

**IMPORTANT INFORMATION TO OUR CLIENTS
ON THE INTERNATIONAL AUTOMATIC EXCHANGE OF INFORMATION IN TAX MATTERS (AEOI)
IMPLEMENTED IN SWITZERLAND AS OF 1ST JANUARY 2017**

- ➔ **Information on the International Automatic Exchange of Information in Tax Matters (AEOI), objects concerned as of 1st January 2017 with first reporting during the 1st semester of 2018.**
- ➔ **You are concerned (or may be concerned in the future) if your country of residence is a partner jurisdiction (i.e. a country with which Switzerland has agreed/will have agreed AEOI).**

For many years, the Delen group has always emphasized the key importance for clients of complying with tax regulations they are submitted to. In that context, it is opportune to communicate on relevant details in connection with the above regulation as of 1st January 2017 ; medias have largely commented on that topic for more than one year now.

We (Delen (Suisse) SA) confirm being a reporting Swiss financial institution in accordance with the Federal Act on the International Automatic Exchange of Information in Tax Matters (AEOI) Act. The AEOI Act is the legal basis for implementing the AEOI Standard in Switzerland. This information is intended to inform you as required by Article 14 of the AEOI Act.

a. What information will be exchanged?

The reportable information includes personal data and information concerning the reportable account. Personal data include the name, address, country of residence for tax purposes, tax identification number and date of birth of the account holder or of the beneficial owner or the controlling person. In addition, the account number, the total gross amount of dividends, interest and other income, the total gross proceeds from the sale or redemption of financial assets, and the aggregate balance or value of the account at the end of each calendar year are reported.

b. What is AEOI?

AEOI requires reporting Swiss financial institutions to identify reportable accounts and report them to the Swiss Federal Tax Administration (FTA). Reportable accounts are accounts held by natural persons as well as accounts held by entities. In the case of accounts held by entities, the requirement to identify and report may concern under certain circumstances also the controlling person(s). For more detailed information on the terms “account holder” or “controlling person” please consult the OECD Common Reporting Standard and the implementing legal provisions.

Only accounts where the holder or controlling person is a reportable person are reportable accounts. A reportable person is a natural person or an entity resident for tax purposes in a country with which Switzerland has agreed AEOI (partner state(s)).

Reporting Swiss financial institutions are required to report information on reportable accounts held by reportable persons annually to the FTA. After receiving this information, the FTA exchanges it with the reportable person’s country of residence. Information is only exchanged with partner jurisdictions. The list of partner jurisdictions can be found at <https://www.sif.admin.ch/sif/en/home/themen/internationale-steuerpolitik/automatischer-informationsaustausch.html> and is kept up to date at all times.

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c. For what purposes will this information be used?

Generally, the information exchanged may only be made available to tax authorities of a partner jurisdiction in which the reportable person is resident and may only be used for tax purposes. In principle, it is prohibited for the receiving partner jurisdiction to forward the received information to another jurisdiction, and it must treat the information as confidential. Generally, the receiving partner jurisdiction may only make the information exchanged available to persons and authorities responsible for handling or supervising taxation in that country.

d. What rights do you have?

You have the following rights under the AEOI Act and the Federal Act on Data Protection (FADP):

1. Vis-à-vis any reporting Swiss financial institution (here: ourselves, Delen (Suisse) SA)

Clients are entitled to the full extent of legal protection offered by the FADP vis-à-vis every reporting Swiss financial institution. In particular, they have the right to request what information has been collected about them and will be reported to the FTA. The reporting Swiss financial institution concerned must provide clients with a copy of its report to the FTA on request. Moreover, clients are also entitled to request that incorrect data be corrected.

2. Vis-à-vis the FTA (Swiss Federal Tax Administration)

Clients only right vis-à-vis the FTA is the right to access information. Clients are entitled to request that incorrect data resulting from errors in the exchange process be corrected. If the exchange of information would result in disadvantages for the clients that are not permissible due to a lack of constitutional guarantees, their rights are set out in Article 25a of the Federal Act on Administrative Procedure. Clients do not have the right to access FTA records. This means that they do not have the right to block the disclosure of personal details vis-à-vis the FTA. In addition, clients are not entitled to have the legality of forwarding information outside Switzerland reviewed or to block any illegal forwarding and/or to demand the destruction of data processed without a sufficient legal basis.

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Should you need any further information, we remain willingly at your disposal and you can contact us regarding this matter by sending an email to compliance@delen.ch.

DELEN (SUISSE) SA

Geneva, 31st October 2016