**).

Categories of Data: When accessing our website, the following information about your access and device may be collected automatically: IP address, operating system, type of device, browser name and version, date and time of access, address of the website from which you were redirected to our website (if applicable), etc. We may analyze your use of our website with web analysis tools, including Google Analytics (with IP anonymization activated). Further information on the use of data by Google and configuration options can be found here: <https://www.google.com/intl/en/policies/privacy/partners>.

Purpose and legal basis: The processing regarding website use is based on our legitimate interest to operate and secure our website and our services, in particular for security reasons to ensure the stability and integrity of our systems (Art. 6 para. 1 lit. f GDPR). In addition, we may perform basic web analysis based on our legitimate interest (Art. 6 para. 1 lit. f GDPR) to optimize the website regarding usability and to gain insights about the use of our website and services. The collected data will not be merged with other personal data or disclosed to third parties. Enhanced web analysis using cookies is, within the scope of applicability of the GDPR, based on your consent (Art. 6 para. 1 lit. a GDPR), cf. below Section 3.2.

### 3.2 Cookies

Website Analysis Data may also be collected via the use of cookies. Cookies are small files that are managed by your browser and are directly stored on your device whenever you visit our website. You can disable the use of cookies in the preferences of your browser, but this might result in some functions of our website or some services being unavailable to you or not functioning properly anymore.

Categories of Data: Website Use Data, Website Analysis Data and such further Data as specified in the [Cookie Policy](#).

Purpose and legal basis: We may use cookies on our website to ensure a user-friendly website visitor experience (e.g. session cookies), based on our legitimate interest (Art. 6 para. 1 lit. f GDPR). Enhanced web analysis using cookies is, within the scope of applicability of the GDPR, based on your consent (Art. 6 para. 1 lit. a GDPR). For further information, please see our [Cookie Policy](#).

### 3.3 Communication

We may be in contact with you by use of different channels, e.g. if you fill in contact or similar forms on our website, send us e-mails or by using other electronic (or hardcopy) communication means, whereby Data may be exchanged (**Communication Data**).

Categories of Data: If you fill in our contact forms, send us an e-mail or another form of electronic message (or a hardcopy message, e.g. a letter), we may collect such information as your name, e-mail address (or other form of communication identifier, e.g. messenger nickname), phone number, subject matter, message content, related metadata and any other information you choose to disclose in your communication to us.

Purpose and legal basis: We use Communication Data to process your inquiry and any possible further questions you might have in relation to the performance of our services (Art. 6 para. 1 lit. b GDPR) and any other related questions and matters based on the content of your communication with us (Art. 6 para. 1 lit. a GDPR). We may keep this data to document our communication with you, for training purposes, for quality assurance, for

follow-up inquiries (Art. 6 para. 1 lit. f GDPR) and for regulatory purposes (Art. 6 para. 1 lit. c GDPR).

### **3.4 Marketing, Events and Newsletters**

We may process your Data for marketing purposes and relationship management, including events and newsletters (**Marketing Data**).

Categories of Data: Marketing Data may in particular include your contact information (e.g. name, company type and name, business function / title, e-mail, address, etc.) and further data categories such as your preferences (e.g. your areas of interest), information relating to your participation in events and use of our newsletters as well as Communication Data.

Purpose and Legal Basis: We process Marketing Data for marketing purposes and relationship management, for example to send personalized advertising for our services and products, e.g. in the form of newsletters or other regular contacts either in person, via e-mail or other electronic form, by phone or any other communication channel for which we have contact information from you and by any other marketing means (e.g. through events, fairs, etc.). We do so based on our legitimate interest to keep you informed about our products and services (Art. 6 para. 1 lit. f GDPR), to the extent permitted by applicable marketing regulations, or, where required, based upon your consent in this regard (Art. 6 para. 1 lit. a GDPR). In either case, you can object at any time, or refuse or withdraw your consent to be contacted for marketing purposes.

### **3.5 Job Applications**

We may process Data you provide to us in connection with an application for a job vacancy (**Application Data**).

Categories of Data: Application Data may in particular include your name, photo, contact information, information about your work permit situation, your education and professional experience and any other information you choose to provide to us in connection with your application.

Purpose and legal basis: We process Application Data for the assessment of your application and potential negotiation, preparation, conclusion and performance of an employment contract with you (Art. 6 para. 1 lit. b GDPR). In case no employment contract is concluded, we may retain your application for further job vacancies if you have provided us with your consent to do so (Art. 6 para. 1 lit. a GDPR).

## **4. Disclosure and Transfer of Data**

We may disclose your Data to recipients as set out in Section 4.1, which may include cross-border data transfers as further described in Section 4.2.

### **4.1 Categories of Recipients**

We may make your Data available to the following recipients (in compliance with the applicable legal requirements):

- a) our subsidiaries, including but not limited to our office in Singapore;

- b) contractual partners (to the extent the disclosure results from such contracts, e.g. if you use our services under a contract that we have with your employer);
- c) service providers (e.g. IT service providers, business information providers, newsletter service providers, marketing and event management service providers, etc.);
- d) legal and professional advisors, including accountants and auditors;
- e) competent authorities, including tax authorities and courts (in Switzerland and abroad, if we are legally obliged or entitled to such disclosure or if it appears necessary to protect our interests);
- f) transaction partners and advisors (e.g. in relation to mergers, acquisitions or other business transactions involving us or our subsidiaries).

#### 4.2 Cross-Border Transfer of Data

In connection with the disclosures described in Section 4.1, we may transfer Data to the following countries that offer adequate protection pursuant to the FADP and GDPR: EEA member states and UK.

Under certain circumstances, we may also transfer Data to the following countries, which do not offer adequate protection pursuant to the FADP and/or GDPR: Singapore (e.g. to our Singapore office), US and potentially other countries (if necessary for the respective processing purpose, e.g. for IT services). To the extent such countries do not offer adequate protection, the transfer is secured by appropriate safeguards (such as Standard Contractual Clauses) or based on a statutory exemption (e.g. if you have given your consent to the transfer, if the transfer is directly connected with the conclusion or performance of a contract with you or if the transfer is necessary for the establishment, exercise or enforcement of legal claims before a foreign authority). Within the scope of the GDPR, you may ask us for a copy of the relevant safeguards by contacting us as indicated in Section 1.

#### 5. Storage Periods and Erasure

We process and retain Data for as long as our processing purposes, the legal retention periods and our legitimate interests regarding documentation require it. Except in case of contrary legal or contractual obligations, we will erase or anonymize your Data once the storage or processing period has expired. Regarding specific Data categories, we will in general retain your Data as follows:

- **Website Use Data:** Website Use Data will be processed for as long as required to enable the requested access and secure the stability and integrity of the relevant systems.
- **Website Analysis Data:** Website Analysis Data will be stored for as long as required to perform the analysis and will thereafter be deleted or anonymized.
- **Cookies:** Cookies will be stored on your device for the time period required to achieve the related purpose and as further set out in the [Cookie Policy](#) and will thereafter be deleted by your browser.

- **Communication Data:** Communication Data will be deleted after responding to / completing your inquiry if and to the extent (a) we are not legally obliged to retain such Data (e.g. for accounting or document retention purposes) and (b) we do not have an overriding or legitimate interest to retain such data for documentation, quality assurance or similar business purposes or for the assessment or exercise of, or defense against, legal claims.
- **Marketing Data:** We generally keep Marketing Data for as long as necessary to achieve the respective purposes. Such Data will be deleted thereafter if and to the extent (a) we are not legally obliged to retain such Data (e.g. for accounting or document retention purposes) and (b) we do not have an overriding or legitimate interest to retain such data for documentation, quality assurance or similar business purposes or for the assessment or exercise of, or defense against, legal claims.
- **Application Data:** We generally keep Application Data for the duration of the application process and three months thereafter, unless you ask or allow us to retain your application for a longer time. Where relevant, we may retain Application Data for longer for the assessment or exercise of, or defense against, legal claims.

## 6. Your Rights as Affected Data Subject

You have the right to request information about your Data we process and further rights regarding such data processing. In particular, you have – or may have, depending on the circumstances – the right to:

- a) **Information**, i.e. to ask us whether we are processing Data about you and, if so, to provide you with further information related thereto.
- b) **Correction**, i.e. to ask us to correct or complement your Data if it is incorrect or incomplete.
- c) **Deletion**, i.e. to delete your Data (to the extent we are not under a legal obligation or have an overriding or legitimate interest to retain such Data).
- d) **Object**, i.e. right to dissent to the processing of your Data based on our legitimate interest (Art. 6 para. 1 lit. f GDPR) by explaining your particular reasons and specific circumstances on which your objection is based. Regarding cookies through which certain Data may be collected, you can block the setting of such cookies at any time by changing the settings in your browser accordingly. A deactivation of cookies may result in a limited user experience and you may not be able to use every function of our website or services or to access the services in an appropriate manner altogether.
- e) **Restrict processing**, i.e. to ask us to temporarily restrict our processing of your Data.
- f) **Data portability**, i.e. to ask us to provide you or another controller in electronic form with the Data you have provided to us (to the extent technically feasible).
- g) **Withdraw your consent**, i.e. to revoke your consent to the extent you have previously given such consent to any specific purpose of processing of your Data. This will not affect the lawfulness of any processing carried out before you have

withdrawn your consent (or any processing based on any legal basis other than your consent) and it may mean that we will no longer be able to provide our services to you.

In case you wish to exercise any of these rights, please contact us as specified in Section 1. Before responding to your request, we may ask for proof of identity. This helps us to ensure that your Data is not disclosed to any unauthorized person.

## **7. Data Security**

We have put appropriate technical and organizational security policies and procedures in place to protect your Data from loss, misuse, alteration or destruction. Despite these security measures, we cannot completely eliminate the security risks associated with data processing.

## **8. Complaints / Regulatory Authority**

If you believe that our processing of your Data contradicts the applicable data protection laws, you have the possibility to lodge a complaint with the appropriate data protection authority.

The data protection authority in Switzerland is the Federal Data Protection and Information Commissioner, Feldeggweg 1, 3003 Berne, Switzerland (<https://www.edoeb.admin.ch>). Based on your residence, you may have the possibility to lodge a complaint with the appropriate data protection authority of your place of residence.

## **9. Changes to this Privacy Notice**

This Privacy Notice does not form part of any contract with you and we may amend it at any time. The version published on our website is the version that currently applies.

Last update: 1 September 2023