

# Data Privacy Notice

As of 25 May 2018

Barclays Bank (Suisse) SA



## 1. Introduction

The EU General Data Protection Regulation ('GDPR') which has an extra-territorial effect imposes higher standards of personal data protection. Meanwhile, the Swiss Data Protection Act is being currently reviewed in order especially to comply with the provisions set out in GDPR.

In view of the obligations set out above, Barclays is committed to protecting the information that we hold about you. This privacy notice describes how, when, and why Barclays Bank (Suisse) SA ('we') may use your information, as well as your rights in relation to this information.

For the purposes of the GDPR, our EU '**Representative**' is Barclays Bank PLC. EU resident clients may choose to contact Barclays Bank PLC in addition to, or instead of, Barclays Bank (Suisse) SA for any GDPR-related enquiries, via the Barclays Data Protection Officer. Please refer to the Contact Us section (Section 9) for contact information.

## 2. Information we hold about you

Information we hold about you will often come from you directly, this will include without limitation the following:

- **personal details** (e.g. name, date of birth, passport information or other identification information);
- **contact details** (e.g. phone number, email address, postal address or mobile number);
- **biometric information** (e.g. voice recognition when you call some of our call centres provided that you enrolled with this service);
- **transactional details** (e.g. payments you make and receive);
- **financial information** (e.g. bank account number, credit or debit card numbers, financial history) including information you provide for the purposes of providing payment initiation services and account information services regarding accounts you hold with other providers;
- **tax status details** (e.g. tax ID, tax status)
- **education and employment information** (e.g.

level of education, employment, employer's name, remuneration); or

- **information** about any other Barclays products and services you currently have, you have applied for, or you have previously held.

If you do not provide personal data that we advise you is mandatory, it may mean that we are unable to provide you with the services and/or perform all of our obligations under our agreement with you.

We will also hold information we collect about you from other sources, this will include without limitation:

- our own records about any other accounts you have with us;
- publically available information or sources about you which is available online or otherwise;
- organisations that provide their own data, or data from other third parties,
- criminal record checks and information;
- representatives of a legal entity (which may be a client or a vendor);
- joint account holders;
- co-borrowers/guarantors; or
- legal representatives.

If you give us personal data about other people (such as dependants or joint account holders) which we will use to provide services, or if you ask us to share that information with third parties, for example to provide payment initiation or account information services, then you confirm that you know that they are aware of the information in this notice about how we will use their personal data.

## 3. What we use your information for and the legal basis for doing so

We use your personal data:

1. To comply with various legal and regulatory obligations such as:

- **banking and financial regulations;**
- **anti money laundering regulations (AML);**
- **civil law** (e.g. Swiss Code of Obligations);
- **criminal law** (e.g. Swiss Criminal Code).

- To perform agreements passed with us (e.g. custodian services, advices, discretionary mandates, etc.) or addressing your queries, including especially:
  - to **provide** you with information regarding our products and services;
  - to **provide** you with appropriate and suitable advices and services;
  - to **assist** you, assess and address your queries or complaints;
  - to **manage and personalise** our services to you;
  - to **assess** the possibility to propose or offer you new or existing products or personalised services.
- To serve our own interests, we may use personal data in order to develop and propose our products or services, to improve our risk management processes and to defend our legal rights, including especially:
  - the control of your operations;
  - the check of your instructions;
  - the prevention of fraud, money laundering or other crimes;
  - the training of our employees and associates;
  - the recovery of debts;
  - the personalisation of marketing proposals or events organised by us or by third parties.

When we process personal data to meet our legitimate interests, we put in place robust safeguards to ensure that your privacy is protected and to ensure that our legitimate interests are not overridden by your interests or fundamental rights and freedoms.

#### 4. Who will we share your information with?

We will keep your information confidential but we may share it with third parties (who also have to keep it secure and confidential) under the following circumstances:

- **Barclays Group companies.** Barclays Bank (Suisse) SA is owned by Barclays Plc, so we work closely with other businesses and companies that fall under the Barclays Group family. We may share certain information upon reception of the relevant Swiss banking secrecy waiver with other Barclays Group companies for example, to provide you with products or services, for marketing purposes, for internal reporting and where those companies provide services to us.
- **Payment-processing service providers** and others, such as exchanges and trading venues that help us process your instructions, payments, or investments.
- **Our service providers and agents (including their sub-contractors).** Where we engage with a supplier or agent to process information on our behalf, we will undertake due diligence, monitoring and assurance activities to ensure that the information is appropriately protected, and contractual clauses will be agreed between the parties to ensure that data protection and confidentiality is maintained.
- **Your advisers and representatives** (such as accountants, lawyers, financial or other professional advisers) if you have authorised anyone like this to represent you, or any other person you have told us is authorised to give instructions or to use the account or products or services on your behalf (such as under a power of attorney).
- **Legal authorities** who ask us to provide different type of data within the framework especially of an investigation, an open legal proceeding or a mutual assistance procedure.
- **Tax authorities** according to the applicable law or within the framework of mutual assistance procedure.

## 5. International data transfer

When we share information upon reception of the relevant authorisation or waiver with third parties in another jurisdiction, we will ensure they apply equivalent levels of protection for personal data as we do. If this is not possible, we will ensure the sharing of that information is lawful.

Also, if they are not in a jurisdiction that Switzerland regards as having adequate levels of protections for personal data, we will put in place appropriate safeguards (such as contractual commitments), in accordance with applicable legal requirements, to ensure that your data is adequately protected.

## 6. Retention of your data

We will keep your personal data for as long as it is required by applicable law. Once our relationship with you has come to an end (e.g. following closure of your account or following a transaction), or your application for a product is declined or you decide not to go ahead with it, we will only retain your personal data for a period of time that is calculated depending on the type of personal data, and the purposes for which we hold that information.

We will only retain information that enables us to:

- Maintain business records for analysis and/or audit purposes;
- Comply with record retention requirements under the law (for example, as required under legislation concerning the prevention, detection and investigation of money laundering and terrorist financing);
- Defend or bring any existing or potential legal claims;
- Deal with any future complaints regarding the services we have delivered;
- Assist with fraud monitoring; or
- Assess the effectiveness of marketing that we may have sent you.

The retention period is often linked to the amount of time available to bring a legal claim. We will retain your personal

data after this time if we are required to do so to comply with the law, if there are outstanding claims or complaints that will reasonably require your personal data to be retained, or for regulatory or technical reasons. If we do, we will continue to make sure your privacy is protected.

## 7. Your rights

You have certain rights regarding your personal data, subject to local law. These include the following rights to:

- request a copy of the personal data we hold about you;
- request that we supply you (or a nominated third party) with an electronic copy of the personal data that you have provided us with;
- inform us of a correction to your personal data;
- exercise your right to restrict our use of your personal data;
- exercise your right to erase your personal data; or
- object to particular ways in which we are using your personal data.

Your ability to exercise these rights will depend on a number of factors and in some instances, we will not be able to comply with your request e.g. because we have legitimate grounds for not doing so or where the right does not apply to the particular data we hold on you.

Please contact us to update or correct your information if it changes or if the personal data we hold about you is inaccurate.

## 8. Cookies

We may use cookies and similar technologies on our websites, mobile apps, and in our emails. Cookies are text files that get small amounts of information, which your computer or mobile device stores when you visit a website or use a mobile app. When you return to the websites or mobile apps – or visit websites and mobile apps that use the same cookies – they recognise these cookies and therefore your device.

We use cookies to do many different jobs, like letting you navigate between pages efficiently, remembering your preferences and generally improving your online experience. They can also help ensure that the ads you see online are more relevant to you and your interests. We also use similar technologies such as pixel tags and JavaScript to undertake these tasks.

We also use cookies in some of our emails to help us to understand a little about how you interact with our emails, and to help us improve our future email communications. These cookies also help ensure that the ads you see online are more relevant to you and your interests.

Our websites and mobile app terms and conditions give you more information on these technologies, how and where we use them and how you can control them.

## 9. How to contact us

If you have any questions relating to our use of your personal data under this Data Protection Notice, or if you wish to exercise any of your data protection rights, please contact the Client Service Department at [CH.ClientServices@barclays.com](mailto:CH.ClientServices@barclays.com).

The Barclays Data Protection Officer in the UK can be contacted at [dpo@barclays.com](mailto:dpo@barclays.com) or by mail at: The Data Protection Officer, Barclays, Leicester, LE87 2BB, UK.

Please note that we can't guarantee the security of your information whilst it's in transit to us. Therefore, if you choose to contact the Data Protection Officer by email, we advise that you keep personal data to a minimum, and in particular that you don't include full account information.

We draw your attention to the fact that by disclosing information with the Barclays Data Protection Officer in the UK, such data will not be covered by Swiss banking secrecy anymore.

## 10. Changes to the privacy notice

A copy of this privacy notice can be requested from us using the contact details set out above. We may modify or update this privacy notice from time to time.

Where changes to this privacy notice will have a fundamental impact on the nature of the processing or otherwise have a substantial impact on you, we will give you sufficient advance notice so that you have the opportunity to exercise your rights (e.g. to object to the processing).

Barclays offers private banking products and services to its clients through Barclays Bank PLC and its subsidiary companies.

Barclays Bank (Suisse) SA is a Bank registered in Switzerland and regulated and supervised by FINMA. Registered No. CH-660.0.118.986-6. Registered Office: Chemin de Grange-Canal 18-20, P.O. Box 3941, 1211 Geneva 3, Switzerland. Registered branch: Beethovenstrasse 19, P.O. Box, 8027 Zurich. Registered VAT No. CHE-106.002.386. Barclays Bank (Suisse) SA is a subsidiary of Barclays Bank PLC registered in England, authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority. It is registered under No. 1026167 and its registered office is 1 Churchill Place, London E14 5HP.