

Banque Cantonale de Fribourg

Data protection declaration
(privacy notice)



**Banque Cantonale
de Fribourg**

simplement ouvert

Table of contents

A. Protection of personal data	3
B. Categories of data processed and source of data	3
C. Purpose of data processing	4
D. Data transfer and outsourcing	5
E. Your rights	6
F. Modification of data and supplementary data	8
G. Automated decision making, profiling	6
H. Security of data	9
I. Retention of data	7
J. Contact	7

A. Protection of personal data

The protection of your personal data is crucial to the Banque Cantonale de Fribourg (hereinafter the "BCF" or the "Bank"), which strictly complies with the Swiss Federal Act on data Protection (FADP).

This Policy aims to give you an overview of the Bank's processing of your personal data and your rights in this regard. Further information on data protection can be found in the Bank's General terms and conditions, the Service specific terms and conditions of use and, with respect to the use of the Bank's website, the terms of use and the respective Privacy Policy.

"Personal data" (hereinafter "data") means any information relating to an identified or identifiable person.

The nature and means of processing your data depend greatly on the type of business/contractual relationship you have with the Bank and, if you are a customer, on the requested or agreed services. Processing means any operation relating to data, irrespective of the means and processes used, including in particular the collection, recording, storage, exploitation, modification, communication, archiving, deletion or destruction.

B. Categories of data processed and source of data

The BCF processes your data in your capacity as a customer (including potential/prospective customer with regard to the possible conclusion of contracts for a product/service) and/or business partners.

If necessary, the Bank, in the context of the products and services provided, also collects information about any other third party involved in the banking relationship (including beneficial owners), your premium card holders, business partners, family members or dependents and your representative/guarantors/agents. Furthermore, if you are an institution, legal entity or investor, the Bank also collects information about your administrators, officers, controlling persons, directors, authorized representatives, trustees/settlers/beneficiaries/protectors of a trust, employees and/or shareholders.

If you provide the Bank with data concerning another person (directly or through an intermediary), you undertake to provide the data subject with this Privacy Policy before providing any information to the Bank about them. Likewise, you represent and warrant that you have complied with any requirement under applicable data protection laws to allow the Bank to process it and, where applicable, that you have obtained the prior consent of the data subject to process his or her data.

Depending on the situation, the Bank may process the following data in particular:

- basic information
e.g.: surname, first name, address, date of birth, nationality, place and country of birth, gender, passport number/ID card, copy of passport/identity card, insurance number, photograph, telephone number, e-mail address, contract number, account number, specimen signature, family and/or professional information, guardianship measure.
- regulatory information
e.g.: tax residency and other information and documents of importance for tax purposes, tax identification number, information collected during surveys regarding due diligence obligations under anti-money laundering and terrorist financing legislation.
- financial information
e.g.: financial and economic situation, banking details, excerpt from the debt and Bankruptcy Office register, financial and credit history.
- data on transactions and/or investments
e.g.: risk profile, investment profile, details of current and past transactions, preferences in terms of number and value of shares held, bankcard transaction data.
- technical data
e.g.: internal and external identifiers, transaction numbers, IP addresses, access or modification records.

- marketing information
e.g.: needs, wishes, preferences

The data is either disclosed to the Bank by yourself (or by the Bank account holder or by its representatives) or obtained by the Bank from other external sources, including publicly available sources, such as (i) publications/databases made available by official authorities (e.g.: the sanctions lists of the UN or the European Union; debt enforcement register; commercial register); Internet; social networks; private databases; (ii) an entity to which the Bank provides services; (iii) information available via subscriber services (e.g.: Bloomberg); (iv) any other third party (e.g.: Central Credit information Office ("ZEK"), Consumer Credit information Office ("IKO"), Anti-fraud and Anti-money Laundering authorities, correspondent banks, recruitment agencies, business introducers, third-party managers, criminal/civil authorities, child and adult protection authorities, law enforcement authorities, citizen control service).

For reasons of transaction security, the Bank may record telephone conversations over telecoms lines without further notice. These recordings are subsequently duly deleted by the Bank. Video recordings are made for security reasons or to clarify any offenses, especially in the vicinity of the BCF's ATMs or at the BCF's premises.

C. Purpose of data processing

The Bank processes the data, depending on the circumstances and the services provided/requested, in particular for the following purposes (the "purposes").

The Bank specifies in any event that some of these trafficking operations may also be based on other substantiating reasons. If the Bank uses any other processing for purposes other than those set out above, the Bank undertakes to inform you and, if necessary, seek your consent.

i. Compliance with the Bank's contractual obligations

The Bank may process data in order to meet its contractual obligations, such as, for example:

- management of the banking relationship (including (i) management of accounts or products or services subscribed; (ii) management of communications relating thereto; (iii) the provision of services, including fees and/or invoicing; (iv) handling tenders and/or due diligence) and carrying out any transaction relating thereto;
- management of the pre-contractual relationship and, subsequently, the opening and maintenance of an account and/or the opening of a business relationship with the Bank, including all the formalities associated with your identification as a client and, where applicable, the identification of any third party concerned;
- compliance with the terms of the applicable contracts;

- sending of administrative information such as, for example, updating the Bank's General conditions; and
- management, administration and distribution of collective investment schemes, including the ancillary services related to such activities.

ii. Compliance with the Bank's legal and/or regulatory obligations

The Bank may process data in order to comply with its legal and/or regulatory obligations, such as, for example:

- monitoring compliance with legal obligations (i) relating to financial market regulations, including investor protection; (ii) relating to sanctions and embargoes; (iii) relating to the fight against money laundering, terrorist financing, financial crime and market abuse;
- providing clients and, where applicable, relevant third parties with documentation and information about the Bank's products and services;
- any form of cooperation with competent authorities, such as supervisory authorities, authorities involved in the automatic exchange of information in tax matters, and authorities responsible for combating money laundering and terrorist financing;
- providing the ZEK and/or the IKO with any reports or announcements required by law;
- any measures implemented with regard to risk management (including market risks, credit risks, operational risks, liquidity risks, legal risks and reputational risks) and risk assessment to which the Bank is subject;
- determining your tax status as a client or, where applicable, that of any third party concerned;
- any measures taken with regard to implementation of international sanctions in accordance with the procedures established by the Bank, which implies in particular data processing for verification purposes (screening); and
- the recording of telephone conversations and electronic communications with you as a client and/or with any interested third party in particular for the purpose of preventing and detecting potential fraud and, where applicable, investigating fraud.

iii. The pursuit of the Bank's legitimate interests

The bank may process data in connection with its legitimate interest, such as:

- any processing that is necessary to enable the Bank to prove a transaction;
- recovery or assignment of claims;
- any treatment that is necessary to enable the Bank to establish, exercise or defend itself against a current, potential or future claim, or to enable the Bank to face

an investigation by a public authority, in Switzerland or abroad;

- any other processing that is necessary to allow the Bank to obtain the necessary information about you (particularly to check your solvency) from third parties such as the enforcement authorities, from the ZEK and, where applicable, from the IKO;
- any processing for developing the business relationship with its clients;
- any processing aiming at improving the Bank's internal business organization and operational activities, particularly in terms of risk management;
- the management of the Bank's IT environment and your configurations as a client or those of the third parties concerned;
- any processing to guarantee the security of the Bank's information systems and premises;
- the use of the data to develop commercial offers and marketing activities, provided you have not objected to the use of your data for this purpose;
- the conduct of statistics or tests; and
- the recording of telephone conversations and electronic communications with you as a client or any interested third party in order to protect the Bank's interests, analyze and improve the quality of the products and services provided, train Bank employees and manage the Bank's risks.

D. Data transfer and outsourcing

1. Data transfers

i. Transfer to third parties authorized by the Bank
The BCF may outsource certain services, particularly in the IT and administration sectors, in order to achieve its purposes. Such third parties may make use of subcontractors themselves, provided that the Bank has consented.

Likewise, such third parties are contractually obliged to provide for confidentiality and data security. In addition, the Bank shall implement measures reasonably necessary to secure the transfer of data to third parties.

Furthermore, the BCF reserves the right to communicate or make accessible the data to its auditors and/or legal advisors and/or IT service providers, for example, as part of maintenance/support/service.

ii. Transfer to other third

The Bank reserves the right, provided it is legally or otherwise authorized or required, to disclose or make accessible the data to judicial or administrative authorities (e.g.

financial supervisory authorities) or to financial market participants (e.g. third-party custodians or collective securities depositories, brokers, stock exchanges and registers). Furthermore, the BCF will only transmit your data to third parties on the basis of a legal or regulatory obligation (e.g. law enforcement agencies, FINMA, tax authority for the automatic exchange of information) or after obtaining your consent.

2. Overseas transfers

The Bank may be required to disclose, communicate, transfer and/or store data abroad:

- if disclosure is necessary to protect an overriding public interest;
- when entering into or performing contracts directly or indirectly connected with the business relationship (i.e., a contract entered into with you and/or with any interested third party but in your and/or the interests of such third party);
- in connection with the outsourcing of activities and/or services inherent in the Bank's banking activity;
- where disclosure is necessary in order for the Bank to establish, exercise or defend a current or future claim, or to enable the Bank to cope with an investigation by a public authority, in Switzerland or abroad; or
- in exceptional cases duly provided for by applicable law (e.g.: communication of certain transactional trades).

If such data transfer is made to a jurisdiction that does not provide an adequate level of data protection from a Swiss perspective, the Bank will, if required by applicable law, (i) obtain your consent and/or that of any interested third party, or (ii) implement appropriate safeguards.

The list of jurisdictions in which data may be transferred is available on the Bank's website.

3. Payment instructions and/or transaction orders

You are furthermore informed that if you issue Swiss or cross-border payment instructions or securities transfer orders, your personal contact and/or account number (IBAN) as well as the name and account number of the beneficiary will be notified to the parties involved, in particular to the payment transaction system operators or to SWIFT (Society for Worldwide Interbank Financial Telecommunication) as well as to the correspondent banks. You authorize the BCF to disclose such data, in your own name as well as in the name of the third parties concerned, and to support the Bank in compliance with these requirements.

Data transmitted abroad or in Switzerland by SWIFT are no longer protected by Swiss law.

E. Your rights

You have the right, subject to legal restrictions:

- to access your data and obtain information on how the Bank processes your data;
- to the restriction of processing of your data;
- to correct your information where it is inaccurate or incomplete;
- to object to the processing of your data;
- to withdraw your consent at any time. The withdrawal of consent is only applicable for the future and does not affect the lawfulness of the processing carried out in the past;
- to the erasure of the data where it is no longer necessary in view of the purposes for which it was collected or processed or where you and/or the third party concerned have withdrawn your consent (in cases where the processing of data is based on your consent and/or that of the third party concerned), subject to the applicable retention periods;
- to request, to the extent permitted by law, the return of data provided to the Bank or their transfer to a third party (right to portability); and
- to the restriction of processing of your data (e.g., by objecting to processing of your personal data for marketing purposes).

Even if you object to such data processing, the BCF is permitted to continue such processing if it is legally binding, necessary for performance of the contract to which you are a party, necessary for performance of a task carried out in the public interest or necessary for the legitimate interests of the BCF, including the establishment, exercise or defence of legal claims.

However, the Bank will not make use of your data and/or those of third parties concerned for direct marketing purposes if you ask the Bank to refrain from doing so.

You are informed and understand that, if we do not have any data concerning you (or if you exercise your right to object to or withdraw your consent), the Bank may not be able to provide you with the service or product for which the processing of such data is requested, or even, if necessary, may be compelled to terminate the business relationship.

F. Modification of data and supplementary data

You must inform the BCF as soon as possible if the information collected changes. You also undertake to provide the BCF, upon simple request, with any additional information deemed useful in maintaining the banking relationship and/or in meeting contractual, statutory or regulatory provisions.

G. Automated decision making, profiling

LAs a rule, the BCF does not use automated individual decision-making. If the Bank were to be required to use automated individual decisions as part of its business relationship with its clients, it would do so in compliance with applicable legal requirements.

However, certain data are processed by automatic means for assessing personal aspects (profiling), for example in accordance with legal and regulatory requirements (anti-money laundering or anti-terrorist financing), for risk management, for marketing and communication purposes (in particular to develop products or services specific to clients according to their needs), or for the evaluation and monitoring of the client solvency (scoring).

H. Security of data

The BCF attaches great importance to data security. In addition to complying with the legal provisions, it also takes a number of technical and organizational security measures to protect your privacy.

You can obtain more details of the security measures by contacting the Bank using the contact details set out in letter J below.

I. Retention of data

The BCF will retain the data for as long as is necessary to fulfil its legal and contractual obligations. As a rule, documents will be retained for ten years following the end of the business relationship or the transaction.

J. Contact

To assert your rights and for any questions in relation to data protection, you may write to the following address, by signing your request, enclosing a copy of your passport/identity card and providing the contact details at which the Bank may contact you:

Banque Cantonale de Fribourg

Data Protection Officer
Boulevard de Pérolles 1
1701 Fribourg
dpo@bcf.ch

If you are not satisfied with the Bank's response you can contact the Swiss data protection authority, the Federal data Protection and information Commissioner (<https://www.edoeb.admin.ch/en>).

The BCF reserves the right to amend this declaration at any time.

Siège central Fribourg

1701 Fribourg
Bd de Pérolles 1

Fribourg ville

Bourg
Hôpital cantonal
Rue de Romont
Schoenberg

Succursales

1616 Attalens
1754 Avry-Centre
1630 Bulle
1637 Charmey
1618 Châtel-St-Denis
3210 Chiètres
1741 Cottens
1784 Courtepin
1611 Le Crêt
1564 Domdidier
1731 Ependes
1470 Estavayer-le-Lac
1726 Farvagny
3175 Flamatt
3186 Guin
3280 Morat
1716 Planfayon
1746 Prez-vers-Noréaz
1680 Romont
1712 Tavel
1687 Vuisternens-devant-Romont

Succursale en ligne

bcf.ch

Garantie de l'État