Julius Bär

# Privacy notice of Bank Julius Baer & Co. Ltd. and of Julius Baer & Co. Ltd., Mexico Representative Office

## for Clients and Business Partners

The following information is intended to provide you with an overview of how your personal data is processed by Bank Julius Baer & Co. Ltd. ('Bank') and Bank Julius Baer & Co. Ltd., Mexico Representative Office ('JB Mexico'; the Bank and JB Mexico together 'us' or 'we') as the controllers of the personal data and outlines your rights under the data protection legislation. In the following we refer to 'you' as a client, a business partner, or a prospect of the Bank and/or JB Mexico. The term 'business partners' includes persons related to a client, such as beneficial owners, employees, family relatives, authorised signatories, agents, and/or representatives.

In case one or more additional Julius Baer Group companies are or will be involved in your interaction with us (i.e. as advisory office or booking centre), please note that in addition to this privacy notice, the privacy notice of the respective Julius Baer Group company/-ies will apply (see www.juliusbaer.com/en/legal/privacy-notices-for-clients).

### 1 Contact details of the Bank and the Data Protection Officer

Bank Julius Baer & Co. Ltd.
Data Protection Officer
P.O. Box
8010 Zurich
Switzerland
dataprivacy@juliusbaer.com

### 2 Contact details of the Bank's representative in the European Union

Bank Julius Baer Europe S.A.
Data Protection Officer
25, rue Edward Steichen
2540 Luxembourg
dataprivacy.lux@juliusbaer.com

### 3 Contact details of Julius Baer & Co. Ltd., Mexico Representative Office

Bank Julius Baer & Co. Ltd.,
Mexico Representative Office
Data Protection Officer
Torre Virreyes, Pedregal 24-601
11040 Ciudad de Mexico, Mexico

### 4 Which personal data is collected and processed?

The Bank and/or JB Mexico collect and process personal data that they receive from you and that they generate as part of the business relationship with you. Personal data includes data that directly identifies you as an individual (e.g. name, address, telephone number), or that allows for identification when used in connection with other information (e.g. your bank account number). In addition to personal data that the Bank and/or JB Mexico receive directly from you, they also collect and process personal data about you from public sources (e.g. the Internet, social media, debtor directories, land registers, trade, and association registers) or that they receive from other Julius Baer Group companies or third parties.

The Bank and/or JB Mexico collect and process the following personal data in particular:

- personal details and identification data (e.g. name, address, contact data, date and place of birth, nationality, passport, ID documents, personal situation, occupation, interests and preferences, business connections);
- authentication data (e.g. specimen signature);
- personal data arising from the preparation, execution, and performance of contracts and the fulfilment of obligations, in particular related to services or transactions (e.g. account, deposit, and transaction data, including details of the principal and the

recipient of and requests for services as well as related powers of attorney and inquiries);
- advertising and sales data;
- personal data relating to contacts (e.g. correspondence, inquiries, minutes of consultation, contact notes);
- account details, record-keeping data, information regarding your personal background and financial situation (e.g. information relating to compliance and/or regulations, such as credit reports, origin of wealth and funds, financial knowledge, and experience), and/or company-related data (such as its business activities, purpose, ownership and organisational structure, and number of employees);
- personal data regarding related third parties such as beneficial owners, employees, family relatives, authorised signatories, agents, and/or representatives;
- personal data that is transmitted and automatically collected during the use of websites, mobile applications, or other electronic services provided by the Bank and/or JB Mexico (electronic services). This data includes date and time of access, name of files downloaded, as well as the amount of data transmitted and the access result, your web browser, the browser language, and the requesting domain and IP address;
- other personal data comparable to the categories outlined above.

## 5 For what purpose and on what legal basis do the Bank/JB Mexico use your personal data?

### a) To fulfil contractual obligations or take steps prior to entering into a contract

The processing of your personal data allows the Bank and/or JB Mexico to provide you with the contractually agreed services, to perform contracts with you, and to take steps prior to entering into a contract. Data processing is primarily driven by banking products requested by you (e.g. accounts, loans, securities, deposits, brokerage services, wealth management and advisory services). The Bank and/or JB Mexico use your personal data, among other purposes, to identify individuals; verify documents; provide advice, wealth management, wealth planning, financing, and credit services; for trading and to support the execution of transactions; as well as to realise collateral, liquidate accounts, and settle contractual relationships. Where applicable, further details can be found in your contract documents or in the General Banking Conditions.

### b) On the basis of regulatory requirements and legal obligations

The Bank's, JB Mexico's as well as other Julius Baer Group companies' activities are subject to various Swiss and foreign laws and regulations (e.g. the Swiss Banking Act, the Swiss Financial Services Act, the Swiss Collective Investment Schemes Act, the Swiss Anti-Money Laundering Act, the Swiss Mortgage Bond Act, FINMA regulations and circulars, tax laws), and the Bank, JB Mexico and other Julius Baer Group companies have to fulfil the requirements laid down by banking supervisory authorities in Switzerland and abroad, such as the Swiss National Bank, and FINMA, as well as by stock exchanges, custodians, brokers and/or other banks. The processing of personal data is used, among other things, for the verification of credit-worthiness, identity, and age; prevention of fraud and money laundering; compliance, including with 'Know- Your Customer' requirements; the fulfilment of tax-related, monitoring, and reporting obligations; as well as the assessment, investigation, analysis and the management of risks of the Bank, JB Mexico and other Julius Baer Group companies.

### c) To pursue and protect our rights; for the necessary purpose of initiating and maintaining our relationship; or to process client requests:

To pursue and protect their rights and process client requests, the Bank and/or JB Mexico will also process your personal data for the following purposes (examples):
- communication with you in relation to your inquiries or your potential interests, or to inform you about the offerings of the Bank, JB Mexico and of other Julius Baer Group companies;
- initiation of a business relationship and contact;
- prevention and investigation of breaches of contract, criminal acts, and other non-compliance issues;
- identification and analysis of your potential needs, and optimisation of the client contact;
- risk management (e.g. calculation of eligible equity capital for banks) within the Bank, JB Mexico and other Julius Baer Group companies;
- assertion of rights and legal claims, and defence in legal disputes, e.g. in relation to tax, civil, criminal, or administrative claims or attachments on deposited assets;
- managerial oversight, consolidation, and maintenance of data relating to you that the Bank, JB Mexico and Julius Baer Group companies process (single-client view);
- consultation and exchange of data by or with information agencies (e.g. debt collection registers,

credit-rating agencies, land registries) for determination of creditworthiness or default risks in the credit business;
- safeguarding the Bank's and JB Mexico's IT security and IT operations;
- outsourcing of Bank and/or JB Mexico functions and services to Julius Baer Group companies, or to service providers and other agents appointed by the Bank and/or JB Mexico;
- video surveillance for security purposes;
- measures to ensure the security of buildings and systems (e.g. entry controls).

### d) On the basis of your consent and for secondary purposes.

Where your consent is requested (in particular for secondary purposes such as business development, advertising, marketing, market research, or surveys), the Bank and/or JB Mexico may process personal data for the specific purposes indicated. You may withdraw your consent at any time. Please note that the withdrawal of consent has no retroactive effect on the processing of your personal data.

### e) Recording and storage of communication (to defend our rights and as necessary for our business relationship)

The Bank and/or JB Mexico may record and archive telephone conversations and electronic communication between the Bank and/or JB Mexico and you or any other person authorised by you. JB Mexico ensures to treat any such recordings in accordance with this Privacy Notice. The communication retained by JB Mexico as set out above may be reviewed and used for security and evidence purposes (e.g., evidence of instructions received, advice given, compliance with legal and regulatory requirements).

## 6 Who can access your personal data?

### a) Disclosure to other Julius Baer Group companies

The Bank and/or JB Mexico may disclose personal data to other Julius Baer Group companies, which may process such data in particular for the purpose of performing tasks and services relating to your business relationship with the Bank, JB Mexico and/or Julius Baer Group companies, for the purpose of international supervision and oversight, investigations, and for risk management and compliance.

### b) Disclosure to business partners and other third parties

The Bank and/or JB Mexico may disclose personal data to contractual partners and other third parties, as this is deemed necessary or consented by you, e.g. for efficiency gains or internal management purposes, for the performance of the contract with you, and/or for the settlement of transactions (e.g. payment orders, foreign exchange, and precious metals transactions, sale/buy/delivery/holding of securities, funds, warrants, commodities, derivatives, or any other financial instruments).
Recipients may include, among others, stock exchanges and their reporting offices, central depositories, (sub-)custodians, brokers, clearing agencies, banks, trade repositories, transfer agents, administrators, issuers, investment funds, and regulatory bodies or any other authorities.

### c) Disclosure to Group-internal and third-party service providers

The Bank and/or JB Mexico may disclose personal data to other Julius Baer Group companies and to third-party service providers and their subcontractors ('Service Providers') retained to provide services for the Bank and/or JB Mexico or to which it outsources functions and business areas of the Bank and/or JB Mexico. The relevant services or functions may concern in particular the following areas: IT services (e.g. data hosting and processing; IT development, support, operation); the use of internet-based services (e.g. online commercial register); the processing of transactions and services (e.g. payments); wealth management services and ancillary activities; services related to the administration, trading, execution, and processing of financial instruments and other financial assets; compliance and risk management functions; accounting (financial accounting and controlling); financing and credit services; marketing and sales-related activities; reporting, logistics, printing services, debt collection, as well as other back- and middle-office activities. Where the Service Providers have access to your personal data, the Bank and/or JB Mexico require them to comply with appropriate confidentiality, data protection, and data security requirements.

### d) Disclosure to authorities and courts

Where required by law or regulation, or necessary to protect its legitimate rights and interests, we will disclose your personal data to third parties. This may, among others, include public bodies and institutions (e.g. the Swiss National Bank, financial authorities, or law enforcement authorities, supervisory authorities, courts, or other competent bodies).

## 7 Do we transfer personal data across borders?

The Bank and/or JB Mexico may disclose personal data to recipients outside of Switzerland/Mexico, including to jurisdictions where Julius Baer Group companies are established or located (see www.juliusbaer.com/en/about-us/our-locations) or to other jurisdictions, including the EU/EEA member states and countries with an adequate level of data protection as specified by the EU commission or other jurisdictions around the world where any of the third parties as outlined under section 6 above are located or where the Bank and/or JB Mexico execute transactions or provides services.

The specific countries where the recipients of your personal data are located may vary as they correspond with the applicable services and the respective purpose(s) defined in this privacy notice.

Recipients of personal data may potentially forward the information to their branches or Group entities, Service Providers, or to other market participants or authorities within and/or outside of their jurisdiction.

Individual countries to which the Bank and/or JB Mexico transfer your personal data may potentially not have laws that afford the same degree of protection to personal data as in Switzerland/Mexico. In these cases, the Bank and/or JB Mexico will generally ensure an adequate level of data protection by e.g. contractual, organisational, and technical measures. The contractual measures applied by the Bank include agreements that have been approved by the European Commission and the Swiss Federal Data Protection and Information Commissioner (FDPIC), known as standard contractual clauses. You can request an example of a data transfer agreement usually employed by the Bank by contacting the Data Protection Officer.

## 8 How long will your personal data be stored?

The Bank and/or JB Mexico process and retain your personal data for as long as it is required for the specific purpose for which it was collected, or to comply with legal or regulatory requirements.

If your personal data is no longer required for said purposes, the Bank and/or JB Mexico might still retain and process your personal data based on your consent, if required by applicable laws or regulations, or for further processing.

Examples for this would be:

- the fulfilment of retention obligations under applicable law;
- the fulfilment of specific regulations that require the Bank and/or JB Mexico to retain the data;
- for compliance or risk management in accordance with applicable laws;
- the exercise of the Bank's and/or JB Mexico's rights in relation to claims and any type of legal or regulatory action; or
- if it is the Bank's and/or JB Mexico's right or based on your consent.

## 9 What are your rights under data protection law?

The applicable data protection legislation grants you the following rights:

- to request that information on personal data that the Bank and/or JB Mexico hold on record be shared with you;
- to demand that information be rectified should it be incorrect;
- to ask that your personal data be deleted if the Bank and/or JB Mexico are not permitted or are not legally obliged to retain the personal data;
- to demand that the processing of your personal data shall be restricted if
  - you have disputed its accuracy, for the duration needed to verify the accuracy of your personal data, or
  - its processing may lack a legal basis and you prefer a restriction of processing to the deletion of your personal data;
- to object to the processing by the Bank/JB Mexico provided that they do not have a sufficient legal basis for such processing.
- to demand that your personal data which you have provided to the Bank and/or JB Mexico be transferred to a third party indicated by you in a generally useable, machine-readable, and conventional format (if applicable);
- You may exercise your right of access, to be informed on the personal data used as part of the corresponding automated decision-making process and, if applicable, the right of rectification, when the personal data used could be inaccurate or incomplete, so that, you may request reconsideration of the decision taken.

You also have a right of appeal (as far as this affects you) to the respective data protection supervisory authority.

## 10 What personal data are you required to supply?

The Bank and/or JB Mexico require you to provide the personal data necessary for the acceptance and execution of a business relationship and for the fulfilment of the associated contractual and/or legal obligations. Unless they obtain this data from you, the Bank and/or JB Mexico will most likely be unable to enter into a contractual relationship with you and/or provide the agreed services.

Under the regulations on combating money laundering and the financing of terrorism, in particular, the Bank and/or JB Mexico are obligated to verify your identity based on your identification document and, in this context, to collect and store your address, nationality, name, date and place of birth, as well as identification data prior to the commencement of a business relationship. In order for the Bank and/or JB Mexico to comply with these regulations, you are required to supply them with the necessary information. If this information changes during the business relationship, you are obliged to notify the Bank and/or JB Mexico without delay. If you do not provide the Bank and/or JB Mexico with the necessary information, it will not be able to commence or continue a business relationship with you.

## 11 Is the decision-making automated?

As a basic principle, the Bank and/or JB Mexico do not use fully automated decision-making for commencing and conducting its business relationships. If the Bank and/or JB Mexico do apply this procedure in exceptional cases, they will inform you accordingly where this is a statutory requirement.

## 12 Is your data processed automatically and used for profiling?

The Bank and/or JB Mexico may process your personal data automatically in certain areas with the aim of evaluating certain personal criteria. The Bank and/or JB Mexico may use your personal data for profiling. Profiling is any type of automated processing of personal data. This consists of using the personal data to evaluate certain personal aspects relating to you, in particular to analyse or predict aspects concerning the economic situation, personal preferences, interests, reliability, behaviour, and location or change of location. The Bank and/or JB Mexico may use, process, and combine publicly available data as well as third-party data about you for this purpose. Profiling may take place, for example, in the following cases:

- to comply with the legal and regulatory obligations of the Bank, JB Mexico, companies of the Julius Baer Group or Service Providers and agents engaged by the Bank and/or JB Mexico;
- to check the client relationship and to combat money laundering, terrorist financing, and asset-threatening crimes (including in payment transactions). These measures serve to protect you and to fulfil legal obligations;
- the Bank and/or JB Mexico use assessment tools to provide you with relevant and appropriate information on their products and services. This enables them to carry out demand-based communication and advertising, including market and opinion research;
- in the context of assessing your creditworthiness, the Bank and/or JB Mexico use an algorithm based on a mathematical/ statistical process. This allows them to calculate the likelihood of clients being able to fulfil their payment obligations. The algorithm may, for example, include income ratios and expenditure, existing liabilities, occupation, employer, duration of employment, experiences of the business relationship to date, the contractual repayment of previous loans, as well as information from credit-rating agencies. The results of the analysis assist the Bank and/or JB Mexico in the decision- making process within the context of product sales and are also incorporated into the ongoing risk management.

## 13 Where can you find the current privacy notice?

You can find the applicable version at www.juliusbaer.com/clientdataprivacypolicy.

The Bank and/or JB Mexico reserve the right to amend this privacy notice from time to time and will inform you of such an amendment in an appropriate manner.

## 14 How can you contact us?

Should you have any questions about the treatment of your personal data, please contact your relationship manager or the Data Protection Officer mentioned in section 1, who will be pleased to assist you.

## 15 Consent

If you provide us with your personal data while knowing this Privacy Notice (e.g. in the course of our ongoing business relationship, by using our services, points of contact, apps, website, bank login, or by contacting us by any means), you consent to the processing of your personal data, including financial personal data, and transfers that require your consent, in accordance with

the terms of this Privacy Notice.
Should we process (to the extent permissible) sensitive personal data (e.g., data revealing aspects such as racial or ethnic origin, present or future state of health, genetic information, religious, philosophical and moral beliefs, political opinions and sexual preferences), we will ask you for your express and written consent.

Ciudad de Mexico, February 2024