

# Equatex Group

## Public Data Protection Notice

### 1 This Notice

This Notice is issued by Equatex AG, a Swiss company with its registered domicile at Vulkanstrasse 106, 8048 Zurich, Switzerland and its affiliated group companies (hereinafter, the “**Equatex Group**” or “**Equatex**”, “we” or “us”), and is addressed to individuals outside our organization with whom we interact, such as visitors to our websites (our “**Sites**”) and visitors to Equatex’s premises, including for the avoidance of doubt applicants for a position within Equatex, (together, “**you**”). Defined terms used in this Notice are explained in Section 13 below.

For the purposes of this Notice, Equatex is the Controller. Contact details are provided in Section 12 below. **This Notice does not apply to Processing activities in respect of which Equatex is not a Controller (e.g., the provision of plan administration services).** For such activities, you should consult the privacy policy provided by the relevant Controller (e.g., the company on whose behalf we administer the employee compensation plan).

This Notice may be amended or updated from time to time to reflect changes in our practices with respect to the Processing of Personal Data, or changes in applicable law. We encourage you to read this Notice carefully, and to regularly check this page to review any changes we might make in accordance with the terms of this Notice.

### 2 Processing your Personal Data

**Collection of Personal Data:** We may collect your Personal Data from the following sources:

- We may obtain your Personal Data when you provide it to us (e.g., where you contact us via email or telephone, or by any other means).
- We may collect Personal Data that you manifestly choose to make public, including via social media (e.g., we may collect information from your social media profile(s), to the extent that you choose to make your profile publicly visible).
- We may collect Personal Data when you visit our premises (e.g., CCTV images and visitor logs).
- We may collect or obtain Personal Data when you visit any Equatex website (a “**Site**”) or use any features or resources available on or through a Site. When you visit a Site, your device and browser will automatically disclose certain information (such as device type, operating system, browser type, browser settings, IP address, language settings, dates and times of connecting to a Site and other technical communications information), some of which may constitute Personal Data.
- For job applicants, we may, with your prior express written consent, conduct background checks, in accordance with the protections provided by applicable law and we may receive your Personal Data from third parties who provide it to us (e.g., past employers; referees; and law enforcement agencies).

**Creation of Personal Data:** We may also create Personal Data about you, such as records of your interactions with us.

**Relevant Personal Data:** The categories of Personal Data about you that we may Process include:

- Personal details: given name(s); preferred name; gender; date of birth / age; nationality; and photograph. In addition, for job applicants: passport number (where applicable); visa number (where applicable); work authorization number (where applicable).
- Contact details: telephone number; email address; and social media profile details.
- Views and opinions: any views and opinions that you choose to send to us, or publicly post about us on social media platforms.
- Evaluation checks (where applicable for job applicants): qualifications obtained, academic degrees; language skills; interview appraisals.
- Background checks (where applicable for job applicants): details revealed by background checks conducted in accordance with applicable law and subject to your prior express written consent, including details of past employments, details of residence, credit reference information, and criminal records checks.

**Lawful basis for Processing Personal Data:** In Processing your Personal Data in connection with the purposes set out in this Notice, we may rely on one or more of the following legal bases, depending on the circumstances:

- we have obtained your prior express consent to the Processing (this legal basis is only used in relation to Processing that is entirely voluntary – it is not used for Processing that is necessary or obligatory in any way);
- the Processing is necessary in connection with any contract that you may enter into with us;
- the Processing is required by applicable law;
- the Processing is necessary to protect the vital interests of any individual; or
- we have a legitimate interest in carrying out the Processing for the purpose of managing, operating or promoting our business, and that legitimate interest is not overridden by your interests, fundamental rights, or freedoms.

**Processing your Sensitive Personal Data:** We do not seek to collect or otherwise Process your Sensitive Personal Data, except where:

- the Processing is required or permitted by applicable law (e.g., to comply with our diversity reporting obligations);
- the Processing is necessary in connection with your prospective employment or engagement;
- the Processing is necessary for the detection or prevention of crime (including the prevention of fraud);
- the Processing is necessary for the establishment, exercise or defense of legal rights; or
- we have, in accordance with applicable law, obtained your prior explicit consent prior to Processing your Sensitive Personal Data (as above, this legal basis is only used in relation to Processing that is entirely voluntary – it is not used for Processing that is necessary or obligatory in any way).

**Purposes for which we may Process your Personal Data:** The purposes for which we may Process Personal Data, subject to applicable law, include:

- Our Sites: operating and managing our Sites; providing content to you; displaying advertising and other information to you; and communicating and interacting with you via our Sites.
- Provision of services to you: providing our Sites and other services to you; providing you with promotional items at your request; and communicating with you in relation to those services.
- Marketing communications: communicating with you via any means (including via email, telephone, text message, social media, post or in person) news items and other information in which you may be interested, subject to ensuring that such communications are provided to you in compliance with applicable law.

- Communications and IT operations: management of our communications systems; operation of IT security; and IT security audits.
- Health and safety: health and safety assessments and record keeping; and compliance with related legal obligations.
- Financial management: sales; finance; corporate audit; and vendor management.
- Surveys: engaging with you for the purposes of obtaining your views.
- Improving our services: identifying issues with existing services; planning improvements to existing services; creating new services.
- Recruitment: recruitment appraisals and operations; advertising opportunities; record-keeping and performing background checks.

### 3 Disclosure of Personal Data to third parties

We may disclose your Personal Data to other entities within the Equatex Group, for legitimate business purposes (including providing services to you and operating our Sites), in accordance with applicable law. In addition, we may disclose your Personal Data to:

- legal and regulatory authorities, upon request, or for the purposes of reporting any actual or suspected breach of applicable law or regulation;
- accountants, auditors, lawyers and other outside professional advisors to Equatex, subject to binding contractual obligations of confidentiality;
- third party Processors (such as data hosting providers, etc.), located anywhere in the world, subject to the requirements noted below in this Section 3;
- any relevant party, law enforcement agency or court, to the extent necessary for the establishment, exercise or defense of legal rights;
- any relevant party for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security;
- any relevant third party acquirer(s), in the event that we sell or transfer all or any relevant portion of our business or assets (including in the event of a reorganization, dissolution or liquidation); and
- our Sites may use third party plugins or content (e.g., LinkedIn, YouTube and Facebook). If you choose to interact with any such plugins or content, your Personal Data may be shared with the third party provider of the relevant social media platform.

If we engage a third-party Processor to Process your Personal Data, the Processor will be subject to binding contractual obligations to: (i) only Process the Personal Data in accordance with our prior written instructions; and (ii) use measures to protect the confidentiality and security of the Personal Data.

### 4 International transfer of Personal Data

Because of the international nature of our business, we may need to transfer your Personal Data within the Equatex Group, and to third parties as noted in Section 3 above, in connection with the purposes set out in this Notice. For this reason, we may transfer your Personal Data to other countries that may have different laws and data protection compliance requirements to those that apply in the country in which you are located.

Where we transfer Personal Data to other countries which have not been designated by the European Commission as providing an adequate level of protection for personal data, we provide for appropriate safeguards and we may do so on the basis of Standard Contractual Clauses. You may request a copy of our Standard Contractual Clauses or request further information about how we protect your personal data when disclosing it to a third country using the contact details provided in Section 12 below.”

## 5 Data Security

We have implemented appropriate technical and organizational security measures designed to protect your Personal Data against accidental or unlawful destruction, loss, alteration, unauthorized disclosure, unauthorized access, and other unlawful or unauthorized forms of Processing, in accordance with applicable law.

You are responsible for ensuring that any Personal Data that you send to us are sent securely.

## 6 Data Accuracy

We take every reasonable step to ensure that:

- your Personal Data that we Process are accurate and, where necessary, kept up to date; and
- any of your Personal Data that we Process that are inaccurate (having regard to the purposes for which they are Processed) are erased or rectified without delay.

From time to time we may ask you to confirm the accuracy of your Personal Data.

## 7 Data Minimization

We take every reasonable step to ensure that your Personal Data that we Process are limited to the Personal Data reasonably required in connection with the purposes set out in this Notice.

## 8 Data Retention

The criteria for determining the duration for which we will keep your Personal data are as follows: we will retain copies of your Personal Data in a form that permits identification only for as long as is necessary in connection with the purposes set out in this Notice, unless applicable law requires a longer retention period. In particular, we may retain your Personal Data for the duration of any period necessary to establish, exercise or defend any legal rights.

## 9 Your legal rights

Subject to applicable law, you may have a number of rights regarding the Processing of your Personal Data, including:

- the right to request access to, or copies of, your Personal Data that we Process or control, together with information regarding the nature, processing and disclosure of those Personal Data;
- the right to request rectification of any inaccuracies in your Personal Data that we Process or control;
- the right to request, on legitimate grounds:
  - erasure of your Personal Data that we Process or control; or
  - restriction of Processing of your Personal Data that we Process or control;
- the right to object, on legitimate grounds, to the Processing of your Personal Data by us or on our behalf;
- the right to have your Personal Data that we Process or control transferred to another Controller, to the extent applicable;
- where we Process your Personal Data on the basis of your consent, the right to withdraw that consent; and
- the right to lodge complaints with a Data Protection Authority regarding the Processing of your Personal Data by us or on our behalf.

This does not affect your statutory rights.

To exercise one or more of these rights, or to ask a question about these rights or any other provision of this Notice, or about our Processing of your Personal Data, please use the contact details provided in Section 12 below.

## 10 Cookies

A cookie is a small file that is placed on your device when you visit a website (including our Sites). It records information about your device, your browser and, in some cases, your preferences and browsing habits. We may Process your Personal Data through cookie technology, in accordance with our Cookie Notice, which is available on the Site.

## 11 Terms of Use

All use of our Sites is subject to our Terms of Use.

## 12 Contact details

If you have any comments, questions or concerns about any of the information in this Notice, or any other issues relating to the Processing of Personal Data by Equatex, please contact:

Equatex AG,  
Vulkanstrasse 106,  
8048 Zurich,  
Switzerland

[privacy@equatex.com](mailto:privacy@equatex.com)

## 13 Definitions

- **'Controller'** means the entity that decides how and why Personal Data is Processed. In many jurisdictions, the Controller has primary responsibility for complying with applicable data protection laws.
- **'Data Protection Authority'** means an independent public authority that is legally tasked with overseeing compliance with applicable data protection laws.
- **'Personal Data'** means information that is about any individual, or from which any individual is identifiable. Examples of Personal Data that we may Process are provided in Section 2 above.
- **'Process', 'Processing' or 'Processed'** means anything that is done with any Personal Data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
- **'Processor'** means any person or entity that Processes Personal Data on behalf of the Controller (other than employees of the Controller).
- **'Sensitive Personal Data'** means Personal Data about race or ethnicity, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health, sexual life, any actual or alleged criminal offences or penalties, national identification number, or any other information that may be deemed to be sensitive under applicable law.
- **'Standard Contractual Clauses'** means the standard clauses as approved by the European Commission (or such other relevant authority of the European Union or its

constituent member states) for the purposes of Directive 95/46/EC (as amended, consolidated or replaced from time to time).

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