

## Obavijest o zaštiti podataka

Ovom obavijesti o zaštiti podataka želimo Vam pružiti pregled načina na koji se osobni podaci mogu obrađivati od strane naše tvrtke za upravljanje imovinom te Vaših prava u vezi s tim podacima sukladno novoj Općoj uredbi EU o zaštiti podataka (GDPR) i Zakonu o zaštiti podataka Kneževine Lihtenštajn (DPA). Konkretni podaci koji će se obrađivati i način na koji će se koristiti ovise o uslugama i proizvodima koji će se pružati i/ili koji su dogovoreni u svakom pojedinom slučaju. Tvrtka za upravljanje imovinom zakonski je obvezna štiti Vašu privatnost i čuvati Vaše podatke povjerljivima, te će stoga provoditi niz tehničkih i organizacijskih mjera za osiguranje sigurnosti podataka u svim obradama osobnih podataka.

Tijekom našeg poslovnog odnosa, morat ćemo obrađivati osobne podatke potrebne za uspostavu i vođenje poslovnog odnosa, ispunjenje zakonskih ili ugovornih obveza, pružanje usluga i izvršavanje naloga. Bez tih podataka u pravilu ne bismo mogli uspostaviti ili održavati poslovni odnos, obraditi naloge niti ponuditi usluge i konkretne proizvode.

Ako imate pitanja u vezi s određenim aktivnostima obrade podataka ili želite ostvariti svoja prava, kako je detaljno opisano u točki 5 u nastavku, molimo kontaktirajte voditelja obrade:

BG & Partner AG, Industriestrasse 56, 9491 Ruggell, Lihtenštajn,  
Telefon: +423 220 24 20  
E-mail: [datenschutz@bgpartner.li](mailto:datenschutz@bgpartner.li)

Kontaktni podaci službenika za zaštitu podataka:  
BG & Partner AG, Industriestrasse 56, 9491 Ruggell, Lihtenštajn,  
Gđa Teresa Pirkel  
Telefon: +423 220 24 21

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### 1. Koji se podaci obrađuju (kategorije podataka) i iz kojih izvora potječu (podrijetlo)?

Prikupljamo i obrađujemo osobne podatke koje pribavljamo tijekom našeg poslovnog odnosa s klijentima. Osobni podaci mogu se obrađivati u bilo kojoj fazi poslovnog odnosa, a vrsta podataka ovisi o skupini osoba koje su uključene.

Općenito, obrađujemo osobne podatke koje nam dajete prilikom podnošenja ugovora, obrazaca, korespondencije ili drugih dokumenata. Ako je potrebno za pružanje usluga, obrađujemo i osobne podatke koji nastaju ili se prenose uporabom proizvoda i usluga, kao i podatke koje zakonito pribavimo od trećih strana (npr. trust poduzeća) ili javnih tijela (npr. sankcijske liste UN-a i EU-a). Također možemo obrađivati osobne podatke iz javno dostupnih izvora (npr. zemljišne knjige, sudski registar, mediji, internet). Osim podataka klijenata, gdje je primjenjivo, možemo obrađivati i podatke drugih trećih osoba uključenih u poslovni odnos, uključujući ovlaštene osobe, zastupnike, pravne sljednike ili stvarne vlasnike. Molimo Vas da osigurate da su takve treće strane također upoznate s ovom obavijesti o zaštiti podataka.

Osobni podaci obuhvaćaju sljedeće kategorije:

#### **Osnovni podaci**

- osobni podaci (npr. ime, datum rođenja, državljanstvo);
- adresa i kontaktni podaci (npr. fizička adresa, broj telefona, adresa e-pošte);
- identifikacijski podaci (npr. broj putovnice ili osobne iskaznice) i podaci za autentifikaciju (npr. uzorak potpisa);
- podaci iz javno dostupnih izvora (npr. porezni brojevi)

#### **Dodatni osnovni podaci**

- podaci o korištenim uslugama i proizvodima (npr. iskustvo u ulaganju, profil ulaganja, zabilješke sa savjetovanja, podaci o provedenim transakcijama);
- informacije o kućanstvu i odnosima (npr. podaci o supružniku, partneru, članovima obitelji, ovlaštenim potpisnicima, zakonskim zastupnicima);
- podaci o profesionalnoj i osobnoj pozadini (npr. zanimanje, hobiji, želje, preferencije)
- tehnički podaci i podaci o elektroničkoj komunikaciji s društvom (npr. pristupni zapisi ili promjene);
- audio i video zapisi (npr. snimke telefonskih poziva ili videonadzor).

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## **2. Za koje svrhe i na kojoj pravnoj osnovi se obrađuju vaši podaci?**

Vaše osobne podatke obrađujemo u skladu s odredbama Opće uredbe o zaštiti podataka (GDPR) i Zakona o zaštiti podataka Kneževine Lihtenštajn (DPA) u sljedeće svrhe i na temelju sljedećih pravnih osnova:

- **radi izvršenja ugovora** ili poduzimanja predugovornih mjera, u vezi s pružanjem i posredovanjem u upravljanju imovinom te drugim financijskim uslugama koje može pružati društvo za upravljanje imovinom, kao i dodatnim uslugama, osobito posredovanja pri otvaranju brokerskih računa koji ne podliježu Zakonu o upravljanju imovinom (VVG). Svrha obrade podataka uvelike ovisi o konkretnoj usluzi ili proizvodu (npr. vrijednosni papiri) te može uključivati analizu potreba, savjetovanje, upravljanje imovinom, provedbu transakcija i posredovanje;
- **radi ispunjavanja zakonskih obveza ili zadataka u javnom interesu**, osobito poštivanja regulatornih zahtjeva (npr. usklađenost s GDPR-om, DPA-om, Zakonom o upravljanju imovinom, pravilima o dubinskoj analizi i sprječavanju pranja novca, propisima o sprječavanju tržišnih manipulacija, poreznim zakonima i ugovorima, obvezama izvješćivanja i upravljanja rizicima);
- **na temelju legitimnog interesa našeg društva ili treće strane**, uključujući: ocjenjivanje proizvoda, marketing i oglašavanje, poslovne provjere i upravljanje rizikom, statistiku, planiranje, sprječavanje i istraživanje kaznenih djela, videonadzor u svrhu osiguravanja kućnog reda i sprječavanja prijetnji, snimanje telefonskih poziva;
- **na temelju vaše privole**, primjerice za pružanje usluga upravljanja imovinom, posredovanja pri otvaranju brokerskih računa ili izvršavanje naloga, uključujući prijenos podataka pružateljima usluga ili ugovornim partnerima društva za

upravljanje imovinom. Imate pravo u bilo kojem trenutku povući svoju privolu. Ovo se odnosi i na izjave o privoli dane prije stupanja GDPR-a na snagu, tj. prije 25. svibnja 2018. Povlačenje privole djeluje samo za buduće radnje i ne utječe na zakonitost obrade prije povlačenja.

Zadržavamo pravo daljnje obrade osobnih podataka prikupljenih za gore navedene svrhe i za druge svrhe koje su u skladu s izvornom svrhom obrade ili su dopuštene zakonom (npr. obveze izvješćivanja).

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### 3. Tko ima pristup osobnim podacima i koliko dugo se podaci čuvaju?

Vašim podacima mogu pristupiti osobe unutar i izvan društva za upravljanje imovinom. Odjeli i zaposlenici unutar društva mogu obrađivati Vaše podatke isključivo u mjeri potrebnoj za ispunjavanje ugovornih, zakonskih i regulatornih obveza te za ostvarenje legitimnih interesa. I druge tvrtke, pružatelji usluga ili zastupnici mogu imati pristup osobnim podacima u te svrhe, uz poštivanje zakonskih propisa. Kategorije izvršitelja obrade mogu uključivati tvrtke koje pružaju usluge upravljanja imovinom, tvrtke koje posluju temeljem distribucijskih ugovora te tvrtke koje pružaju IT usluge, logistiku, tiskarske usluge, savjetovanje i marketing. Primatelji Vaših podataka mogu također biti druge financijske institucije ili slične organizacije kojima prenosimo podatke u okviru poslovnog odnosa (npr. depozitne banke, brokeri, burze, informacijski centri).

Također, javna tijela i institucije (npr. nadzorna i porezna tijela) mogu primiti Vaše osobne podatke kada to nalažu zakonske ili regulatorne obveze..

Prijenos podataka u zemlje izvan EU ili EGP-a (tzv. treće zemlje) provodi se samo ako:

- je to nužno radi poduzimanja predugovornih mjera, izvršenja ugovora, pružanja usluga ili izvršenja naloga (npr. provođenje transakcija s vrijednosnim papirima);
  - ste za to dali svoju izričitu privolu (npr. podrška klijentima od strane druge tvrtke);
  - je to potrebno zbog važnih razloga javnog interesa (npr. poštivanje propisa o sprječavanju pranja novca) ili
- to nalaže zakon (npr. obveze izvješćivanja o transakcijama).

Vaše osobne podatke obrađujemo i pohranjujemo tijekom čitavog trajanja poslovnog odnosa, osim ako ne postoji zakonska obveza njihovog ranijeg brisanja. Treba uzeti u obzir da poslovni odnosi često traju godinama. Trajanje pohrane podataka ovisi i o svrsi obrade – podaci se brišu u redovitim intervalima ako više nisu potrebni za ispunjavanje ugovornih ili zakonskih obveza ili ostvarenje legitimnih interesa, tj. ako su ciljevi postignuti, ili ako povučete privolu, osim ako je daljnja obrada potrebna zbog zakonskih ili ugovornih obveza pohrane ili potrebe za očuvanjem dokaza tijekom zakonski propisanih rokova zastare.

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### 4. Hoće li se koristiti automatizirano odlučivanje, uključujući profiliranje?

U načelu ne donosimo odluke isključivo na temelju automatizirane obrade osobnih podataka. Ako se u pojedinim slučajevima odlučimo koristiti takvim metodama, bit ćete o tome pravovremeno obaviješteni u skladu sa zakonskim odredbama.

U određenim poslovnim područjima osobni se podaci obrađuju djelomično automatski s ciljem procjene određenih osobnih aspekata u skladu sa zakonskim i regulatornim zahtjevima (npr. sprječavanje pranja novca), izrade analize potreba za proizvode i usluge ili radi upravljanja rizicima.

Društvo za upravljanje imovinom pridržava pravo da u budućnosti analizira i procjenjuje podatke klijenata (uključujući podatke trećih osoba uključenih u poslovni odnos) automatiziranim sredstvima radi prepoznavanja ključnih osobina klijenata, predviđanja potreba i izrade profila. Takvi će se podaci koristiti posebno za provođenje poslovnih provjera, pružanje individualiziranih savjeta, ponudu proizvoda i usluga te za pružanje drugih informacija koje društvo želi podijeliti s klijentima.

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## 5. Koja prava imate u vezi sa zaštitom podataka?

Sukladno Općoj uredbi o zaštiti podataka (GDPR), imate sljedeća prava u vezi s obradom osobnih podataka koji se odnose na vas:

- **pravo na pristup podacima:** Imate pravo zatražiti informacije o tome obrađuje li društvo Vaše osobne podatke i u kojoj mjeri (npr. koje kategorije podataka se obrađuju, u koju svrhu itd.);
- **pravo na ispravak, brisanje i ograničenje obrade:** imate pravo zatražiti ispravak netočnih ili dopunu nepotpunih osobnih podataka. Također, osobni podaci moraju se izbrisati ako više nisu potrebni u svrhe za koje su prikupljeni ili obrađeni, ako povučete svoju privolu ili ako su podaci nezakonito obrađeni. Imate i pravo zatražiti ograničenje obrade;
- **pravo na povlačenje privole:** u svakom trenutku imate pravo povući svoju privolu za obradu osobnih podataka u jednu ili više svrha, ako se obrada temelji na Vašoj privoli. Ovo se odnosi i na privole dane prije stupanja na snagu GDPR-a (prije 25. svibnja 2018.). Povlačenje privole vrijedi samo za buduće radnje i ne utječe na zakonitost obrade provedene prije povlačenja. Povlačenje privole ne utječe na obradu podataka koja se temelji na drugim pravnim osnovama.
- **pravo na prijenos podataka:** imate pravo zaprimiti osobne podatke koje ste dali voditelju obrade u strukturiranom, uobičajenom i strojno čitljivom formatu te ih prenijeti drugom voditelju obrade;
- **pravo na prigovor:** imate pravo, iz razloga koji se odnose na Vašu posebnu situaciju, uložiti prigovor na obradu Vaših osobnih podataka koja se temelji na javnom interesu ili legitimnim interesima društva ili treće strane. Također imate pravo prigovoriti, bez posebnih formalnosti, na korištenje Vaših podataka u svrhe izravnog marketinga. U slučaju prigovora na obradu u svrhe izravnog marketinga, obustavit ćemo daljnju obradu Vaših podataka u tu svrhu;
- **pravo na podnošenje pritužbe:** imate pravo podnijeti pritužbu nadležnom nadzornom tijelu za zaštitu podataka u Lihtenštajnu. Također možete podnijeti pritužbu i drugom nadzornom tijelu unutar EU-a ili EGP-a, primjerice u zemlji Vašeg prebivališta, mjesta rada ili mjesta gdje je došlo do navodnog kršenja.

Kontaktne podatke nadzornog tijela u Lihtenštajnu: Ured za zaštitu podataka Kneževine Lihtenštajn, Städtle 38, p. p. 684, 9490 Vaduz, Lihtenštajn, telefon: +423 236 60 90, e-pošta: info.dss@llv.li

Zahtjeve za pristup ili prigovore preporučujemo dostaviti u pisanom obliku službeniku za zaštitu podataka. Službenik za zaštitu podataka također je kontakt osoba za sva pitanja vezana uz zaštitu podataka.

## Data protection notice

With the following data protection notice we would like to give you an overview on how personal data may be processed by our Asset Management Company and your rights in relation to this information under the new EU General Data Protection Regulation (GDPR) and the Liechtenstein Data Protection Act (DPA). The specific data that will be processed and how the data will be used will essentially depend on the services and products that will be provided and/or have been agreed upon in each specific case. The Asset Management Company is legally bound to protect your privacy and keep your information confidential and will therefore implement a range of technical and organizational measures to ensure data security for all processing of personal data.

In the course of our business relationship, we will need to process personal data required for the purpose of setting up and conducting the business relationship, meeting applicable statutory or contractual requirements, providing services and executing orders. Without having this data, we would generally be unable to enter into or maintain a business relationship, process orders, or offer services and specific products.

Should you have any questions concerning specific data processing activities or wish to exercise your rights, as further described under section 5 below, please contact the controller:

BG & Partner AG, Industriestrasse 56, 9491 Ruggell, Liechtenstein,  
Telephone: +423 220 24 20  
E-Mail: [datenschutz@bgpartner.li](mailto:datenschutz@bgpartner.li)

Contact details of the Data Protection Officer:  
BG & Partner AG, Industriestrasse 56, 9491 Ruggell, Liechtenstein,  
Frau Teresa Pirkl  
Telephone: +423 220 24 21

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### 1. Which data will be processed (data categories) and from which sources do they come from (origin)?

We collect and process personal data that we obtain in the course of our business relationship with our Clients. Personal data may be processed at any stage of the business relationship and the type of data will vary depending on the group of persons involved.

Generally, we will process personal data that you provide in the course of submitting agreements/ contracts, forms, correspondence or other documents to us. As far as necessary in order to provide services, we will also process any personal data, which are generated or transmitted as a result of using products or services, or that we have lawfully obtained from third parties (e.g. Trust Company) or public authorities (e.g. UNO and EU sanctions lists). Finally, we may process personal data from publicly available sources (e.g. land registers, commercial registers and registers of associations, the press, the Internet). Apart from Client data, we may, where appropriate, also process personal data of other third parties involved in the business relationship, including data pertaining to (further) authorized agents, representatives, legal successors or beneficial

owners under a business relationship. Please ensure that such third parties are also aware of this data protection notice.

Personal data concerns the following categories of data in particular:

#### **Master data**

- Personal details (e.g. name, date of birth, nationality)
- Address and contact details (e.g. physical address, telephone number, e-mail address)
- Identification information (e.g. passport or ID details) and authentication information (e.g. specimen signature)
- Data from publicly available sources (e.g. tax numbers)

#### **Further basic data**

- Information on services and products used (e.g. investment experience and investment profile, consultancy minutes, data concerning effected transactions)
- Information about household composition and relationships (e.g. information about spouse or partner and other family details, authorised signatories, statutory representatives)
- Information on financial characteristics and financial situation (e.g. portfolio and account number, origin of assets)
- Information about the professional and personal background (e.g. professional activity, hobbies, wishes, preferences)
- Technical data and information about electronic transactions with the Asset Management Company (e.g. access logs or changes)
- Image and sound files (e.g. video recordings or recordings of telephone calls)

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## **2. For which purposes and on which legal basis will your data be processed?**

We process personal data in accordance with the provisions of the GDPR and the DPA for the following purposes and on the following legal basis:

- **For the performance of a contract** or to take steps prior to entering into a contract in connection with supplying and acting as intermediary in relation to asset management, and other financial services, which can be rendered by an Asset Management Company, as well as additional services, in particular Introducing Brokerage for securities accounts, which are not subject to the Asset Management Act (*Vermögensverwaltungsgesetz - VVG*). The purposes for which data are processed will depend primarily on the specific service or specific product involved (e.g. securities) and may include, for example, needs analysis, advisory services, wealth and asset management, carrying out transactions and Introducing Brokerage for securities accounts.
- **For compliance with a legal obligation or in public interest**, in particular the compliance with statutory and regulatory requirements (e.g. compliance with the GDPR, the DPA, the Liechtenstein Asset Management Act, due diligence and anti-money laundering rules, regulations designed to prevent market abuse, tax

legislation and tax treaties, monitoring and reporting obligations, and for the purpose of managing risks).

- **For the purposes of the legitimate interests pursued by us or by a third party** that have been specifically defined, including determining product ratings, marketing and advertising, performing business checks and risk management, reporting, statistics and planning, preventing and investigating criminal offences, video surveillance to ensure compliance with house rules and to prevent threats, recordings of telephone calls.
- **On the basis of the consent given by you** for the purpose of supplying asset management, Introducing Brokerage for securities accounts or for the purpose of executing orders, including, for example, transferring data to service providers or contracting partners of the Asset Management Company. You have the right to withdraw your consent at any time. This also applies to declarations of consent provided to the Asset Management Company before the GDPR came into effect, i.e. prior to 25 May 2018. Consent may only be withdrawn with effect for the future and does not affect the lawfulness of data processing undertaken before consent was withdrawn.

We reserve the right to engage in the further processing of personal data, which we have collected for any of the foregoing purposes, including any other purposes that are consistent with the original purpose or which are permitted or prescribed by law (e.g. reporting obligations).

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### 3. Who will have access to personal data and how long will the data be held?

Parties within and outside of the Asset Management Company may obtain access to your data. Departments and employees within the Asset Management Company may only process your data to the extent required for the purpose of fulfilling our contractual, statutory and regulatory duties as well as pursuing legitimate interests. Other companies, service providers or agents may also have access to personal data for such purposes, subject to statutory regulations. The categories of processors may include companies supplying asset management services, companies operating under distribution agreements and companies supplying IT, logistics, printing, advisory and consultancy, distribution and marketing services. In this context, recipients of your data may also include other financial services institutions or similar organizations to which we transfer personal data for the purposes of conducting the business relationship (e.g. custodian banks, brokers, stock exchanges, information centers).

Public bodies and organizations (e.g. supervisory authorities, fiscal authorities) may also receive your personal data where there is a statutory or regulatory obligation.

Data will only be transferred to countries outside the EU or EEA (so-called third countries) if

- this is required for the purpose of taking steps prior to entering into a contract, performing a contract, supplying services or executing orders (e.g. executing securities transactions);

- you have given us your consent (e.g. for Client support provided by another company);
- this is necessary for important reasons of public interest (e.g. anti-money laundering compliance); or
- this is mandatory by law (e.g. transaction reporting obligations).

We process and store your personal data throughout the duration of the business relationship, unless there is a stringent obligation to erase specific data at an earlier date. It is important to note that our business relationships may subsist for many years. In addition, the length of time that data will be stored will depend on whether processing continues to be necessary as well as the purpose of processing. Data will be erased at regular intervals, if the information is no longer required for the purpose of fulfilling contractual or statutory duties or pursuing our legitimate interests, i.e. the objectives have been achieved, or if consent is withdrawn, unless further processing is necessary by reason of contractual or statutory retention periods or documentation requirements, or in the interests of preserving evidence throughout any applicable statutory limitation periods.

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#### 4. Will there be automated decision-making including profiling?

We basically do not make decisions based solely on the automated processing of personal data. We will inform you separately in accordance with the statutory regulations of any intention to use this method in particular circumstances.

Certain business areas involve the automated processing of personal data at least to a certain extent, where the objective is to evaluate certain personal aspects in line with statutory and regulatory requirements (e.g. money laundering prevention), carry out needs-analysis in relation to products and services or for the purpose of managing risks.

The Asset Management Company reserves the right, in future, to analyze and evaluate Client data (including the data of any third parties involved) by automated means for the purpose of identifying key personal characteristics in relation to Clients, predicting developments and creating Client profiles. Such data will be used, in particular, to perform business checks, provide customized advice, offer products and services and provide any information that the Asset Management Company may wish to share with Clients.

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#### 5. Which data protection rights do you have?

You have the following data protection rights pursuant to the GDPR in respect of personal data relating to you:

- **Right of access:** you may obtain information from the Asset Management Company about whether and to what extent personal data concerning you are being processed (e.g. categories of personal data being processed, purpose of processing).

- **Right to rectification, erasure and restriction of processing:** You have the right to obtain the rectification of inaccurate or incomplete personal data concerning you. In addition, your personal data must be erased if the data are no longer necessary in relation to the purposes for which they were collected or processed, if you have withdrawn your consent, or if the data have been unlawfully processed. You also have the right to obtain restriction of processing.
- **Right to withdraw consent:** You have the right to withdraw your consent to the processing of personal data concerning you for one or more specific purposes at any time, where the processing is based on your explicit consent. This also applies to declarations of consent provided before the GDPR took effect, i.e. prior to 25 May 2018. Please note that consent may only be withdrawn with effect for the future and does not affect any data processing undertaken prior to withdrawing consent. Moreover, the withdrawal of consent has no effect in relation to data processing undertaken on other legal grounds.
- **Right to data portability:** you have the right to receive the personal data concerning you, which you have provided to the controller, in a structured, commonly used and machine-readable format, and to have the data transmitted to another controller.
- **Right to object:** You have the right to object, on grounds relating to your particular situation, without any formal requirements, to the processing of personal data concerning you, if such processing is in the public interest or in pursuit of the legitimate interests of the Asset Management Company or a third party. You also have the right to object, without any formal requirements, to the use of personal data for promotional purposes. If you object to the processing of your personal data for direct marketing purposes, we will discontinue processing your personal data for this purpose.
- **Right to lodge a complaint:** You have the right to lodge a complaint with the relevant Liechtenstein supervisory authority. You may also lodge a complaint with another supervisory authority in an EU or EEA member state, e.g. your place of habitual residence, place of work or the place in which the alleged breach took place.

The contact details for the data protection authority in Liechtenstein are as follows: Liechtenstein Data Protection Office, Städtle 38, P. O. Box 684, 9490 Vaduz, Liechtenstein, Telephone: +423 236 60 90, E-mail: info.dss@llv.li

You should preferably submit any requests for access or raise any objections in writing with the Data Protection Officer. The Data Protection Officer is also the appropriate point of contact for any other data protection matters.