

DATA PRIVACY NOTICE

Hugo Fund Services takes your privacy seriously. Hugo Fund Services adheres to high data protection standards as well as transparency of personal data collection and processing for our clients.

This document governs the privacy notice of our website www.hugofunds.ch and the related online services used for customer relationship management.

As part of our commitment to protect your personal data in a transparent manner, our privacy notice tells you:

- what personal data (PD) and non-personal data (NPD) we collect from you
- how we collect it
- How Your Information Is Used
- Retaining and Destroying Your PD
- Accessing and Updating Your PD
- Revoking Your Consent for Using Your PD
- Protecting the Privacy Rights of Third Parties
- Our Use of Cookies
- Our Email Policy
- Our Security Policy
- Transferring PD from the European Union
- Changes to Our Privacy Notice

Our privacy notice also explains certain legal rights that you have with respect to your personal data. Any capitalized terms not defined herein will have the same meaning as where they are defined elsewhere on our website.

Definitions

'Non-personal data' (NPD) is information that is in no way personally identifiable. 'Personal data' (PD) means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. PD is in many ways the same as Personally Identifiable Information (PII). However, PD is broader in scope and covers more data.

A "visitor" is someone who merely browses our website. A "member" is someone who has registered with us to use or buy our services and products. The term "user" is a collective identifier that refers to either a visitor or a member.

What types of information and personal data do we collect?

Generally, you control the amount and type of information that you provide to us when using our website.

HFS in Switzerland referred to in section below (“HFS”, “we”, “our”, or “us”) will, depending on the product or service we provide to you (if any), collect and process personal data about you including:

- personal details such as your name, KYC documents (including a copy of your national identity card or passport), phone number physical and electronic address;
- where applicable, professional information about you, such as your job title;
- details of our interactions with you and the products and services you use;
- when you access our Website, data transmitted by your browser and automatically recorded by our server, including date and time of the access, name of the accessed file as well as the transmitted data volume and the performance of the access, your web browser, browser language and requesting domain, and IP address;

In some cases, we collect this information from public registers, public administration or other third-party sources, such as, fraud prevention agencies.

Our Legal Basis for Collecting and Processing Personal Data

Our legal basis for collecting and processing your PD when you subscribe to our services is based on and the necessity for the performance of a contract or to take steps to enter into a contract. Our legal basis for collecting and processing your PD is based on consent.

We also collect data to meet our legal or regulatory responsibilities.

What Happens If You Don't Give Us Your PD

If you do not provide us with enough PD, we may not be able to provide you with all our products and services. However, you can access and use some parts of our website without giving us your PD.

How do we Collect Your PD in the Following Ways?

Automatic Information

We automatically receive information from your web browser or mobile device. This information includes the name of the website from which you entered our website, if any, as well as the name of the website you'll visit when you leave our website. This information may also include the IP address of your computer/the proxy server you use to access the Internet, your Internet service provider's name, your web browser type, the type of mobile device, your computer operating system, and data about your browsing activity when using our website. We use all this information to analyze trends among our users to help improve our website

At User and Member Registration

When you register as a user or member, we collect your name, email address, and other information.

When Buying Services

If you buy products or services from us, we collect your first and last name, email address, physical address, credit card or other payment information, phone number, and other related information.

Website Contact Forms

Our website contains contact forms that enable visitors to communicate with us offline by email. In some cases, visitors can communicate with us without becoming a member or buying our products and services. When you use our contact forms, we may collect some or all of the following information: email address, first name, last name and any other information you willingly choose to provide us. In addition, your IP-address as well as date and time of the communication will be stored. You should limit the information you provide us to what is necessary to answer your questions.

Our Use of Cookies

Our website does not use cookies.

How Your Information Is Used

We always process your personal data for a specific purpose and only process the personal data which is relevant to achieve that purpose. In particular, we process personal data for the following purposes:

- client on-boarding processes, including to verify your identity and assess your application if you apply for Representation or Distribution Services, and to conduct legal and other regulatory compliance checks (for example, to comply with proper authorization for Distribution);
- providing products and services to you and ensuring their proper execution, for instance by ensuring that we can identify you;
- managing our relationship with you, including communicating with you in relation to the products and services you obtain from us and from our business partners, handling customer service-related queries and complaints, facilitating debt recovery activities;
- taking steps to improve our products and services and our use of technology, including testing and upgrading of systems and processes, and conducting market research to understand how to improve of our existing products and services or learn about other products and services we can provide;
- contacting you for direct marketing purposes about products and services we think will be of interest to you, including those offered by us, and our other business partners, and facilitating competitions and promotions;
- meeting our on-going regulatory and compliance obligations (e.g. laws of the financial sector,), including in relation to recording and monitoring communications, disclosures to financial service regulators and other regulatory and governmental bodies, and investigating or preventing crime;
- any other purposes we notify to you from time to time.

Communications and Emails

When we communicate with you about our website, we will use the email address you provided when you registered as a member or user. We may also send you emails with promotional information about our website or offers from us or our affiliates unless you have opted out of receiving such information. You can change your contact preferences at any time through your account or by sending us an email with your request to: compliance@hugofunds.ch

Sharing Information With Affiliates and Other Third Parties

We do not sell or rent your PD to third parties for marketing purposes. We may provide your PD to third-party service providers we hire to provide services to us. These third-party service providers may include but are not limited to: Paying Agents, accountants, law firms, auditors, email service providers, shipping companies and other affiliates of ACOLIN Holding AG.

Safeguarding Measures

We take your privacy seriously and take every reasonable measure and precaution to protect and secure your personal data. We work hard to protect you and your information from unauthorised access, alteration, disclosure or destruction and have several layers of security measures in place, including:

- Firewalls
- Malware
- Anti-virus
- Spyware
- Software and operating systems updates
- Individual login and password
- Backups removed from premises
- Secure drives
- Secure archiving

Security Note

We have in place appropriate technical and organisational measures to prevent unauthorised or unlawful access to the personal data you have provided to us and ensure that third parties that provide services to us, also maintain technical and physical safeguards to protect your PD. As complete data security cannot be guaranteed for communication via e-mails, instant messaging, and similar means of communication, we would recommend sending any particularly confidential information by an alternative secure means.

We have built our website using industry-standard security measures and authentication tools to protect the security of your PD. We and the third parties who provide services for us, also maintain technical and physical safeguards to protect your PD. Unfortunately, we cannot guarantee against the loss or misuse of your PD or secure data transmission over the Internet because of its nature.

We strongly urge you to protect any password you may have for our website and to not share it with anyone. You should always log out of our website when you finish using it, especially if you are sharing or using a computer in a public place.

Legally Required Releases of Information

We may be legally required to disclose your PD if such disclosure is (a) required by subpoena, law, or other legal process; (b) necessary to assist law enforcement officials or government enforcement agencies; (c) necessary to investigate violations of or otherwise enforce our Legal Terms; (d) necessary to protect us from legal action or claims from third parties, including you and/or other users or members; or (e) necessary to protect the legal rights, personal/real property, or personal safety of our company, users, employees, and affiliates.

Disclosures to Successors

If our business is sold or merges in whole or in part with another business that would become responsible for providing the website to you, we retain the right to transfer your PD to the new business. The new business would retain the right to use your PD according to the terms of this privacy notice as well as to any changes to this privacy notice as instituted by the new business. We also retain the right to transfer your PD if our company files for bankruptcy and some or all of our assets are sold to another individual or business.

Retaining and Destroying Your PD

We retain information that we collect from you (including your PD) only for as long as we need it for legal, business, or tax purposes. Your information may be retained in electronic form, paper form, or a combination of both. When your information is no longer needed, we will destroy, delete, or erase it.

How long do we store your data?

We will only retain personal data for as long as necessary to fulfil the purpose for which it was collected or to comply with legal, regulatory or internal policy requirements. To help us do this, we apply criteria to determine the appropriate periods for retaining your personal data depending on its purpose, such as proper account maintenance, facilitating client relationship management, and responding to legal claims or regulatory requests.

Updating Your PD

You can update your PD using services found on our website. If no such services exist, you can contact us using the contact information found at the top of this privacy notice and we will help you. However, we may keep your PD as needed to enforce our agreements and to comply with any legal obligations.

Revoking Your Consent for Using Your PD

You have the right to revoke your consent for us to use your PD at any time. Such an optout will not affect disclosures otherwise permitted by law including but not limited to: (i) disclosures to affiliates and business partners, (ii) disclosures to third-party service providers that provide certain services for our business, such as computer system services, shipping, data management services, (iii) disclosures to third parties as necessary to fulfill your requests, (iv) disclosures to governmental agencies or law enforcement departments, or as otherwise required to be made under applicable law, (v) previously completed disclosures to third parties, or (vi) disclosures to third parties in connection with subsequent contests or promotions you may choose to enter, or third-party offers you may choose to accept. If you want to revoke your consent for us to use your PD, send us an email with your request to: compliance@hugofunds.ch

Protecting the Privacy Rights of Third Parties

If any postings you make on our website contain information about third parties, you must make sure you have permission to include that information in your posting. While we are not legally liable for

the actions of our users, we will remove any postings about which we are notified, if such postings violate the privacy rights of others.

Do Not Track Settings

Some web browsers have settings that enable you to request that our website not track your movement within our website. Our website does not obey such settings when transmitted to and detected by our website. You can turn off tracking features and other security settings in your browser by referring to your browser's user manual.

Links to Other Websites

Our website may contain links to other websites. These websites are not under our control and are not subject to our privacy notice. These websites will likely have their own privacy notices. We have no responsibility for these websites and we provide links to these websites solely for your convenience. You acknowledge that your use of and access to these websites are solely at your risk. It is your responsibility to check the privacy notices of these websites to see how they treat your PD.

Our Email Policy

You can always opt out of receiving further email correspondence from us or our affiliates. We will not sell, rent, or trade your email address to any unaffiliated third party without your permission except in the sale or transfer of our business, or if our company files for bankruptcy.

Transferring PD From the European Union

(PD) that we collect from you may be stored, processed, and transferred between any of the countries in which we operate, specifically The United States of America. The European Union has not found the United States and some other countries to have an adequate level of protection of PD under Article 45 of the GDPR. Our company relies on derogations for specific situations as defined in Article 49 of the GDPR. For European Union customers and users, with your consent, your PD may be transferred outside the European Union to the United States and or other countries. We will use your PD to provide the goods, services, and/or information you request from us to perform a contract with you or to satisfy a legitimate interest of our company in a manner that does not outweigh your freedoms and rights. Wherever we transfer, process or store your PD, we will take reasonable steps to protect it. We will use the information we collect from you in accordance with our privacy notice. By using our website, services, or products, you agree to the transfers of your PD described within this section.

Your Rights

When using our website and submitting personal data to us, you may have certain rights under the General Data Protection Regulation (GDPR) and other laws. Depending on the legal basis for processing your personal data, you may have some or all of the following rights:

The right to be informed

You have the right to be informed about the personal data we collect from you, and how we process it.

The right of access

You have the right to get confirmation that your personal data is being processed and have the ability to access your personal data.

The right to rectification

You have the right to have your personal data corrected if it is inaccurate or incomplete.

The right to erasure (right to be forgotten)

You have the right to request the removal or deletion of your personal data if there is no compelling reason for us to continue processing it.

The right to restrict processing

You have a right to 'block' or restrict the processing of your personal data. When your personal data is restricted, we are permitted to store your data, but not to process it further.

The right to data portability

You have the right to request and get your personal data that you provided to us and use it for your own purposes. We will provide your data to you within 30 days of your request. To request your personal data, please contact us using the information at the top of this privacy notice.

The right to object

You have the right to object to us processing your personal data for the following reasons:

- Processing was based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling);
- Direct marketing (including profiling); and
- Processing for purposes of scientific/historical research and statistics.
- Rights in relation to automated decision-making and profiling.

Automated individual decision-making and profiling

You will have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you.

Filing a complaint with authorities

You have the right to file a complaint with supervisory authorities if your information has not been processed in compliance with the General Data Protection Regulation. If the supervisory authorities fail to address your complaint properly, you may have the right to a judicial remedy.

For details about your rights under the law, visit <https://goo.gl/F41vAV>

If you are not satisfied with any aspect of the processing of your personal data by HFS, we would like to discuss it with you to understand how we can rectify the issue. You may exercise any of your rights in relation to your personal data by writing to us to the following address.

Hugo Fund Services
Compliance Department
6, cours de Rive
1204 Geneva, Switzerland
+41 22 77 41 60

Or by email: compliance@hugofunds.ch

Changes to Our Privacy notice

We reserve the right to change this privacy notice at any time. If our company decides to change this privacy notice, we will post these changes on our website so that our users and customers are always aware of what information we collect, use, and disclose. If at any time we decide to disclose or use your PD in a method different from that specified at the time it was collected, we will provide advance notice by email (sent to the email address on file in your account). Otherwise we will use and disclose our users' and customers' PD in agreement with the privacy notice in effect when the information was collected. In all cases, your continued use of our website, services, and products after any change to this privacy notice will constitute your acceptance of such change.

Other provisions that are specific to Switzerland

In general, HFS will retain personal data for the period of your relationship or contract with HFS plus 10 years, reflecting the length of time for which legal claims may be made following termination of such relationship or contract. An ongoing or anticipated legal or regulatory proceeding may lead to retention beyond this period.

Status of this privacy notice

This privacy notice was updated in May 2018. It is a notice explaining what HFS does, rather than a document that binds HFS or any other party contractually. We reserve the right to amend it from time to time. If the notice has been updated, we will take steps to inform you of the update by appropriate means, depending on how we normally communicate with you, such as through your account statement.

Version 25 May 2018