

# UBS EXTERNAL STAFF PRIVACY NOTICE - PANAMA

## DATA PROTECTION UNDER THE LAW 81 AS OF 2019 “LEY SOBRE PROTECCION DE DATOS PERSONALES

To run our business, UBS processes information about individuals (“**Personal Data**”), including information about the employees and contractors of our suppliers (“**you**” or “**External Staff**”).

UBS takes your privacy seriously. This Privacy Notice (“**Notice**”) contains information on what Personal Data the UBS entities in Panama referred to in Section 10 (“**UBS**”, “**we**”, “**our**”, or “**us**”) and other companies of the group to which we belong (the “**UBS Group**”) collect(s), what we do with that information, and what rights you have.

As part of our commitment to protect your Personal Data we want to inform you in a transparent manner:

- why and how UBS collects, uses and stores your Personal Data;
- the lawful basis for the use of your Personal Data; and
- what your rights are in relation to such processing and how you can exercise them.

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### 1 What does this Notice cover?

This Notice applies to any and all forms of use of Personal Data (“**processing**”) by UBS in relation to our External Staff in Panama.

### 2 What type of Personal Data do we collect?

We collect basic identification information, such as your name, title, position, professional history, experience, language skills and contact details. Such information will be collected if provided to us by your employer, for instance on a CV you have prepared, even if you do not ultimately work on an assignment for UBS.

In addition, for External Staff working on UBS premises, we usually collect (to the extent permitted by applicable law):

- Detailed identification information (e.g., address, office location, business telephone number, date and place of birth, picture, emergency contact details, ID card, passport details and other national ID numbers as required);
- Detailed professional information (e.g., academic, professional and industry qualifications and certifications (including dates), directorship information, contact details of references, previous employment dates, rank or seniority, line manager contact information, working arrangements (such as full or part time), assignment allocation and absence information);

- Electronic identification data (e.g., login information, access right, badge number, IP address, online identifiers/cookies, logs and connection time, sound or image recording such as CCTV or voice recordings);
- Personal and physical characteristics (e.g., gender, date of birth and immigration status, and physical characteristics); and
- Information submitted in support of an application to work for UBS on behalf of your employer (e.g., and anything you choose to submit in support of your or your employer's application);

Where relevant and to the extent permitted by applicable law, the Personal Data that we collect will also include sensitive data, which refers to the intimate sphere of its owner, or the use of which may result in discrimination or entail a serious risk to it. Examples include Personal Data that may reveal aspects such as racial or ethnic origin; political opinions; data relating to health (for instance to allow UBS to make appropriate adjustments to your working environment as a result of a disability). To the extent legally permitted, we will also process information relating to criminal convictions or offences.

In some cases, the Personal Data we collect from you is needed to meet our legal or regulatory obligations, to perform our obligations under UBS's contract with your employer (UBS's supplier), or to enter into that contract. If so, we will indicate to you that the provision of this information is mandatory, and the consequences if we cannot collect this information.

The above-mentioned Personal Data are collected from information that you or your employer directly provide, and, in some cases, UBS will also collect Personal Data indirectly from background check providers and other administration services providers, or from publicly available sources such as LinkedIn profiles.

### **3 For which purpose do we process your Personal Data and what legal basis do we rely on?**

#### **3.1 Purposes of processing**

We always process your Personal Data for a specific purpose and only process the Personal Data which is relevant to achieve that purpose. We thereby take into account the role in which you are active with UBS.

In particular, we process Personal Data of our External Staff to:

- a) Selection. For example, to:
  - determine the suitability of External Staff qualifications;
  - prepare for and enter into a contract with our supplier.
- b) Onboarding. For example, to:
  - set up internal profiles, collect information required to complete the onboarding process. For background checks please see section e) below;
  - assist us in managing external providers such as your employer (see section 5 for further information about when we work with service providers).
- c) Staff Administration. For example, to:
  - administer, plan and manage our personnel, suppliers and contractors (including task management and internal workforce analysis and planning);
  - allocate costs, optimize performance and enhance quality;
  - where relevant, manage and make available Personal Data within the UBS Group;
  - carry out supplier performance reviews, satisfaction surveys and other contractor surveys;
  - track staff' interaction with internal email communication (including newsletters, interest groups and messages) to enable delivery of more relevant personalized content for improved readership and engagement.

- d) Training, development and other staff offerings. For example, to:
- train our External Staff;
  - carry out development initiatives and coaching activities;
  - inform you of internal events, leisure activities, and corporate sponsored discounts through approved third-party providers.
- e) Compliance & Risk Management and / or Crime Prevention, Detection & Investigation. For example, to:
- check for any existing or potential conflicts of interest or any other restrictions which may otherwise restrict or prevent a prospective engagement on a matter with UBS;
  - carry out periodic vetting checks where relevant;
  - receive and handle complaints, requests or reports from employees or third parties made to a compliance function, HR function, or other designated units within UBS or the UBS Group;
  - track relevant incidents related to our External Staff and / or persons they might have a connection with, in order to comply with legal or regulatory obligations, internal policies or for risk management purposes;
  - monitor and investigate electronic communications in order to be able to comply with legal or regulatory obligations, including compliance with banking regulations and internal policies or for risk management purposes;
  - track and record data accesses, to evaluate them and to scan data carriers as well as to evaluate the accessing or storage of data with the objective of ascertaining whether there has been a breach of the obligation to be task-related;
  - conduct internal investigations in line with UBS policies and/or as required by applicable legislation;
  - reply to any actual or potential proceedings, requests or the inquiries of a public or judicial authority.
- f) Supporting, Enhancing and Maintaining UBS's technology. For example:
- to provide for a centralized, global approach to the provision of IT services to our External Staff and enable External Staff within the UBS group to interact with one another and UBS employees. This normally involves the hosting of your contact and e-mail information to allow UBS's global IT network to be established and populated with relevant details;
  - to manage our IT resources, including infrastructure management and business continuity.
- g) Other purposes:
- to exercise our duties and/or rights vis-à-vis you or third parties;
  - to enable a transfer, merger or disposal to a potential buyer, transferee, merger partner or seller and their advisers in connection with an actual or potential transfer, merger or disposal of part or all of UBS's business or assets, or any associated rights or interests, or to acquire a business or enter into a merger with it;
  - to offer our products and services to our customers (e.g., we may communicate professional contact details of one of our employees to a customer or supplier, indicating that this person is the contact person within the UBS organization);
  - to collect data to ensure the security of buildings as well as property and information located or stored on the premises, to prevent, and, if necessary, investigate unauthorized physical access to secure premises (e.g., maintaining building access logs and CCTV system images).

### **3.2 Basis for the processing of Personal Data**

Depending on the purpose of the processing activity (see section 3.1), the legal basis for the processing of your Personal Data will be one of the following:

- necessary to comply with our legal or regulatory obligations, such as tax reporting or reference requirements;
- a special law or regulation that permit such processing;
- when required by a public entity while exercising its legal functions or by court order;
- necessary for the satisfaction of legitimate interests prosecuted by UBS, provided that such interests do not prevail over your interests or fundamental rights and freedoms;
- for the purposes of statistics, charging or other general benefit of those; or
- in some cases, and as may be requested from you from time to time, we have obtained prior consent (for instance where required by law) or processed with your explicit consent in the case of sensitive Personal Data (such as your health data).

Examples of the “legitimate interests” referred to above are processing necessary:

- to benefit from cost-effective services, efficient solutions and subject-matter expertise (e.g., we may opt to use certain IT platforms offered by suppliers, or share basic Personal Data with another UBS entity if you transfer to that entity, for use by that UBS entity in conducting legally required background checks without collecting the information from you again (the UBS entity’s use of that data will be notified to you at the time). We may also share Personal Data with another UBS entity so that a team with the appropriate subject-matter expertise can provide advice or support);
- to offer our products and services to our customers (e.g., we may communicate professional contact details of one of our External Staff to a customer or supplier, indicating that this person is the contact person within the UBS organization);
- to prevent fraud or criminal activity, misuses of our products, resources or services as well as the security of our premises, information, IT systems, architecture and networks;
- to provide for a centralized, global approach to the provision of IT services to our staff and enable staff within the UBS group to interact with one another. This normally involves the hosting of your contact and e-mail information to allow UBS’s global IT network to be established and populated with relevant details;
- to monitor, investigate and ensure compliance with internal UBS policies, relevant laws or regulations;
- to cooperate with a request made in any actual or potential proceedings or the inquiries of a public or judicial authority.

## **4 How do we protect Personal Data?**

All personnel accessing Personal Data must comply with the internal rules and processes in relation to the processing of your Personal Data to protect them and ensure their confidentiality.

UBS and the UBS Group have also implemented adequate technical and organizational measures to protect your Personal Data against unauthorized, accidental or unlawful destruction, loss, alteration, misuse, disclosure or access and against all other unlawful forms of processing.

## **5 Who has access to Personal Data and with whom are they shared?**

### **5.1 Within the UBS Group**

We make available Personal Data to members of our personnel and within the UBS Group for the purposes indicated in section 3.1. Other companies of the UBS Group may process your Personal Data on behalf and upon request of UBS.

## **5.2 Outside UBS and the UBS Group**

### **5.2.1 Third Parties**

We share Personal Data with other credit and financial services institutions and comparable institutions (including brokers, exchanges, upstream withholding agents; swap or trade repositories, stock exchanges, central securities depositories), our professional advisers and consultants (e.g., lawyers, tax accountants or labour consultants) or client as part of you working on tasks related to or involving those parties.

### **5.2.2 Service Providers**

In some instances, we also share Personal Data with our suppliers, who are contractually bound to confidentiality, such as IT system or hosting providers, payroll providers, cloud service providers, database providers, training, education and development providers and third parties who carry out vetting checks, and other goods and services providers (such as communication service providers). When we do so we take steps to ensure they meet our data security standards, so that your Personal Data remains secure. Service providers are thereby mandated to comply with a list of technical and organisational security measures, irrespective of their location, including measures relating to: (i) information security management; (ii) information security risk assessment and (iii) information security measures (e.g., physical controls; logical access controls; malware and hacking protection; data encryption measures; backup and recovery management measures).

### **5.2.3 Public or regulatory authorities**

If required from time to time, we disclose Personal Data to public authorities, regulators or governmental bodies, courts or party to proceedings where we are required to disclose information by applicable law or regulation, under a code of practice or conduct, at their request, or to safeguard our legitimate interests.

### **5.2.4 Other**

- A potential buyer, transferee, merger partner or seller and their advisers in connection with an actual or potential transfer or merger of part or all of UBS's business or assets, or any associated rights or interests, or to acquire a business or enter into a merger with it;
- Any legitimate recipient required by applicable laws or regulations.

## **5.3 Data Transfer to other Countries**

The Personal Data transferred within or outside UBS and the UBS Group as set out in sections 5.1 and 5.2, is in some cases also processed in other countries. We only transfer your Personal Data abroad to countries which are considered to provide an adequate level of data protection, or in the absence of such legislation that guarantees adequate protection, based on appropriate safeguards (e.g., standard contractual clauses adopted by the European Commission to the extent recognized by the competent Data Protection Authority or another statutory exemption) provided by local applicable law.

You may request additional information in this respect and obtain a copy of the relevant safeguard by contacting the Group Data Protection Office at [dpo-americas@ubs.com](mailto:dpo-americas@ubs.com). A list of the countries in which UBS and the UBS Group operate can be found at <https://www.ubs.com/global/en/our-firm/locations.html>.

## **6 How long do we store your data?**

We will only retain Personal Data for as long as necessary to fulfil the purpose for which it was collected or to comply with legal, regulatory or internal policy requirement. In general, your Personal Data will be kept for 10 years, beginning on the day that you leave UBS. There may be exceptions to this general rule, for example:

- a) Personal Data that is no longer required or has become obsolete may be destroyed while the External Staff relationship is still ongoing for proportionality reasons;
- b) In certain cases, UBS may store and process Personal Data for a longer period than 10 years, in particular for compliance or risk management purposes, to comply with (other) legal and regulatory requirements, or if it is in UBS' legitimate interest.

However, if you wish to have your Personal Data removed from our databases, you can make a request as described in section 7 below, which we will review as set out therein.

## **7 What are your rights and how can you exercise them?**

### **7.1 Your rights**

You have a right of access that allows you to obtain your Personal Data found, stored or subject to processing in our databases or in addition to knowing the origin and purpose for which they have been collected. You also have the right to:

- Rectification, that allows you to request the correction of your data that are incorrect, irrelevant, incomplete, outdated, inaccurate, false, or impertinent;
- Cancellation, that allows you to request the deletion of your data that is incorrect, irrelevant, incomplete, outdated, inaccurate, false, or impertinent;
- Opposition, that allows you, for good and legitimate reasons related to a particular situation, to refuse to provide your Personal Data or to be subject to certain treatment, as well as to revoke your consent;
- Portability, that is the right to obtain a copy of your data, in a structured way, in a generic and commonly used format, that allows it to be operated by different systems and/or transmitted to another controller, when:
  - I. You have provided your data directly to us.
  - II. It is a relevant volume of data, processed in an automated manner.
  - III. You have consented to the processing or it is required for the execution or performance of a contract.

UBS will honor such requests, withdrawal or objection as required under applicable data protection rules, but these rights are not absolute: they do not always apply, and exemptions may be engaged. We will usually, in response to a request, ask you to verify your identity and/or provide information that helps us to understand your request better. If we do not comply with your request, we will explain why.

In certain circumstances UBS may process your Personal Data through automated decision-making. Where this takes place, you will be informed of such automated decision-making that uses your Personal Data and be given information on criteria and procedures applied. You can request an explanation about automated decision making carried out and that a natural person reviews the related decision where such a decision is exclusively based on such processing.

### **7.2 Exercising your rights**

To exercise the above rights, please submit a [HR Snow Request](#) or send an email to [sh-hr-data-requests-snow@ubs.com](mailto:sh-hr-data-requests-snow@ubs.com).

If you are not satisfied with how UBS processes your Personal Data, please let us know and we will investigate your concern. Please raise any concerns by contacting the Group Data Protection Office at [dpo-americas@ubs.com](mailto:dpo-americas@ubs.com).

If you are not satisfied with UBS's response, you have the right to make a complaint to the Data Protection Authority in Panama (ANTAI - Autoridad Nacional de Transparencia y Acceso a la Información). The contact details of the Data Protection Authority can be found at the following website: <https://www.antai.gob.pa/>.

## **8 Changes to Personal Data**

In the interest of keeping Personal Data properly up to date and accurate, we will ask you periodically to review and confirm the Personal Data we hold about you and/or to inform us of any change in relation to your Personal Data (such as a change of address).

## **9 Updates to this Notice**

This Notice was updated in February 2022. We reserve the right to amend it from time to time. Any amendment or update to this Notice we will make available to you [here](#). Please visit the UBS website frequently to understand the current Notice, as the terms of this Notice are closely related to you.

**10 List of contracting UBS entities covered by this Notice**

Country	Entity Name	Registered Address
Panama	UBS Asesores SA	MMG Tower, Piso 10, Avenida Paseo del Mar, Costa del Este, Ciudad de Panamá, 0834-061, Panama

If you have any questions or comments about this Notice, please contact the Group Data Protection Office at the following email address: [dpo-americas@ubs.com](mailto:dpo-americas@ubs.com). For additional information please visit [goto/groupdpo](https://go.ubs.com/groupdpo).