



YUH ACCOUNT PRIVACY POLICY

THIS DOCUMENT IN A NUTSHELL

LAST UPDATED AS OF 17 FEBRUARY 2022

The Yuh Account Privacy Policy describes how Swissquote Bank Ltd processes your personal data in relation to your Yuh bank account. When we use in the following the word “data”, we mean “personal data”. **By accepting this privacy policy, you consent to the processing of your data in accordance with Section 2 below.**

WHAT DATA DO WE PROCESS?

We process a number of information that relates to you (i.e. personal data). Such data includes information you have communicated to us when opening or using a Yuh bank account. For example, we process data regarding payments you have made through your Yuh bank account. We may also process data we receive from third parties (including Yuh Ltd). Details of the data we process are set out in Section 3 of this privacy policy.

FOR WHAT PURPOSES DO WE PROCESS YOUR DATA?

We process your data for different purposes, which include providing you the services you have asked us to render. We may also process your data for marketing or quality assurance purposes. The purposes for which we process your data are detailed in Section 5 of this privacy policy.

CAN WE DISCLOSE DATA TO THIRD PARTIES AND ABROAD?

Pursuant to this privacy policy, we may, in certain circumstances described in Section 6 of this privacy policy, disclose your data to third parties, including Yuh Ltd, financial intermediaries and other service providers. Third parties to which we may disclose data may operate from Switzerland or from other jurisdictions. Accordingly, pursuant to this privacy policy, we may transfer your data outside of Switzerland, including to countries within Europe and countries that do not grant an adequate level of data protection. In case of the latter, Swissquote Bank Ltd relies on your consent. Further details regarding data we disclose to third parties are set out in Section 6 of this privacy policy.

WHAT ARE YOUR RIGHTS REGARDING THE PROCESSING OF YOUR DATA?

Subject to applicable data protection law, you have the right to object to the processing of your data (in particular for direct marketing purposes), the right to access, correction, erasure, data portability and withdrawal of any given consent (where our data processing is based on such consent). Further details on the exercise of your rights are specified in Section 11 of this privacy policy. If you ask us to stop processing certain data, or process such data differently, we may be unable or unwilling to render certain services. In addition, as a regulated bank, we are under the obligation to process certain data. We may therefore be entitled to continue processing of your data despite your objection/withdrawal of consent, as applicable, on the basis of legal obligations.

IS YOUR DATA PROTECTED BY THE SWISS BANKING SECRECY?

Some of the data we process pursuant to this privacy policy is protected under applicable banking secrecy rules that, in principle, prohibits disclosure of the protected data to third parties. Please note in this context that in the cases defined in **Section 2** of this privacy policy, you **release us from any banking secrecy (and the relating privacy obligations) by your waiver of any bank-client confidentiality**. Thereafter, we are released from the banking secrecy and confidentiality obligations in case disclosure is required (i) to safeguard our legitimate interests, e.g. to defend ourselves against legal claims; (ii) to perform transactions and other services on your behalf (e.g. sale of securities or assets); (iii) for the purpose of exchanging information between other stakeholders involved in the performance of Yuh services, in particular for risk management and compliance purposes; (iv) for security purposes (e.g. your protection against fraudulent activities); and (v)



to authorities or business partners in Switzerland or abroad under the circumstances described in Section 6 of this privacy policy, in particular to process debit or credit card transactions.

WHO IS RESPONSIBLE FOR PROCESSING YOUR DATA?

Swissquote Bank Ltd, Chemin de la Crétaux 33, 1196 Gland, is the data controller with respect to the data we process pursuant to this privacy policy.

You can contact Swissquote through the contact function of the mobile application used to manage and access your Yuh Account. You may also contact us by sending an email to info@yuh.com.

IS THERE ANYTHING ELSE YOU SHOULD BE AWARE OF?

You should carefully read this privacy policy in its entirety. It contains, among others, provisions that govern:

- your obligations with respect to data you share with us;
- how long we may keep your data;
- how we may amend this privacy policy; and
- the measures we take to safeguard your data.

1. SCOPE AND CONTROLLER FOR PROCESSING YOUR DATA

This Yuh Account Privacy Policy (the “**Policy**”) sets forth the terms on which **Swissquote Bank Ltd, Chemin de la Crétaux 33, 1196 Gland** (“**Swissquote**”, the “**Bank**”, “**we**” or “**us**”) may process your data as data controller within the context of the relationship you have with us regarding your Yuh bank account (the “**Yuh Account**”). This Policy is part of your agreement with us, as set forth in the General Terms and Conditions for Yuh Accounts and the other terms and conditions that you may have consented to for the operation of your Yuh Account. In this Policy, “data” means personal data, and “processing” refers to any operation with data, including transferring, storing, destroying and modifying such data.

We are a Swiss company located in Switzerland. If you are located outside Switzerland, your data will be transferred to and processed in Switzerland. Swiss data protection laws may differ from those of your jurisdiction.

2. CONSENT AND BANKING SECRECY WAIVER

When opening a Yuh Account, you explicitly agree to be bound by this Policy.

You hereby consent to the processing of your data in accordance with the purposes described in Section 5, as well as to the processing of your personal data collected, provided or made available otherwise in connection with your Yuh Account (as further described under Sections 3 and 4 below).

In the cases (a) – (e) defined in this Section 2 below, you hereby further **release us (including our managers, employees and agents) from the banking secrecy and confidentiality obligations** with respect to your personal data collected, provided or made available otherwise in connection with your Yuh Account (as further described under Sections 3 and 4 below) in case that:

- (a) disclosure of such data is required to safeguard our legitimate interests, e.g. to defend ourselves against legal claims;
- (b) disclosure of such data is required to perform transactions and other services on your behalf (e.g. money transfer, credit or debit card transactions or sale of securities or assets);
- (c) disclosure of such data is required for the purpose of exchanging information between other stakeholders involved in the performance of Yuh services, in particular for risk management and compliance purposes;



- (d) disclosure of such data is required for security purposes (e.g. your protection against fraudulent activities); and/or
- (e) disclosure of such data is made to third parties in Switzerland and/or abroad in the circumstances described in Section 6 below. Among others, by requesting a Yuh debit card, you accept that we will disclose your corresponding personal data to our debit card provider in the United States.

You acknowledge and agree that any data disclosed as permitted by this Section 2 or otherwise with your consent will no longer be subject to Swiss law, including Swiss banking secrecy and, where it is transmitted outside of Switzerland, may become available to foreign authorities.

3. DATA WE PROCESS

We process various categories of data about you. The main categories of data are the following:

- *technical data* (e.g. the type of mobile application used to access and manage your Yuh Account (the “Yuh App”), the operating system and device you use to access the Yuh App and other technical data) – although technical data itself may not permit drawing conclusions about your identity, it may be linked with other categories of data (and thus potentially with your person);
- *personal details and other registration data* relating to the use of services that require a user account or registration (e.g. in the context of opening a trading account with us your name, address, phone number or email address);
- *communication data* collected in relation to any enquiry by or contact with you, either through the Yuh App, by email or otherwise (e.g. content of the message sent, recording or making transcripts of conversations with you and any meta data in relation to the communication, such as time and date of the message sent);
- *customer relationship data*, i.e. data collected in relation with the conclusion or performance of a contact and data needed for maintaining and enhancing our business relationships, including in the context of maintaining a trading account or data used for marketing and promotional purposes (e.g. name, address, birth date, tax identification number or data collected by your completion of client surveys, applications for special offers and promotions and any other details in relation to your customer history such as bank details);
- *behavioural and preference data* used to get to know you better and tailor our products/services to you as well as for market research and development of new products (e.g. data relating to the way you use any debit or credit card associated with your Yuh Accounts, in particular with respect to transactions or secondary or additional benefits and services related to the debit or credit card as well as data regarding the way you use the Yuh App and the Yuh Website such as the functions of the Yuh App you use, terms you search for and pages you access);
- *location-based data*, i.e. data relating to geographical (e.g. data relating to the location from which you log in into the Yuh App when you enrol a new device);
- *other data* needed for the purposes detailed in Section 5 below (e.g. evidence processed in relation with administrative or judicial proceedings).

4. SOURCES OF THE DATA WE PROCESS

The data we process about you is communicated to us by you, but also by third parties as detailed in Section 4.2 below.

4.1. INFORMATION YOU COMMUNICATE TO US

We may process any information or document you have provided to us or that we have obtained, in particular during the course of, or while initiating, a business relationship with us. This includes:



- any information provided as part of the account opening process or in any “Know Your Customer” documentation (including copies of personal identification documents and any photograph or recording of you obtained or provided as part of the account opening process, or further to subsequent verifications);
- statements of assets, trade confirmations, debit card usage and transactions, as well as payments you make, any of which may include personally identifiable information (including name, address, contact information, nationality, birth date, marital status, tax identification number, copies of personal identification documents, photographs or other descriptions of your likeness) relating to you or any person that appears linked to your Yuh Account;
- information you provide when you voluntarily complete client surveys, provide feedback, apply for special offers and promotions, enter into competitions or register to our events (such as seminars and webinars);
- any communication you have with us, either through the Yuh App, by email or otherwise, including by telephone; and
- other information you provide to us or that we have obtained in the context of business relationships you may have with us (e.g. in the context of the opening and maintaining a trading account with us).

4.2. INFORMATION WE RECEIVE FROM THIRD PARTIES

In addition to data you have provided to us, we may process data relating to you received from third parties. Such third parties may collect data relating to you during the course of their activities and pursuant to their own privacy policy or similar agreement.

When receiving data from third parties (which have collected such data in their own responsibility), we consider that such third parties are authorised to provide the relevant data to us and – unless otherwise indicated by the relevant third parties – have allowed us to process such data in accordance with this Policy.

In particular, we receive data relating to you from:

- Yuh Ltd, the entity that owns and develops the Yuh App. We expect Yuh Ltd to share with us data relating to the way you use the Yuh App, the version of the Yuh App you are using, the operating system and device you use to access the Yuh App, the location of your device, the functions of the Yuh App you use, terms you search for and pages you access. Yuh Ltd’s own privacy policy is available at www.yuh.com/en/legal (the “**Yuh Website**”) or in the Yuh App;
- PostFinance Ltd (“**PostFinance**”), which has partnered with us to offer the “Yuh” services offering. We expect PostFinance to share with us details of your PostFinance bank account (if you hold one), and information you have provided to PostFinance to open a PostFinance bank account, including your name, address, date of birth, bank account, copy of identification documents provided to PostFinance and other financial details;
- merchants who will forward transaction data to us and our agents (who may be located outside of Switzerland) via the global MasterCard network, even in respect of transactions conducted in Switzerland; and
- other third parties you have authorised to share data with us, which may include social networks and internet analytics services.

5. PURPOSES OF PROCESSING

We may process data referred to under Section 3 above for any of the following purposes:

- (a) to provide the services in relation to Yuh Accounts, in particular to execute your payments and transactions in financial instruments or to provide services relating to the debit card;
- (b) to maintain the security of our products and services and to prevent fraud;
- (c) to comply with applicable law (including foreign law Swissquote reasonably believes to apply, for example due to the characteristics of certain transactions or financial instruments or markets, due to your location, residence



- or nationality, or because Swissquote uses services providers in a foreign jurisdiction), regulatory requirements, market rules and practices (including self-regulatory requirements);
- (d) to comply with agreements entered into between Swissquote or one of its affiliates and third party brokers, counterparties, financial services providers or financial infrastructures;
 - (e) to initiate and conduct debt recovery proceedings or other proceedings against you;
 - (f) to secure claims, enforce its rights of pledge and retention, and realise collateral you or third parties have provided;
 - (g) to defend ourselves if you bring legal action or other proceedings against Swissquote, or if you make allegations against Swissquote in public or to Swiss or foreign authorities or self-regulatory bodies;
 - (h) to create, analyse and process consumer, transaction and client profiles, including to prevent unauthorised uses of your Yuh Account (e.g. we may send you fraud notices to the telephone number associated with your Yuh Account);
 - (i) to provide you with customer support service, including response to your inquiries or complaints, and otherwise for the purpose of communication with you;
 - (j) for market research and to develop or offer additional products and services;
 - (k) for quality assurance and marketing purposes, including to provide you with targeted recommendations or advertisement, to getting know you better, tailoring our products/services to you and/or generally to maintain our business relationship with you;
 - (l) for the purpose of exchanging information between other stakeholders involved in rendering services in connection with your Yuh Account, in particular for risk management and compliance purposes;
 - (m) for the purposes described in Section 6 below in the context of third parties;
 - (n) for other purposes, for example as part of our internal processes and administration, or for purposes stated in separate agreements you may have entered into with us;
 - (o) for other compelling legitimate interests, compliance with legal and regulatory obligations or court orders, exercise and/or defense of legal rights, reporting to and/or being audited by regulatory bodies and record keeping obligations.

The processing of some data is compulsory for the operating of the Yuh App and the provision of the services available through the Yuh App. Without such data, we may not be able to provide you with all or part of the services offered through the Yuh App.

6. DISCLOSURE OF YOUR DATA TO THIRD PARTIES AND ABROAD

In certain situations as further described in this Section 6, we may disclose your data to third parties in and outside of Switzerland. Please note in this context that you **release us from any banking secrecy (and the relating privacy obligations) by your waiver of any bank-client confidentiality** in case such disclosure to authorities or business partners in Switzerland or abroad is required under the circumstances further described in this Section 6 and in accordance with Section 2 above.

We may disclose your data to:

- (a) Swiss and foreign authorities, courts and agencies;
- (b) to affiliates and (sub-)contractors and business partners (such as Yuh Ltd and PostFinance);
- (c) to third parties who perform tasks or services in relation to the Yuh Accounts and/or the Yuh App;
- (d) to our counterparties in transactions in financial instruments; and/or
- (e) to other third parties where such interaction follows from the purposes stated in Section 5 above (e.g. to other Yuh Account holders).



Recipients may be located outside of Switzerland, in particular in Europe and in the United States, however potentially in any country in the world. Recipients may be based in jurisdictions that do not offer an adequate level of data protection (such as the United States of America). In such cases, Swissquote relies on your consent for the disclosure of your data. You acknowledge and agree that once your data have been disclosed to recipients outside of Switzerland, they are generally no longer protected by Swiss law but subject to the applicable local legislation, and may be transmitted to third parties or authorities in accordance with any applicable local law.

The table below describes certain situations in which we may transfer your data to third parties. **You should carefully review this table, as it illustrates (without limitation) the extent to which your data may be disclosed to third parties.**

PURPOSE(S)	RECIPIENT(S)	DATA DISCLOSED
Providing the “Yuh” services	Yuh Ltd Our affiliates*	All data in our possession, provided that the recipients are authorised to process your data on the same terms as provided in this Policy
Facilitating transfers of monies and other transfers between holders of Yuh Accounts	Persons who have recorded in their mobile device the phone number of the mobile device on which you have installed the Yuh App*	The fact that you hold a Yuh Account
Marketing the “Yuh” services	Your contacts recorded in your mobile device* Third party providers* (i.e. marketing/ analytics tools)	The fact that you hold a Yuh Account Your data needed to perform marketing activities
Processing debit or credit card transactions and other operations on debit or credit cards	Marqeta, Inc. (a company with operations in the United States and Ireland) and its affiliates* International card organisation (MasterCard International) and its contractors* Mobile Payment Solutions (e.g. Apple Pay, Google Pay and/or Samsung Pay) providers*	Transaction data (e.g. debit card and transaction reference number, expiry date, transaction and invoice amount, booking and invoice date and information on the merchant), as well as your contact details, in particular your name, address, nationality, phone number, and email address. In certain cases (e.g. purchase of flight tickets, hotel bills, car rental, purchase of fuel) the recipients of the relevant payment will also be informed of your name
Manufacturing physical debit cards	Contractors with operations in France*	Your name, address, the fact that you hold a Yuh Account, and any other information required to manufacture debit cards
Complying with domestic or foreign law or market rules, our agreements with our counterparties, brokers and other intermediaries we rely on to execute transactions, and responding to requests from the recipients	Counterparties* Authorities and self-regulatory bodies* Trading venues* Issuers of financial instruments and other assets* KYC / AMLA third party providers* Other third parties*	Any information we deem necessary to: <ul style="list-style-type: none"> comply with the relevant laws, regulations, rules, agreements requests respond to requests or make disclosures where we consider, in our sole discretion, that we have a legal, regulatory or contractual obligation to respond



PURPOSE(S)	RECIPIENT(S)	DATA DISCLOSED
Defending ourselves in the event of disputes with you (even if you have not initiated any court or similar proceedings against us)	Courts (including arbitral tribunals)* Authorities and self-regulatory bodies* Media outlets requesting comments from us*	Any information which allows us to establish our claims or to defend against claims you have made against us
Executing domestic or cross-border payments or transfers of financial instruments and other assets	Correspondent banks and financial institutions* Operators of payment transaction systems* (e.g. Swiss Interbank Clearing, SIC) SWIFT (Society for Worldwide Interbank Financial Telecommunication)* Other third party service providers retained to process payments* Beneficiaries of payments and the bank or similar financial institution of the beneficiaries*	Your name, address and email address, IBAN (International Bank Account Number) or account number, and any other information that we consider, in our sole discretion, to be reasonably required to perform the payment or transfer
Executing domestic or cross-border transactions and other operations on financial instruments and other assets (including corporate actions)	Banks and other financial institutions* Central securities depositories* Trading venues and other system operators*	Name, address, IBAN, account number or custody account number of the final beneficiary account holder, the registered shareholder or other parties involved in the operation
Transferring and/or offering to transfer our contractual relationship with you or individual rights and/or obligations relating thereto for debt collection purposes or in connection with a securitisation	Counterparties or intermediaries involved in the transaction (or assessing a possible transaction)*	Any information regarding your relationship with us
Debt recovery	Courts and other authorities* Debt collection services providers*	Your personal details, your full Yuh Account history, details of any amount you owe us or other claim we have against you and any other information we consider necessary to enforce our claims
Processing communications between you and the Bank	Third party software providers retained by the Bank*	Your IP address ¹
Processing push notifications	Third parties maintaining servers through which push notifications are routed (such as device manufacturers, e.g. Apple, or operating systems creators, e.g. Google)*	The content of push notifications ¹

¹ We do not seek to actively disclose data to such third parties, but disclosures may nonetheless take place.

Recipient marked with a star (*) in the above table may be located outside of Switzerland in the countries/regions specified above.

We do not undertake to notify you of each and every disclosure made in accordance with this Section 6.



7. PROFILING

We process some of your data automatically, with the goal of assessing certain aspects of your personality (profiling). We may do so in particular to:

- comply with our legal and regulatory obligations with respect to combatting money laundering, terrorism financing, and certain other offenses;
- tailor our communication and marketing to your use of your Yuh Account and to recommend products or services you may be interested in.

8. DURATION OF PROCESSING

We will not keep your data for any longer than is necessary in light of the purpose(s) for which it was first collected, provided or made available otherwise, subject to any legal, regulatory or contractual requirements which may require a longer retention, the time in which any litigations or investigations might arise and the need to answer queries or resolve issues.

When data is no longer required, we will destroy, delete or anonymize it.

9. BASIS OF PROCESSING

Where we require a legal basis for processing, we process your data based on:

- your consent, provided you have given us such consent (e.g. in agreements you have entered into with us) and which you hereby give as described in Section 2;
- enforcement or defense of a legal claim;
- legal obligations to which we are subject, including in respect of “know-your-customer”, anti-money laundering laws and regulations, as well as rules relating to the prohibition of market abuses;
- our legitimate interests; and
- the performance of our pre-contractual or contractual obligations towards you.

10. LINKS TO THIRD PARTY CONTENT

When using our services, you may encounter links to documents, websites and mobile applications created and / or maintained by third parties. If you follow any link to such third party content, the processing of your data in relation to this content may be governed by the relevant third parties’ privacy policies or similar documents. We are not the controller responsible for the data processing in relation to such third party content. We accept no liability for any processing of your data by third parties in relation to third party content.

11. YOUR RIGHTS

Subject to applicable law (including its conditions, restrictions or exceptions), you are entitled to exercise the following rights with respect to our processing of your data by sending us a letter to the address indicated in Section 1, using the contact function of the Yuh App, or through a different channel we may indicate on the Yuh Website:

- request information from us as to whether and what data we process from you;
- request the completion or correction of your data that is incomplete or inaccurate;



- restrict or object to the processing of your data (in particular for direct marketing purposes);
- erase your data;
- receive, or request Swissquote to transmit to another designated person or entity, your data that Swissquote holds about you in a structured, commonly used and machine-readable format; and
- wherever processing of your data by Swissquote is based on your consent, withdraw your consent to the processing of your data.

When you wish to exercise such rights, we may require that you provide information to confirm your identity.

The exercise of the above-mentioned rights (e.g. your objection to the processing of your data or withdrawal of any previously given consent) may prevent us from providing you with all or part of our services. If we consider that, by agreeing to your request, we would no longer be able to provide our services to you in a manner that fulfils our quality standards, we may decide to terminate our relationship with you.

The above-mentioned rights may also be limited, for example when we are required to obtain and process your data to comply with applicable law and regulation, to assert or defend against legal claims, or when we have other legitimate grounds for the processing that override your interests and rights. We may therefore be entitled to continue processing your data even after you have chosen to withdraw your consent or objected to the processing of your data.

If requests are manifestly unfounded or excessive, in particular because of their repetitive character, we reserve the right to either charge a reasonable fee taking into account the request or refuse to act on the request.

12. YOUR OBLIGATIONS

You must ensure that any data you provide to us is correct, accurate, current, truthful and compliant with any applicable laws.

Insofar as you provide us with data about third parties, you represent and warrant that:

- you have the right to share such data with us; and that
- you have performed any action necessary or desirable to allow us to process the third parties' data without us having to take any further steps.

You agree to hold us harmless and indemnify us from and against any damage we may suffer as a result of a breach of your representations and warranties set forth above.

13. SECURITY

You are aware and accept that the use of the Yuh App to use our services involves risks. You must at all times follow the precautions described in the Terms and conditions of the Yuh App and in the General Terms and Conditions for Yuh Accounts (available at <https://www.yuh.com/en/legal>).

We maintain reasonable and appropriate contractual, technical and organisational security measures to safeguard your data, for example against loss, misuse or accidental destruction. However, there is no method of transmission over the Internet, or method of electronic storage is 100% secure and we therefore cannot guarantee its absolute security. In particular, data transmitted via the Internet is regularly transmitted in an unsupervised manner and may be directed through countries outside of Switzerland, even if the sender and the recipient are both located in Switzerland. Even where the data itself is encrypted, the sender and recipient can sometimes remain unencrypted, such that third parties may be able to infer their identity.



14. OUR EMPLOYEES

Within our organisation, your data may be accessed by a number of employees. All our employees are bound by a duty to keep your data confidential and have been instructed to comply with our contractual and legal obligations to keep your data safe.

15. CHILDREN

We do not knowingly collect any information from children under 13 years of age without the consent of the holder of parental responsibility. If a child under the age of 13 has provided personal information without such consent, please contact us at the contact details below in Section 17 so that we can delete such information.

16. AMENDMENTS TO THIS POLICY

We reserve the right, at our sole discretion, to amend this Policy at any time, including to reflect changes in our data processing practices or in data protection laws. Such amendments will be communicated to you in accordance with the General Terms and Conditions for Yuh Accounts. You will be deemed to have accepted these amendments when using the Yuh App for the first time after the amendments have been communicated to you or, if you have neither used the Yuh App nor raised an objection, upon expiration of the deadline set forth in the General Terms and Conditions for Yuh Accounts. The Policy retrievable at <https://www.yuh.com/en/legal> is the Policy currently in force.

17. CONTACT

For any question in relation to this Policy, you can contact us via the contact details specified in Section 1 above, using the contact function of the Yuh App or a different channel we may indicate on the Yuh Website. You may also contact us by sending an email to info@yuh.com.

18. APPLICABLE LAW AND JURISDICTION

This Policy is exclusively governed by Swiss law, without regard to conflict of laws provisions. The exclusive place of jurisdiction for any dispute arising out of or in connection with this Policy is Gland, Switzerland. We however reserve the right to take legal action against you in a court of competent jurisdiction of your place of residence or before any other competent court or jurisdiction. In such cases too, Swiss law will apply exclusively.