

**By accessing the Website, you understand and agree that your Personal Data are collected and processed by the Association.**

**Please read this Policy carefully to understand our policies and practices regarding your Personal Data.**

## Privacy Policy

**Version dated 15.06.2022**

The security and protection of your Personal Data is one of the top priorities of the Association Bonnard Lawson, a Swiss association established in Lausanne ("**Association**"), and which operates the website hosted at the URL <https://www.bonnard-lawson.com/> ("**Website**").

The Association collects Personal Data from both natural and legal persons who browse the Website ("**Visitors**").

The Association uses privacy by default standards and undertakes to store such Personal Data in a secured manner and to Process it with all appropriate care and attention in accordance with Data Protection Laws.

*Capitalized terms defined in the Terms of Use available at the following URL address <https://www.bonnard-lawson.com/privacy-policy> apply to this Policy.*

### 1. DEFINITIONS

<b>Consent</b>	shall mean any freely given, specific, informed, and unambiguous indication of which the Data Subject, by a statement or by a clear affirmative action, signifies agreement to the Processing of Personal Data relating to him/her/it.
<b>Cookie(s)</b>	shall mean a piece of information that is placed automatically on your electronic device's hard drive when you access the Website, and which is listed in this Policy. The Cookie uniquely identifies your browser to the server. Cookies allow the Association to store information on the server (for example language preferences, technical information, click or path information, etc.) to help make the Visitor's experience of the Website better, and to conduct Website analysis and Website performance review.
<b>Data Controller(s)</b>	<p>shall mean the natural or legal person, which, alone or jointly with others, determines the purposes and means of the Processing of Personal Data and who is in charge of this Processing.</p> <p>For the purpose of this Policy, the Data Controller is the Association.</p>
<b>Data Protection Laws</b>	shall mean the Federal Data Protection Act (RS 235.1), the Ordinance on the Federal Data Protection Act (RS 235.11) and, where applicable, the EU General Data Protection Regulation.
<b>Data Portability</b>	shall mean the right of the Data Subject to receive its Personal Data in a structured, commonly used, and machine-readable format and the right to transmit those Personal Data to another controller without hindrance from the Data Controller.

<b>Data Processor</b>	shall mean a natural or legal person, public authority, agency, or other body which processes Personal Data on behalf of the Data Controller.
<b>Data Subject(s)</b>	shall mean the natural or legal persons whose data is Processed, <i>i.e.</i> in the context of this Policy, the Data Subject is the Visitor.
<b>Disclosure</b>	shall mean making Personal Data accessible, for example by permitting access, transmission, or publication.
<b>EEA</b>	shall mean the European Economic Area.
<b>Logs</b>	shall mean the log files that record events that occur in connection with any Visitors' use of the Website. Log files are created when a Visitor views content or otherwise interacts with the Website.
<b>Newsletter</b>	shall mean the newsletter of the Association that may be sent to you from time to time with your Consent.
<b>Personal Data</b>	shall mean any type of data and information relating to a person who is either identified or identifiable.
<b>Processing</b>	shall mean any operation with Personal Data, irrespective of the means applied and the procedure, and in particular the collection, storage, use, revision, disclosure, archiving or destruction of Personal Data.
<b>Standard Contractual Clauses</b>	shall mean the Standard Contractual Clauses as attached to the Commission Implementing Decision (EU) 2021/914 of 4 June 2021 on standard contractual clauses for the transfer of personal data to third countries pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council.
<b>Third-party(-ies)</b>	shall mean any natural and/or legal person who is not the Association or a Visitor.

## 2. SCOPE

The Association provides this Policy to describe its policies and procedures regarding the Processing and Disclosure of Personal Data collected by the Association through the Website.

It details the conditions at which, the Association may collect, keep, use, and save information that relates to you, as well as the choices that you have made in relation to the collection, utilization, and Disclosure of your Personal data.

This Policy shall apply to any use of the Website, whatever the method or medium used.

## 3. ACCEPTANCE

By browsing the Website, Visitors acknowledge that:

1. the Association may collect and process a certain number of Personal Data that relate to them;
2. the Association is free to use such Personal Data within the limits provided by law; especially Data Protection Laws and this Policy;
3. that they have read and understood this Policy;
4. that they agree to be bound by this Policy; and
5. that they agree to comply with all applicable laws and regulations in respect to matters covered by this Policy.

**If you do not agree with the terms of this Policy, please refrain from using the Website.**

#### 4. PRINCIPLES FOR PROCESSING PERSONAL DATA

While Processing Personal Data, the Association will always respect the following general principles:

##### a. Transparency

The Data subject shall be informed of how his/her Personal Data is Processed.

When the Personal Data is collected, the Data subject shall be informed of:

- the existence of the present Policy;
- the identity of the Data Controller;
- the purpose of Personal Data Processing;
- Third-parties to whom the data might be transmitted.

##### b. Restriction to a specific purpose

Personal Data Processed by the Association shall be adequate and relevant to the purpose for which it was collected. This requires ensuring that the types of Personal Data collected are not excessive but proportionate to the purposes.

##### c. Fairness and lawfulness

When Processing Personal Data, the individual rights of the Data Subjects shall be protected. Personal Data shall be Processed lawfully, in a fair manner and in good faith.

##### d. Consent of the Data Subject

Personal Data shall be collected directly from the concerned Data Subject and the Consent of the said Data Subject shall be required before such collection and further Processing. The Consent shall be obtained in writing or electronically, for the purposes of documentation. The Consent is valid only if given voluntarily. If, for any reason, the Consent of the Data Subject was not obtained before collection and/or Processing, it shall be obtained in writing as soon as possible after the beginning of such Processing.

**The Consent for the Processing of Personal Data is given or reiterated:**

1. each time the Visitor ticks the box in a pop-up window which says, "**I have read, understood and hereby agree with the Privacy Policy**".
2. when the Visitor or the User **freely submits Personal Data** required to access a specific functionality of the Website or of the Application.

Personal Data can be processed without Consent if it is necessary to enforce a legitimate interest of the Association. Legitimate interests are generally of a legal (e.g., filing, enforcing or defending against legal claims) or financial (e.g. valuation of companies) nature.

The Processing of Personal Data is also permitted if national legislation requests, requires or allows this.

##### e. Accuracy

Personal Data kept on file shall be correct and if necessary, kept up to date. Inaccurate or incomplete Personal Data shall not be kept on file and deleted.

## 5. COLLECTED DATA

This Policy applies to all Personal Data which is received during your visit to or use of the Website.

When you browse the Website, the Association automatically collects:

- your cookies in accordance with the Cookie Policy to be found at the following URL <https://www.bonnard-lawson.com/cookies/>
- Logs.
- any content you may submit by sending the Association a message.

When you subscribe to the Newsletter, the Association besides collects your name and email address for the sole purpose of sending you the Newsletter. Please note that you are entitled to unsubscribe from the Newsletter whenever you want and at your sole discretion by contacting us in accordance with this Policy.

When you use the contact form, the Association besides collects the information you voluntarily submit at this occasion.

## 6. USE OF DATA

The main reason why the Association collects Personal Data is to enable you to enjoy and easily navigate the Website. Therefore, most of the Personal Data is collected through logs and cookies.

For further details about cookies, please consult the Cookie Policy to be found at the following URL <https://www.bonnard-lawson.com/cookies/>

Furthermore, if you contact the Association via the Contact Form, the Association will keep a record of that correspondence and automatically redirect the submitted information to one of its members, as specified by you.

## 7. THIRD PARTY DISCLOSURE

The Association does disclose your Personal Data exclusively to its Members and a limited list of third parties acting as Data Processors, as specified below:

Processor	Processed Data	Purpose
BuxumLunic SA	Email addresses	Newsletter

Data Processors are prohibited to use this Personal data beyond what is necessary to provide the product or service to you, directly or by participating in the Association's activities.

The Association could further share your Personal Data with other relevant third parties, in particular if the Association is requested to do so to comply with a court order or law enforcement request, or if the Association deems it necessary, as determined at the Association's sole discretion, to investigate, prevent or take action regarding illegal activities, to defend our interest or as otherwise required or permitted by law.

In any case where a cross-border transfer is done, the Association ensures that an adequate protection is guaranteed for Personal Data to be transferred outside of Switzerland and the EEA by applying the Standard Contractual Clauses as made available by the European Commission and approved for use by the Swiss Data Protection Authority. These Standard Contractual Clauses will ensure an adequate level of protection abroad.

Unless otherwise stated, the third parties who receive data from the Association are prohibited to use this Personal Data beyond what is necessary to provide the product or service to you, directly or by participating to the Association's activities.

## **8. STORAGE OF YOUR PERSONAL DATA**

Your Personal Data will be stored on internal servers in Switzerland. You agree that the Association may store your Personal Data in any country of the EEA. Accordingly, your Personal Data may be stored at a destination outside of your country of residence. Where permitted by law, by accepting this Policy, you agree to such.

You also agree that Processing may lead to your Personal Data being transferred and stored to countries offering a lower level of protection than your country of residence. In any such case, the Association ensures that an adequate protection is guaranteed for Personal Data to be transferred outside of Switzerland and the EEA by applying the Standard Contractual Clauses as made available by the European Commission and approved for use by the Swiss Data Protection Authority. These Standard Contractual Clauses will ensure an adequate level of protection abroad.

## **9. RETENTION OF YOUR PERSONAL DATA**

In accordance with applicable laws, the Association will use your Personal Data for as long as necessary to satisfy the purposes for which your Personal Data was collected or to comply with applicable legal requirements.

## **10. SECURITY OF YOUR PERSONAL DATA**

the Association applies high industry standards and will always apply adequate technical and organisational measures, in accordance with applicable laws to ensure that your data is kept secure.

In the event of a Personal Data breach, the Association shall without undue delay, and where feasible, not later than 72 hours after having become aware of it, notify the breach to the competent supervisory authority, unless said breach is unlikely to result in a risk to your rights and freedoms. If the breach is likely to result in a high risk to your rights and freedoms, the Association shall communicate this breach to you, if it is feasible, without undue delay.

## **11. ACCESS TO YOUR DATA AND INFORMATION RIGHTS**

You have the right to request access to or information about the Personal Data relating to you which are processed by the Association.

Where provided by law, you, your successors, representatives and/or proxies may (i) request deletion, correction or revision of your Personal Data; (ii) oppose the data Processing; (iii) limit the use and Disclosure of your Personal data; and (iv) revoke Consent to any of our data Processing activities, if the Association is relying on your Consent and does not have another legal basis to continue Processing your data.

These rights can be exercised by contacting us through our contact form or writing to us at [privacy@bonnard-lawson.com](mailto:privacy@bonnard-lawson.com) and attaching a copy of your ID. If the request is submitted by a person other than you, without providing evidence that the request is legitimately made on your behalf, the request will be rejected.

The request is free of charge unless your request is unfounded or excessive (e.g. if you have already requested such Personal Data multiple times in the last twelve months or if the request generates an extremely high workload). In such case, the Association may charge you a reasonable request fee according to applicable laws.

the Association may refuse, restrict, or defer the provision of Personal Data where it has the right to do so, for example if fulfilling the request will adversely affect the rights and freedoms of others.

## **12. DATA PORTABILITY**

You also have the right to receive your Personal Data, which you have provided to the Association with, in a structured, commonly used, and machine-readable format as to allow you to transmit those data to another Controller without hindrance from the Association.

This right can be exercised by writing to us at: [privacy@bonnard-lawson.com](mailto:privacy@bonnard-lawson.com), and attaching a copy of your ID.

If the request is submitted by a person other than you, without providing evidence that the request is legitimately made on your behalf, the request will be rejected.

The request is free of charge unless your request is unfounded or excessive (e.g. if you have already requested such Personal Data multiple times in the last twelve months or if the request generates an extremely high workload). In such case, the Association may charge you a reasonable request fee.

The Association may refuse, restrict, or defer the provision of Personal Data for Data Portability purposes where it has the right to do so, for example if fulfilling the request will adversely affect the rights and freedoms of others.

## **13. PRIVACY BY DESIGN AND BY DEFAULT**

**The Association will, both at the time of the determination of the means for Processing and at the time of the Processing itself, implement appropriate technical and organizational measures, such as pseudonymization, which are designed to implement data-protection principles, such as data minimization, in an effective manner and to integrate the necessary safeguards into the Processing in order to meet the requirements of the Data Protection Laws and to protect your rights.**

**The Association will implement appropriate technical and organizational measures for ensuring that, by default, only Personal Data which are necessary for each specific purpose of the Processing are processed. This obligation applies to the amount of your Personal Data We collect, the extent of their Processing, the period of storage and their accessibility. These measures will ensure that by default your Personal Data are not made accessible without your intervention to an indefinite number of third parties.**

## **14. CONTACTING THE ASSOCIATION AND COMPLAINTS**

**the Association hopes to be able to answer any questions or concerns you may have about your Personal Data. You can get in touch with the Association at the postal address or email address given in section 19 hereafter.**

**The Association's representative in the EU for the purposes specified in the GDPR is Me Jean-Philippe Mabru and can be contacted at [j.p.mabru@ifl.group](mailto:j.p.mabru@ifl.group).**

**You have the right to make a complaint if you feel your Personal Data has been mishandled or if the Association has failed to meet your expectations. You are encouraged to contact the Association about any complaints or concerns, but you are entitled to complain directly to the relevant supervisory authority.**

## **15. CHANGES TO THE PRIVACY POLICY**

The most current version of this Policy will be made available on the Website.

The Association may modify this Policy from time to time. If a modification reduces your rights, a pop-up window will inform you immediately upon access to the Website, and you will have to accept such changes before further use.

#### **16. DATA CONTROLLER**

The Data Controller of the file is the Association.

#### **17. LINKS**

The Website may contain links which direct you to third party sites. The Association rejects any liability relating to the privacy policy in force on said third party sites, the collection and use of your Personal Data by the latter and relating to the contents of such sites (whether the links are hypertext links or deep-links).

Furthermore, the Data Subject acknowledges and agrees that using some functionalities on the Website could involve the download and use of other applications. Under no circumstances the Association shall be liable for the utilization of these other applications, especially regarding to the data protection rules.

#### **18. JURISDICTION AND GOVERNING LAW**

This Policy and any questions relating thereto shall be governed by the laws of Switzerland, to the exclusion of any rules of conflict resulting from private international law.

Any dispute relating to this Policy shall exclusively be brought before the courts of Lausanne, subject to an appeal to the Swiss Federal Court.

#### **19. CONTACT**

To ask questions or make comments on this Policy or to make a complaint about our compliance with applicable privacy laws, please contact the Association at its email address: [privacy@bonnard-lawson.com](mailto:privacy@bonnard-lawson.com).

The Association will acknowledge and investigate any complaint pursuant to this Policy.