

# Disclosure of customer data

## Information sheet for our customers

This information sheet contains important information relating to the disclosure of customer data in the case of financial market and foreign exchange transactions abroad or in Switzerland.

### Global transparency in the investment business

There is a global trend towards ever greater transparency in financial market and foreign exchange transactions. The intended result is to combat money laundering, the financing of terrorism or corruption; to enforce sanctions and market conduct rules; to prevent insider trading, or to enable good corporate governance. Zürcher Kantonalbank, like all banks in Switzerland, is affected by this trend. It can only provide services such as the trading and safekeeping of securities and financial instruments when you, as the customer, accept this transparency where necessary.

The Swiss Bankers Association provides additional information about this topic. You can find this at [swissbanking.org/bankkunden](https://www.swissbanking.org/bankkunden).

### Declaration of Consent

Zürcher Kantonalbank is obligated in accordance with the applicable foreign law or contractual provisions to disclose information related to financial market and foreign currency transactions. In order for Zürcher Kantonalbank to be able to execute your orders while adhering to these provisions, it requires your agreement to be able to disclose your data where necessary. If you agree to the disclosure you can sign the Declaration of Consent. If you do not agree to the disclosure of your data, Zürcher Kantonalbank will no longer be able to offer certain services or certain orders will be executed at less favourable conditions. These currently include the trading and safekeeping of securities and financial instruments with

a foreign element and services based thereon, such as investment advice and discretionary mandates. Please note that a foreign element may arise even with securities from Swiss issuers.

### In which situations does Zürcher Kantonalbank disclose data on the basis of the Declaration of Consent?

Disclosure obligations may arise due to the local law of those states affected by a financial market or foreign exchange transaction, or due to the compliance standards of third parties involved. It should be noted that trading (depending on the exchange or trading facility), downstream processing stages and safekeeping may take place in third countries. The disclosure obligations vary from country to country. Furthermore, new disclosure obligations may arise at any time, or existing ones may be amended. Therefore it is not possible to provide an exhaustive list here. At present, for example, Zürcher Kantonalbank must disclose your data in the following situations:

– *If a company requests information about securities it has issued.*

**Example:** The Shareholder Rights Directive II of the European Union (EU) gives a company, domiciled and listed in the EU or the European Economic Area, the right to identify its shareholders. If you hold shares in such a company in your custody account, Zürcher Kantonalbank is required to provide the company with information about you, the shareholder, at any time at the request of the company. This information includes (where available) the name of the shareholder, his or her unique identifier (for example, passport number for natural persons or legal entity identifier (LEI) for legal entities), address and number of shares held.

Similar disclosure obligations are also in force, for example, in Australia, the UK, Singapore and other countries.

- *If a financial market infrastructure operator requests information in connection with a service (such as transactions, safe custody account or account management) that it provides.*

**Example:** On the basis of their compliance standards or in order to run their monitoring systems, the sub-custodians used by Zürcher Kantonalbank can request data on transactions and securities holdings, in particular the identity of the customer and the beneficial owner. The context is frequently local requirements, including to combat insider trading and money laundering.

- *If an authority requests information about securities, financial instruments and currencies that are issued, traded, settled, processed or held in custody in the country of the authority.*

**Example:** The stock market supervisory authority in Hong Kong can at any time request information from local securities dealers about the details of transactions that they execute, as well as about the people who initiated the transaction and who are the beneficial owners of the resulting assets. The requests must be answered within two days. Zürcher Kantonalbank is contractually obliged towards the securities dealers to disclose the data (e.g. name, address, copy of passport, ISIN, holdings, context of the transaction, identity of other persons involved, etc.) on request.

Similar direct or indirect disclosure obligations are well known in Finland or Norway, for example.

- *If Zürcher Kantonalbank acquires or disposes of securities or financial instruments for you as a customer and to this end must exchange customer data with traders or trading venues.*

**Example:** According to the Markets in Financial Instruments Regulation (Article 26 MiFIR), trading venues in the European Economic Area must report any securities transactions (purchases and sales) carried out by direct participants from outside the European Economic Area to the national supervisory authorities. The trading venues thus obligate their direct participants to provide the necessary customer information. In order for Zürcher Kantonalbank to be able to carry out transactions on these trading venues on behalf of the customer, it must pass on the identification number (dependant

on nationality), first name, surname and date of birth for natural persons, and the legal entity identifier (LEI) for legal persons. The trading venue then forwards the complete information to the supervisory authority responsible. If Zürcher Kantonalbank is unable to pass on the customer information required, it may not be able to process the order for the customer or, at best, only do so via another trading venue at less favourable conditions.

A comparable disclosure also applies for transactions on the Swiss Stock Exchange. In this case, however, the disclosure is based on Article 39 of the Swiss Financial Markets Infrastructure Act (FinfraG).

Further information about the trading venues affected as well as the requirements for trading on these trading venues can be found at [zkb.ch/trading](http://zkb.ch/trading).

### What is the effect of the Declaration of Consent?

You release Zürcher Kantonalbank from the obligation to ensure bank-client confidentiality and data protection. On the basis of the Declaration of Consent, Zürcher Kantonalbank can disclose customer data when the Bank understands it is obliged to do so or if this is necessary in connection with financial market and foreign exchange transactions.

This allows Zürcher Kantonalbank to execute most financial market and foreign exchange transactions for you without delay, especially those with a foreign element.

### Which customer data may Zürcher Kantonalbank disclose on the basis of the Declaration of Consent?

Zürcher Kantonalbank only transmits those data that it deems necessary.

Depending on the specifically applicable provisions, it is necessary to disclose persons

- who order a transaction or who are the beneficial owners of the resulting assets,
- in whose name an account or safe custody account is held,
- who are the beneficial owners of the credit balance on an account, or the securities and financial instruments in a safe custody account, or the income derived therefrom (such as dividends),
- who possess the credit balance on an account, or the securities and financial instruments in a safe custody account, or can exercise voting rights arising from them.

In particular the following **data** about these persons may be required:

- surname, first name, date of birth, nationality, passport or other identification number, tax reference/identification number, address, email address, telephone number;
- company purpose, articles of incorporation, corporate bodies, authorised signatories and controlling relationships;
- IBAN and account/safe custody account number, current and former holdings of securities and financial instruments, or credit balances on accounts;
- counterparty and other information about the transaction, such as principal, order, price, context, origin of funds;
- relationship to the issuer of securities and financial instruments
- etc.

Sometimes these data must be substantiated by **documents**.

Therefore non-customers are also affected, such as beneficial owners, agents etc., about whom you have provided or still will provide us with data. It is your responsibility to inform these persons.

### **How are your data protected abroad?**

Not all countries have adequate data protection comparable to Switzerland. Pursuant to the list published by the Swiss Federal Data Protection and Information Commissioner (see [edoeb.admin.ch](http://edoeb.admin.ch)), appropriate protection for the data of natural persons may be absent in, for example, Australia, Hong Kong, Singapore, the USA, Turkey and other countries. With the exception of a few other countries, the data of legal entities are not afforded adequate protection outside of Switzerland. Essentially, data reaching such countries can be used without restriction by other authorities (such as tax authorities) and third parties, provided there is no other protection in individual cases.

Should you have any questions in connection with the Declaration of Consent, please do not hesitate to contact your relationship manager.