

## Data Privacy Statement for Tellco pk / Tellco pkFLEX / Tellco Pension Solutions 1e Foundation

### 1 Subject matter

The protection of your privacy is important to us. In this Data Privacy Statement, we, the Tellco pk Foundation and the Tellco pkFLEX Foundation, each with registered office at Bahnhofstrasse 4, 6430 Schwyz, provide information on how we collect and process personal data. In addition to processing in accordance with this Data Privacy Statement, further specific data-protection-relevant processing of personal data may take place on the basis of affiliation contracts, service contracts, terms of use for digital services, conditions of participation and similar documents.

Personal data is any information relating to an identified or identifiable private individual. Personal data requiring special protection is (i) data relating to religious, philosophical, political or trade union beliefs or activities; (ii) data relating to health, privacy or racial or ethnic origin; (iii) genetic data; (iv) biometric data uniquely identifying a natural person; (v) data relating to administrative or criminal prosecutions or sanctions; and (vi) data relating to social assistance measures.

In the area of mandatory pension provision, our activities are governed by occupational pension legislation, in particular the Federal Act on Occupational Old Age, Survivors' and Invalidity Pension Provision (OPA; *Bundesgesetz über die berufliche Alters-, Hinterlassenen- und Invalidenvorsorge, BVG*) and the Federal Act on the Vesting of Occupational Old Age, Survivors' and Invalidity Benefits (VBA; *Bundesgesetz über die Freizügigkeit in der beruflichen Alters-, Hinterlassenen- und Invalidenvorsorge, FZG*) as well as the associated ordinances. As a federal body, we process your personal data in this area within the scope of our statutory processing powers (in particular Article 85a et seqq. OPA). In the area of supplementary pension provision, our data processing is not primarily subject to the data protection provisions of the OPA, but to those of the Federal Act on Data Protection Act (FDAP; *Bundesgesetz über den Datenschutz, DSG*).

### 2 External data protection advisor

We have appointed Loyens & Loeff Schweiz LLC as our external data protection advisor. For concerns relating to the processing of your data or to exercise your right of access, please contact the data protection advisor at the following address:

Loyens & Loeff Schweiz LLC, attn Robin Moser, Alfred-Escher-Strasse 50, 8002 Zürich

### 3 Addressees

This Data Privacy Statement is addressed, in particular, to the following categories of persons, insofar as we process personal data of such persons:

- (a) Insured persons in the compulsory, non-compulsory and voluntary occupational benefit schemes
- (b) Former, current and future employers or their contacts and family members of the employer and its employees
- (c) Dependants of insured persons (e.g. current and former spouses, civil partners, parents and children) and other beneficiaries
- (d) Authorised representatives (e.g. legal representatives)

- (e) Claimants, liable persons and other persons involved
- (f) Members of our bodies
- (g) Contact persons of social and private insurers, other pension funds and vested benefits institutions, suppliers, partners and service providers as well as authorities and agencies
- (h) Tenants and contact persons of companies when renting residential and commercial properties
- (i) Persons who make use of other services provided by us
- (j) Visitors to our websites
- (k) Visitors to our premises
- (l) Persons who write to us or contact us in any other way

#### **4 Collection**

We initially obtain personal data from you when you submit data to us or communicate with us, for example, and from affiliated employers. This can be done via an insured person portal or other channels.

To the extent permitted, we also take certain data from publicly accessible sources (e.g. the debt collection register, the land register, the commercial register, the media, the Internet) or receive such data from our partners and service providers, affiliates, authorities, doctors, clinics, insurance institutions and other third parties.

In addition to the data you give us directly, the categories of personal data we receive about you from third parties include, in particular, information from your previous pension scheme, from public registers, information we receive in connection with official and legal proceedings, information in connection with your professional functions and activities, information about you from correspondence and meetings with third parties, creditworthiness information (insofar as we transact business with you personally), information about you given to us by people close to you (family, advisors, legal representatives, doctors, etc.) so that we can conclude or process contracts with you or involving you (e.g. have a health check carried out, your address for deliveries, powers of attorney, information on compliance with legal requirements, information from banks, insurance companies, sales and other contractual partners of ours for the utilisation or provision of services by you) and information from the media and Internet about you (insofar as this is appropriate in the specific case, e.g. as part of an application, press review, marketing/sales, etc.).

#### **5 Processing purposes**

We process your personal data primarily in connection with making offers, concluding and processing affiliation contracts with employers and managing the corresponding OPA solutions for their employees. This includes, in particular, the admission of insured persons, commercial and actuarial administration, the examination and settlement of pension cases and case management.

In addition, we may process personal data for the following purposes: for our risk management and compliance with legal requirements, for auditing and performing actuarial tasks, for internal reporting, for carrying out legal procedures, as part of prudent corporate management, for preventing insurance fraud, for market research in order to improve our products and services, for security purposes and for

access control. We also process data for marketing purposes in order to target employers and their contacts, and to provide you with information – including personalised information – on the products and services provided by us and third parties, and on relationship management. We only carry out marketing for mandatory pension schemes to insured persons once they have given their separate consent.

We may also process your data as part of our internal processes and administration. These purposes include, for example, training and educational purposes, administrative purposes (such as the administration of master data, accounting and data archiving or the administration of real estate and the testing, administration and ongoing improvement of IT infrastructure), the protection of our rights (e.g. to enforce claims in court, before or out of court and before authorities in Switzerland and abroad or to defend ourselves against claims, for example by preserving evidence, through legal clarifications and by participating in court or official proceedings) and the evaluation and improvement of internal processes. As part of the development of the company, we may also sell businesses, parts of businesses or companies to others, make purchases from businesses, parts of businesses or companies or enter into partnerships, which may also lead to the exchange and processing of data (including from you, e.g. as a customer or agent).

Insofar as we ask you for your consent for certain processing, we will inform you separately about the corresponding purposes of the processing. You can revoke your consent at any time by notifying us in writing with effect for the future. If we have received your revocation of consent, we will no longer process your data for the relevant purposes unless another legal basis, in particular Article 85a et seqq. OPA, permits further processing. Revocation of your consent does not affect the lawfulness of the processing carried out until revocation.

## **6 Profiling and automated decisions**

As a matter of principle, we do not carry out profiling nor do we use methods for fully automated decision-making. If we use such procedures in individual cases, we will inform you about this separately if this is required by law.

## **7 Involvement of third parties**

In addition to pension funds, other bodies, service providers, employers, vested benefits institutions, other insurers, medical service providers, etc, are involved in the implementation of occupational benefits. Your data is therefore not only processed by us, and we may also disclose it to third parties if necessary.

We may involve the following third parties, in particular, for the processing of personal data: an external management body, an external administrative body, experts in occupational benefits, external asset managers and investment controllers, external service providers for sales and marketing, for case triage and coordination of measures in the field of reintegration of long-term injuries, external partners for case management, external consultants, IT and logistics companies, advertising service providers, financial institutions, insurance companies, reinsurance companies and credit reference agencies. These service providers may also involve other service providers.

## **8 Disclosure abroad**

Recipients of data, for example in connection with a pension benefit case involving a person who is insured with us, are predominantly, but not exclusively, in Switzerland. For example, we also use established IT service providers based abroad. Your data may therefore also potentially be processed

around the world outside the EU or the European Economic Area. Not all of these countries have an adequate level of data protection.

If we transfer personal data in individual cases to a country without an adequate level of data protection, we ensure the protection of your personal data in an appropriate manner. One means of ensuring adequate data protection is, for example, the conclusion of data transfer agreements with the recipients of your personal data in third countries to ensure the necessary level of data protection. These include contracts that have been approved, issued or recognised by the European Commission and/or the Federal Data Protection and Information Commissioner, i.e. the standard contractual clauses (which can be accessed [here](#)). Please note that such contractual arrangements can partially compensate for weaker or missing legal protection but cannot completely exclude all risks (e.g. of government access abroad). In exceptional cases, a transfer to countries without adequate protection may also be permissible in other cases, for example based on consent, in connection with legal proceedings abroad, in cases of overriding public interest or if the transfer is necessary for the performance of a contract.

## **9 Data security**

We ensure data security appropriate to the level of risk by means of suitable technical and organisational measures.

## **10 Duration of storage**

We process and store your personal data as long as is necessary for the respective purpose of processing.

## **11 Data subject rights**

You have the right to (i) request information about your personal data stored by us; (ii) have incorrect or incomplete personal data corrected; (iii) request the erasure or anonymisation of your personal data if it is not (any longer) necessary for the implementation of occupational pensions or the leasing of residential and commercial properties; (iv) request the restriction of the processing of your personal data insofar as the processing is not (any longer) necessary for the implementation of occupational pensions, (v) receive certain personal data in a structured, common and machine-readable format; and (vi) revoke consent with effect for the future insofar as processing is based on consent.

Please note that these rights may be restricted or excluded in individual cases, for example if there are doubts concerning identity or if this is necessary to protect other persons, to safeguard interests worthy of protection or to comply with legal obligations.

## **12 Amendments**

This Data Privacy Statement does not constitute a contractual obligation to you. We reserve the right to adjust this Data Privacy Statement at any time. The version published on our website (as amended) is the current version.

Version 2.0, dated 10 February 2025

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