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## Privacy Policy of Weidema van Tol on the processing of personal data

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This privacy policy (hereafter “Privacy Policy”) informs you (hereafter “you” or “your”) about who we are (hereafter “we” or “WVT” or “us”), what personal data (hereafter “Data”) we collect and process, how, why and on which legal basis we process Data, who has access to the Data, if Data gets transferred across borders, how long data is kept, how Data is secured, what Data you must supply and outlines your rights according to the applicable Data protection laws according to the EU General Data Protection Regulation (EU) 2016/679 (hereafter “GDPR”).

As confidentiality and privacy is taken very seriously by WVT, we ask you to carefully read this Privacy Policy, immediately contact WVT if you have any requests, questions or concerns. This Privacy Policy and the applicable Data protection laws apply in addition to our professional duty of confidentiality.

If you send us Data (personal data as defined according to GDPR Art. 4 (1)) from other persons than you (for example your employees, family members etc.) please ensure, that the respective persons know this Privacy Policy and please only send us Data if you have the permission to send the Data and the Data is correct.

### 1. Who we are and our contact details

Weidema van Tol (Switzerland) GmbH main purpose is to provide tax advisory and legal services. Our contact details are:

Weidema van Tol (Switzerland) GmbH  
Dufourstrasse 5  
8702 Zollikon ZH  
Switzerland  
T +41 (0)44 991 13 68  
F+ 41 (0)44 912 27 15  
W [wvant.com](http://wvant.com)

Please contact us at the contact details above or at [info@wvant.com](mailto:info@wvant.com) if you have any requests, questions or concerns relating to our Data processing and/or this Privacy Policy.

### 2. Data we collect and process

#### *Origin:*

We process Data:

- received from you directly;
- received from third parties
  - in connection with the performance of the agreement you have with WVT;
  - in connection with regulatory or contractual obligations we must comply with;
- which is Publicly available (for example in registers or made public on the internet);

- received from affiliated firms or firms we work with to get expert advice in connection with the service provided to you;
- received from public authorities and institutions;
- received via our website (we use cookies on our website regarding google analytics and so called plug-ins please see our website privacy policy at [www.wvant.com](http://www.wvant.com)).

### *Type:*

We will or may collect the following Data:

- Anytype of contact details (e.g. name, address, phone number, electronic contact details etc.);
- Data allowing to identify you (e.g. date of birth, citizenship, Data on identification documents such as passport or identity cards etc., sample signatures, authentication Data such as passwords and login credentials, online presence Data, professional activities Data, membership Data etc.);
- Data to verify your credentials, status, associations, membership, partnership, authorizations, ownership, rights and obligations etc.;
- Any Data necessary in connection with providing you the service you requested and Data relating to the matter you are seeking advice for;
- Any Data necessary for the performance of the contract between you and us or Data resulting from the performance of such contract;
- Any Data relating to your financial situation such as for example creditworthiness, source of income and funds, insurance and tax details, banking details etc.;
- Any Data comparable to the just mentioned Data such as for example record keeping Data (e.g. telephone conversation memorandums, meeting minutes etc.), instruction Data, consent Data, order Data, service Data etc.

## **3. Our purpose and the legal basis for Data processing**

### *Performance of our contract with you*

Necessary Data may be processed in connection with steps taken to enter into a contract. Data is processed to provide advice and legal services according to the contract with you. Hereby we are also under the legal obligation to continuously update our client files. The Data processing is mainly driven by your requests and the contract with you. We may also process Data to identify our clients' potential additional needs, to extend the existing contract or enter into another contract.

### *Our legitimate interests or those of a third party*

We may process Data for our following legitimate interests or the legitimate interests of a third party, only to the extent that our or third party interests are proportionate and compatible with your interests, legal rights or freedoms:

- Ensuring IT-security and operations, general security, preventing unauthorized access and loss or alternation of Data and conducting backups;
- Case management and getting external expert advice;
- Communicating with third parties and answering their requests (in context of e.g. a media request, merger and acquisition, job application, research request etc.);
- Ensuring the confidentiality of information including third party information received from client such as e.g. Data of clients' employees, partners, affiliates etc.;
- Identifying or preventing criminal acts or other misconducts;
- Handling of legal claims, litigations, debt collection, billing process, insurance claims and getting insurance coverage and prevention and/or investigation of criminal acts;

- Improving processes, efficiency, training, professional development and quality controls and case handling;
- Development of new services and products;
- Management and development of our business, products and services, general security and business continuity purposes, financial planning, accounting and auditing, work allocation, risk management, ensure compliance with internal policies and the law in general, due diligence and mergers and acquisitions;
- Conduct research and statistical analysis, marketing and corporate events and provide updates (if the required consent has been obtained).

### *Statutory requirements or in the public interest*

For example in the following cases we will process Data in order to comply with statutory requirements:

- To ensure compliance with tax, privacy, anti-bribery and corruption, anti-money laundering and confidentiality laws and/or any other applicable law requiring us to ensure compliance;
- To protect our clients' information, property and assets or any other interest we are legally obliged to protect;
- If we are required to work with public authorities such as responding to their requests for information, undertaking internal investigations, money laundering and terrorist financing reporting requirements etc.;
- In any other case where we have a legal obligation involving the processing of Data.

### *On the basis of your consent*

We process Data covered by a consent given by you to us. You may withdraw at any time your consent. Please contact us if you wish to withdraw any consent given and please note that the withdrawal of consent has no retroactive effect on the use of your Data.

## **4. Who has access to your Data?**

For the performance of the contract we have with you and to comply with any statutory legal obligations WVT shares Data where appropriate with its employees, partner firms and affiliates based in various locations. The locations are listed on our website [wvant.com](http://wvant.com) under the menu "offices". Please contact us should you not be able to access the respective website.

Data is also shared in fulfillment of the contract we have with you and or in compliance with statutory legal obligations with other external third parties such as persons related to you (e.g. appointed by you or in a other business relationship with you) or persons related to us (e.g. appointed by us) and public bodies and institutions (courts, tax authorities etc.). For example such external parties may include agents, experts, service providers, insurers, auditors, banks, counterparties, beneficiaries, debt collection agencies, local lawyers and advisors etc.

It may also be necessary, that access to Data is granted to service providers in connection with tasks not related to the fulfillment of our contract with you but to ensure build and maintain the necessary infrastructure that comes with our business and in cases we outsource tasks which are necessary in context with our business. For example a third party may be entrusted with the task to maintain, repair or expand our IT-Infrastructure or we outsource the billing processing to a external service provider or we entrust a service provider with backing up our Data and deleting Data according to our instructions etc.

In any event we are bound to applicable professional secrecy according to applicable laws.

## 5. Do we transfer Data across borders?

WVT transfers your Data and Data received from you cross borders including to countries outside Switzerland and outside the European Economic Area (EEA) if:

- It is required for the fulfillment of the contract between you and us such as for example where there is an international dimension to the matter in which we are advising you;
- You or related persons to you or to us or public bodies and institutions as described above under section 4 are based outside the EEA or Switzerland;
- There is a statutory requirement (e.g. disclosure obligations under tax law, court order etc.);
- You have given us your consent.

The transfers outside the EEA or Switzerland may include transfer of Data to countries which may not have Data protection requirements in place and which are not deemed equivalent to those prevailing in the EEA and or Switzerland. In such case, the WVT will strictly comply with the special rules under European and Swiss Data protection laws and provide appropriate safeguards. Please contact us if you would like further information.

## 6. How long is Data kept?

We process and store your Data

- as long as it is necessary for the fulfillment of the contract between you and us and as long as the purpose of your business relationship with us makes the storage of Data necessary;
- as long as it is required according to statutory laws in order to comply with the statutory obligations such as for example documentation and archiving obligations according to trade laws and tax laws or obligations with specific regulations in the event of anticipated litigation requiring us to keep Data for an indefinite period of time.

Once the above mentioned reasons for the storage and processing of Data do not exist anymore, we will delete the Data in regular intervals.

## 7. How is your Data secured?

We have appropriate technical and organizational measures in place to protect Data from unauthorized access or use and from accidental loss. Such measures include IT and network security solutions, encryptions, back up and access controls.

## 8. Your rights

You have the right to:

- information about the processing of your personal Data;
- obtain access to the personal Data held about you;
- ask for incorrect, inaccurate or incomplete personal Data to be corrected;
- request that personal Data be erased when it's no longer needed and there is no legal obligation to retain Data or if processing it is unlawful;
- object to the processing of your personal Data for marketing purposes or on grounds relating to your particular situation (e.g. if we process Data based on legitimate interests and you opinion our legitimate interests do not outweigh your interests, legal rights or freedoms);
- request the restriction of the processing of your personal Data in specific cases (e.g. incorrect Data, deletion);

- receive your personal Data in a machine-readable format and send it to another controller ('Data portability');
- request that decisions based on automated processing concerning you or significantly affecting you and based on your personal Data are made by natural persons, not only by computers. You also have the right in this case to express your point of view and to contest the decision;
- withdraw at any time any consent given relating to Data processing (see already above under section 3 last paragraph).

To exercise your rights you should contact us at the contact details provided above in section 1. You may be asked to provide information to confirm your identity in order to exercise your rights. We will not be able to comply with your request in certain circumstances, for example where your request is unlawful, manifestly unfounded or excessive.

You also have a right to lodge a complaint with a supervisory authority and/or the right of appeal to the respective Data Protection Supervisory Authority.

## **9. What Data do you need to provide?**

We ask you to provide us the Data necessary to establish a business relationship, enter and execute the necessary contracts and perform the contractual and legal obligations in connection with the contract between you and us. Under certain circumstances we are obliged to verify and process your Data before entering in a contractual relationship with you (e.g. to comply with laws regarding anti-bribery and corruption, money laundering, terrorism financing etc.). If we do not receive the Data necessary to enter in a contractual relationship, we will be unable to commence or continue a business relationship with you. If any Data changes during the course of the business relationship, you are obliged to notify us immediately.

## **10. Profiling and automated data processing**

Generally no automated decision-making, including profiling, is undertaken by us regarding your Data. Only in order to prevent money laundering, the financing of terrorism, and criminal acts in general we may process data in an automated or semi-automated manner.

## **11. The use of biometric data**

We do not process any biometric Data. In particular we do not process photographs through specific technical means allowing the unique identification or authentication of a natural person.

## **12. Changes to this Privacy Policy**

From time to time this Privacy Policy might be or must be changed in order to comply with changing regulations and to reflect WVT's policies which might change over time. Please review our policy form time to time. You may request the most current version by contacting us at the contact details provided under section 1 above.

This privacy policy was adopted on 25 May 2018.