

Privacy notice

We respect your privacy and set great store by data protection. In compliance with Swiss and EU data protection law, this privacy notice informs our company's customers and website users of the nature, scope and purpose of personal data collection and use. We keep you informed transparently at all times of the purposes for which we need your data and whether and if so for how long we store them.

We have taken technical and organisational measures to assure compliance with data protection rules both by us and by our external service providers. Personal data must be processed lawfully, in good faith and in a manner that is verifiable by the data subject.

We act in accordance with the principles of the Swiss Data Protection Act (DSG), in other words respecting transparency, use for the intended purpose, fairness, data minimization, limited storage periods, data accuracy, data security, privacy by design and privacy by default.

Important: this privacy notice may be amended. Please use this website to keep informed at all times.

In case of differences in interpretation the german text of this privacy notice prevails.

1. Purpose of this privacy notice

Data protection is a matter of trust. We set great store by your trust. In this privacy notice, we tell you how your personal data are collected, processed and used.

This privacy notice provides the following main details:

- which particular personal data we collect and process;
- for which purposes we use your personal data;
- who has access to your personal data;
- benefits that our data processing bring you;
- length of processing and storage of your personal data;
- your rights in respect of your personal data;
- and our contact addresses.

This privacy notice is valid both under the Swiss Data Protection Act (DSG) and under the General Data Protection Regulation (GDPR) of the European Union.

2. Terms

2.1. Personal data

Personal data within the meaning of the DSG and GDPR are all information relating to an identified or identifiable natural person; a natural person is regarded as identifiable if that person can be identified either directly or indirectly, in particular by association with a characteristic such as a name, an identification number, location data, an online identifier or with one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. Names, addresses, email addresses etc. are examples of personal data.

2.2. Processing

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“Processing” means any operation which is performed on personal data, regardless of the means and procedures used, in particular the collection, storage, keeping, use, alteration, notification, archiving, erasure or destruction of data.

2.3. Controller

The controller is the person who specifies the purpose and means of processing, i.e. who decides that personal data are to be processed at all and which important conditions must be respected in such cases.

2.4. Processor

The processor is the person who arranges third party data processing. The processor himself decides to conduct his business and to process the controller’s data, but the decision as to whether such processing takes place at all remains a matter for the controller. The controller is entitled to give instructions to the processor.

3. Data processing controller

Under data protection law, the controller responsible for specific data processing is the undertaking, primarily the contracting partner, which determines the purpose and scope.

For the purposes of this privacy notice, the data processing controller is:

Schweizerische Treuhandgesellschaft (Bern) AG
Spitalgasse 2, PO Box
3001 Bern

Email: pauline.snuijf@stg-bern.ch

Other undertakings may be responsible for specific processing operations. Where applicable, this is stated below in the relevant description of the processing.

4. Addressees of this privacy notice

This privacy notice is intended for all persons whose data we process, irrespective of the way in which you contact us, e.g. online, by telephone or by post.

It applies to the processing both of personal data that have already been collected and of personal data that will be collected in future.

You will find further information in our General Terms and Conditions of Business (AGB) and in the applicable contract documents. They may contain further information about the intended purposes of data processing.

5. Collection of personal data

5.1. Data supplied to us

You often make personal data known to us yourself, for example by communicating with us and on that occasion transferring data and making it available to us.

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This is done for example in the following situations:

- you close a contract with us;
- you set up a client account;
- you take part in a game of chance or in a competition;
- you contact our customer service;
- you register for other offers, such as our newsletter.

Personal data are provided in the first instance voluntarily. To implement and perform the contract we must, however, collect and process certain personal data. Statutory retention obligations likewise apply. Otherwise, we are unable to close, perform or continue the relevant contract. Personal data processing is permitted in principle for the performance of a contract.

If you let us have data about other persons (friends or family members), we can assume that you are entitled to do so and that these data are correct. You further give an assurance that these other persons have been informed of this privacy notice.

5.2. Data collected

Personal data may also be collected automatically, e.g. online. Often this involves conduct and transaction data as well as technical data (time when the website is consulted, payment practice etc.).

Personal data may for instance be collected automatically in the following cases:

- you close a contract online;
- you pay by digital means;
- you visit one of our websites or use one of our apps;
- you order a product from one of our online shops;
- you let us know your client account in a communication with us;
- you consent to receive our newsletter or interact otherwise with one of our electronic promotional communications.

From existing personal data we may, for instance, derive further personal data by evaluating conduct and transaction data. Such derived personal data are often data concerning preferences.

5.3. Received data

We may also receive personal data from other member undertakings of our group. We may likewise receive personal data from other contracting partners if you have consented to their notification to us. Furthermore, we may obtain personal data about you from public sources.

6. Purposes of processing

6.1. Communication

We wish to remain in contact with you and meet your individual requirements. We therefore process personal data for communication with you.

The purposes of communication include in particular:

- completion of a tax return (CH/abroad, in particular USA);
- accounting;
- bookkeeping;
- structuring;

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- succession arrangements;
- value added tax transactions;
- payroll administration;
- payroll accounting;
- family office;
- consultancy and asset matters and trust transactions;
- law (family/inheritance law, company law);
- drafting contracts;
- administration of domestic and foreign companies;
- execution of wills, testaments, living wills;
- payment transactions.

6.2. Implementation of contracts

We also wish to make sure that contracts are performed to your complete satisfaction. We therefore process personal data for contract performance and for all directly or indirectly related areas such as support, maintenance, repairs, information about innovations, product adaptations etc. The purpose of contract implementation generally covers everything that is necessary or expedient in order to close, implement and perform a contract. Contract implementation may also include agreed personalization of services.

6.3. Information and marketing

We also process personal data to maintain relations and for marketing purposes, e.g. by sending written or electronic notifications. Such notifications may be personalized.

The following notifications may be involved:

- newsletters;
- promotional emails;
- in-app messages;
- electronic messages;
- information sent by post;
- promotional brochures, magazines and other printed matter;
- invitations to events, games of chance and competitions.

You may at any time decline contacts made for marketing purposes.

You must in any case give your explicit consent to receive newsletters and other electronic communications.

6.4. Security and prevention

We wish to safeguard your and our security and prevent misuse.

To safeguard your and our security and prevent misuse, we process personal data for security purposes, to assure IT security, prevent theft, fraud and abuse and for evidential purposes.

We therefore collect, assess and store your personal data for security purposes.

6.5. Legal obligations

We will comply with legal obligations, e.g. to retain or notify data. Otherwise we will not disclose your personal data.

6.6. Safeguarding of rights

We process your personal data to enforce our claims, e.g. for the purpose of securing evidence or to clarify the prospects of potential legal proceedings. On request, we will disclose your personal data to the authorities.

7. Legal bases for data processing

Depending on the purpose for which processing takes place, personal data processing is founded on various legal bases. In Switzerland, data processing is normally permitted unless it is prohibited by law (DSG or GDPR).

Data processing is permitted for the performance of a contract, irrespective of, or even against, the wishes of the data subject.

Legitimate interests likewise allow us to process data. Legitimate interests may be of an aspirational or economic nature. For example, direct advertising is a recognized purpose. This includes contacting persons to provide promotional information, e.g. by telephone, email or letter.

Furthermore, all data processing based on your consent or necessary to comply with domestic or foreign legal requirements is also permitted.

8. Disclosure of your personal data

8.1. Within our undertaking and group of undertakings

We may disclose your personal data within our undertaking and group of undertakings. Disclosure may take place for the purpose of internal group administration or to support the undertakings concerned.

8.2. To third parties

We may also transfer your personal data to undertakings outside our own business if we make use of their services. In the first instance, these service providers process your personal data on our behalf as retained processors. By means of data handling contracts (DHC), we require our processors to process your personal data solely in compliance with our instructions and to take suitable measures to assure data security.

We require your consent for the release of your personal data to other third parties for their own purposes, unless there is a legal basis that obligates us to disclose such data, e.g.:

- information for product recalls;
- transfer of claims to other undertakings;
- verification or performance of transactions under company law, such as purchases, sales and mergers of undertakings;
- disclosure of personal data to courts and authorities in Switzerland and abroad;
- processing personal data so as to comply with a court order or instruction given by the authorities;
- enforcement of legal claims.

9. Notification to other countries

9.1. Switzerland and the EU

We process and store personal data in Switzerland, the European Union (Germany, United Kingdom, Finland, France, Italy, Netherlands, Portugal, Austria, Spain), Brazil, Canada, Hong Kong, Luxembourg, Polynesia, New Zealand, Thailand, Uruguay and the USA. The GDPR assures a standard of data protection equivalent to that prevailing in Switzerland.

In certain cases we may, however, also release personal data to service providers and other recipients who are located outside this territory or who process personal data outside this territory, in principle in any country of the world.

Personal data may only be released abroad without further measures (or be consulted from abroad) if the country concerned maintains a standard of protection that is deemed to be appropriate from the Swiss point of view.

The relevant countries outside the EU often do not have laws that protect your personal data to the same extent as is the case in Switzerland or in the EU. In cases where we transfer your personal data to such a country, we assure appropriate protection of your personal data.

One means of assuring appropriate data protection is of a contractual nature to secure the necessary protection of your personal data abroad. Standard contract clauses are often used for this purpose (approved by the FDPIC - Swiss Federal Data Protection and Information Commissioner). Contractual provisions often do not completely offset weaker or non-existent legal protection, so making your consent necessary.

9.2. Transfer to third countries (such as the USA)

The services of companies based in the USA or having relations with the USA are included on our website. You must **consent** to this data processing. In that case, unimpeded access of the US authorities to your personal data cannot be ruled out. Legal action cannot be taken. In the following cases, we cannot assure appropriate protection of your personal data, not even by means of standard data protection clauses.

The following services and service providers are involved, but this list is not exhaustive:

- **Google**
 - **Google Analytics**
 - **Google Ads**
 - **Google Adwords**
 - **Google Maps**
 - **YouTube**

Service provider: Google Ireland Limited, Dublin/Ireland
Parent company: Google LLC, Mountain View/USA

Facebook

www.facebook.com

Privacy notice: www.facebook.com/privacy/policy

Privacy notice

Instagram

www.instagram.com

Privacy notice: <https://privacycenter.instagram.com/policy>

Youtube

www.youtube.com

Privacy notice: <https://policies.google.com/privacy?hl=de>

LinkedIn

www.linkedin.com

Privacy notice: <https://de.linkedin.com/legal/privacy-policy>

Twitter or X

www.twitter.com

Privacy notice: <https://twitter.com/de/privacy>

The accuracy of the above address and company group details cannot be guaranteed and may change in a dynamic economic environment.

On the other hand, in the case of all the above companies, the possibility that they may be required to give the US authorities access to your personal data cannot be excluded (US-CLOUD Act), even if the data are not stored in the USA.

Such data processing therefore only takes place with your explicit **consent**.

Information about the USA is provided on condition that Switzerland still does not have an EU-US Data Protection Framework with the USA or an equivalent adequacy decision in the shape of a Swiss-US Data Privacy Framework.

10. Personal data that require special protection

Certain types of personal data are deemed to require special protection under data protection law. This concerns in the first instance, but not exclusively, healthcare data, biometric characteristics or DNA profiles.

We only process personal data that require special protection if that is imperative to enable a particular service to be provided, if you let us have such data yourself or have consented to their processing. Such data will not in the first instance be disclosed to third parties or sent abroad.

11. Profiling

Profiling means the automated processing of personal data to analyse your personal characteristics, such as personal interests, preferences, affinities and habits.

We do not effect profiling without your consent.

12. Automated individual decisions

Automated individual decisions are made in a fully automated manner, i.e. without human intervention. These decisions do, however, have legal consequences for the data subject or may otherwise cause significant harm to that person.

We do not make automated individual decisions. However, should we make automated individual decisions in specific cases, we will keep you informed. You will then have an opportunity to arrange for the decision to be verified by a human being.

13. Data protection and data security

We take appropriate security measures of a technical and organisational nature, respecting the latest state of the art, in order to safeguard the security of your personal data, protect them against unauthorized or unlawful processing and avert the risk of loss, unintended alteration, unwanted disclosure or unauthorized access.

We also require our processors to take suitable technical and organisational security measures.

Unfortunately, we too cannot rule out breaches of data security with complete certainty. We will inform you and the FDPIC in the cases stipulated by the legislator of any such data loss or data leakage.

14. Duration of processing

Applying the principles of data minimization and transparency, we process and store your personal data only for as long as that is necessary to achieve the agreed purpose (e.g. to perform the contract), in other words only for as long as we have a legitimate interest in storage, e.g. until payment has been made in full.

In cases where statutory retention periods apply, we will store the data for the specified length of time.

If we wish to store your data for a longer period, we will ask for your consent.

15. Cookies and similar technologies

15.1. Purpose

We let you know how and for which purpose we collect, process, use and store personal and other data when you use our websites and mobile apps, in particular in connection with cookies and similar technologies. The term websites as used below also includes mobile apps.

15.2. Log data

Whenever our websites are used, for technical reasons certain data are automatically stored temporarily in protocol data files, known as log data. This includes the following technical data, although this list is not exhaustive:

- IP address of the requesting terminal device;
- details of your Internet Service Provider;
- details of the operating system used by your terminal device (tablet, PC, smartphone etc.);
- details of the referring URL;

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- details of the browser that is being used;
- date and time of access, and
- contents retrieved when visiting the website.

These data are processed to permit the use of our websites, e.g. to establish the connexion and assure functionality, system security and stability, to optimize our Internet offering and for statistical purposes.

The IP address is likewise evaluated, together with log data and other data, for investigative and defensive purposes in the event of attacks on the IT infrastructure and possibly also on the occasion of proceedings in criminal or civil law, e.g. to identify the persons concerned.

15.3. Cookies and similar technologies

Our websites use cookies. Cookies are small text data files that are stored via an Internet browser on your computer or mobile device when you visit the websites. If you retrieve one of the websites again, that website recognizes you without knowing who you are. The purpose of this recognition is to facilitate use of the website by you. Use of cookies enables user-friendly services to be provided that would not be possible without setting these cookies.

You can configure your browser settings in such a way as to block certain cookies or similar technologies or existing cookies and erase other data stored in the browser. You may likewise extend your browser with software (known as plug-ins) in order to prevent tracking by certain third parties. Information on this matter can be consulted via your browser's help pages, often under the data protection heading.

If you block cookies and similar technologies, our websites may not be able to function to the full extent.

16. Data processing with consent

Data processing by some service providers such as Google, LinkedIn, Facebook, YouTube etc., takes place only with your explicit consent, if possible by means of "Double Opt-in". You may at any time withdraw consent that you have given on a previous occasion.

You must give your consent to data processing by undertakings based in the USA or which have relations with the USA. In that case, unimpeded access by the US authorities to your personal data cannot be excluded. Legal action cannot be taken. In the following cases we cannot assure appropriate protection of your personal data, not even by means of standard data protection clauses. To that extent, the possibility that the US authorities may access your personal data (US CLOUD Act) cannot be ruled out. This applies on condition that Switzerland continues to have an equivalent adequacy decision in the sense of a Swiss-US Data Privacy Framework.

17. Your rights to withdrawal, information, rectification, erasure etc.

17.1. Right to information

You are entitled to ask us to confirm whether we process personal data about you. In that case, you have a right to information about such personal data and to further information. We ask you to submit your request for information accompanied by evidence of your identity.

17.2. Right to rectification

You are entitled to ask us for a confirmation whether we process your personal data. Having due regard to the purposes of processing, this likewise includes the right to require incomplete personal data to be completed – including by means of a supplementary notice.

17.3. Right to erasure

You are entitled to require the immediate erasure or anonymization of all personal data about you, unless we are required by law to retain such data.

17.4. Right to data portability and release

You are likewise entitled to receive data that you have made known to us in a current data file format.

17.5. Withdrawal of consent

You may withdraw your consent at any time with effect for the future. Please note that the exercise of these rights may conflict with contractual arrangements and that this may, for example, have cost consequences.

17.6. Objection

You may object to data processing, especially if we process your personal data on the basis of a legitimate interest and the other applicable conditions are satisfied.

17.7. Legal action

You may also enforce your rights in the courts or make a report to the appropriate supervisory authority. In Switzerland, this is the FDPIC - Swiss Federal Data Protection and Information Commissioner. You will find further information at: <http://www.edoeb.admin.ch>.

18. Contact data

For any questions and requests concerning data protection on our website, if you would like information about your data or wish to have your data erased, and if you have any questions about this privacy notice or the processing of your own personal data, please contact our discussion partner for data protection law at the following address:

Schweizerische Treuhandgesellschaft (Bern) AG
Spitalgasse 2, PO Box
3001 Bern

Email: pauline.snuijf@stg-bern.ch

19. Amendments to this privacy notice

We reserve the right to amend this privacy notice at any time. We therefore advise you to check this notice at regular intervals.

Latest update: April 2024