



# Potentia SA

(the “Company”)

## Data Protection Statement for Employees, Candidates Contractors or similar roles

6<sup>th</sup> March 2024

V.1.1

# Purpose

Potentia SA (hereafter "**Potentia**") is a Private Family Office working for and in the interests of one important family. For all labor matters and processes, Potentia collects and processes personal data of its employees and job applicants, as well as of the employees and job applicants of the family. In some occasions contractors personal data may also be required, for example for confidentiality agreements purposes.

This Data Protection Statement" (hereafter "**DPS**") describes what data Potentia processes, for what purposes and with whom it shares personal data.

If you send or communicate data to Potentia concerning other people, such as family members, work colleagues, etc., Potentia assumes that you are authorized to do so and that this data is accurate. By providing personal data relating to third parties and by signing and accepting this DPS, you expressly confirm this. Potentia kindly asks you to inform the concerned third parties that you are transmitting their personal data to it.

# Responsibility

The data processing described in this Data Protection Statement is under the responsibility of Potentia, with which you have entered into an employment contract as an employee or with which you are applying as a candidate for an employment contract.

For any questions concerning this statement or any requests or to exercise your rights as detailed hereafter, you can contact Potentia at the following address:

Potentia SA  
Case postale  
CH-1211 Genève 1

or by email:

[info@potentia.swiss](mailto:info@potentia.swiss)

# Your Rights

You have the following rights in relation to Potentia data processing, depending on the applicable data protection law:

- The right to request information from Potentia as to whether and what data Potentia processes;
- The right to have Potentia correct data if it is inaccurate;
- The right to request erasure of data;
- The right to request that Potentia provides certain personal data in a commonly used electronic format or transfer it to another controller;
- The right to withdraw consent, where our processing is based on your consent;
- The right to receive, upon request, further information that is helpful for the exercise of these rights.

If you do not agree with the way Potentia handles your rights or with our data protection practices, please let Potentia know. You also have the right to lodge a complaint with the competent data protection supervisory authority in your country. You can find a list of authorities in the EEA here: [https://edpb.europa.eu/about-edpb/board/members\\_en](https://edpb.europa.eu/about-edpb/board/members_en).

# Data Categories

Potentia processes various categories of personal data about you as an employee or as a candidate whatever the position held or to be held in the structure:

- Personal information will include, inter alia but non exclusively, picture, full name, address, birth date, gender, personal email address and phone numbers, marital status, similar details for close relatives, contact details for emergency situations, etc.;
- Information related to the employment relationship;
- Time tracking and absence information;
- Financial data (e.g. for salary, mandatory or optional social insurances, etc.);
- Documents and data typically included in a human resources files (e.g., criminal record extracts, tax at source data / data related to requests for family and training allowances, copies of passport, residency and working permits, etc.)

# Purpose of Processing

Potentia processes your personal data to maintain its employment relationship with you or to assess your profile according to a position.

This includes or may include:

- human resources obligations and tasks;
- internal administrative purposes (operation of IT infrastructure, payroll accounting, email systems, etc.);
- personality assessments considering the position held, the adequacy with the needs of Potentia or the Family it serves;
- surveillance measures when deemed necessary or appropriate for security, quality and other purposes linked with our obligations, such as compliance with legal and/or administrative requirements and obligations, tax purposes, binding legal order by a court or an authority, legitimate interest;
- implementing appropriate risk management, business management and internal and personal development.

# Data Transfer

When processing your data for the above-mentioned purposes, Potentia shares and assess your data with the Family it serves.

In executing our employment relationship with you or when assessing your profile as candidate, Potentia may also transmit all or part of your personal data to third parties, but always only what is strictly mandatory, especially the following categories of recipients:

- Other companies within the Family group for internal administrative purposes, organization of travels and accommodation, provision of IT infrastructure, internal communication;
- Authorities and other official bodies related to the execution of our employment relationship with you, e.g. social insurance institutions, pension funds, health insurance companies, criminal record authorities, debt collection offices, tax authorities;
- Banks, surveillance companies as applicable, telecommunications providers (e.g. Swisscom for cell phones), transportation companies, etc..
- Business partners who assist us in recruitment and support in HR management, e.g. placement services, HR consulting firms, IT providers for application tools, companies handling payroll and accounting;

Our service providers are mainly, but not exclusively, in Switzerland and process personal data on our behalf as independent controllers, co-controllers, or subcontractors. In this respect Potentia makes all its best effort to select secured and professional partners, services providers.

# Communications Abroad

As specified before, Potentia may need to share data with other organizations, which may not only be located in Switzerland. Your data can therefore be processed in Europe or in any other country worldwide. This is typically related to organizing trips or related to your employment or recruitment activities.

If a recipient is in a country without adequate legal data protection, Potentia requests the recipient to adhere to data protection special clauses by signing the document attached as Appendix 1, amended as appropriate, or within a specific agreement, unless they're already subject to legally recognized adequate data protection regulations.

**This data process is a prerequisite to any employment or application. By accepting the DPS, you expressly consent to such processes.**

Many states outside of Switzerland or the European Union (EU) and European Economic Area do not currently have laws ensuring appropriate data protection from the perspective of nLPD or EU General Regulation on Data Protection (GDPR). The aforementioned contractual preventive measures can partially compensate for this weaker or missing legal protection.

However, contractual preventive measures cannot eliminate all risks (especially foreign state access). You should be aware of these remaining risks, even if, in some cases, the risk may be low.

Potentia also draws your attention to the fact that data exchanged on the Internet often passes through third countries. Your data can thus also be transmitted abroad even if both sender and recipient are in the same country.



# Data Retention and Deletion

Potentia processes your data as long as the processing purposes, legal retention periods, and our legitimate interest in processing require it, or as long as storage is technically necessary or mandatory. In the absence of legal or contractual obligations, Potentia will delete your data once the retention or processing period has ended according to our standard processes and applicable laws.

Potentia reserves the right to retain personal data for documentation and evidence purposes, notably in the interest of documenting processes and especially in case of legal actions.

# Appendix 1

## Appendix 1

### Data Protection Commitment Agreement

To: Potentia SA  
Rue Philippe-Plantamour 20  
CH-1201 Geneva  
Switzerland

From: [Counterparty's Name/Organization]

Date: [Date]

#### Subject: Commitment to Data Protection

To the management of Potentia SA ("Potentia")

In light of our ongoing or potential business dealings and the importance of data protection in today's digital world, we, [Counterparty's Name/Organization], hereby declare our unequivocal commitment to the safeguarding and protection of all data, and especially personal data, shared with us, both during and after the execution of our contractual obligations.

**Compliance with Data Protection Laws:** We undertake to adhere to all relevant applicable data protection laws, regulations, and industry best practices applicable in our jurisdiction and in any jurisdiction where the data may be processed or stored and, as the case may be, where the data subject are resident.

**Secure Storage:** Any data shared with us will be stored securely, employing the latest security measures and technologies to prevent unauthorized access, alteration, disclosure, or destruction.

**Limited Access:** Only authorized personnel within our organization, who have committed themselves to confidentiality, will have access to the data.

**Data Sharing:** We will not share, sell, transfer, or otherwise disclose any data to third parties without Potentia's explicit written consent, except as required by law.

**Data Retention and Deletion:** Data will be retained only for the period necessary to fulfill the purposes for which it was provided or as required by law. Once this period has elapsed, we will promptly and securely delete or anonymize the data.

**Training and Awareness:** We will ensure that our personnel are regularly trained and updated on data protection principles, practices, and legal requirements.

**Breach Notification:** In the unlikely event of a data breach or suspected breach, we will promptly notify Potentia and take all necessary steps to mitigate the effects and prevent recurrence.

By signing this agreement, we acknowledge that failure to uphold these commitments will make us liable for any damages or legal actions against us or Potentia and may result in termination of our business relationship and potential legal actions.

We appreciate the trust placed in us by Potentia and reiterate our dedication to maintaining the integrity and confidentiality of all data shared with us.

Sincerely,

[Signature]

[Printed Name]

[Title]

[Counterparty's Organization Name (if applicable)]

Thank you