# **Factsheet on the Swiss Financial Services Act**

## 1. Background

The purpose of this Factsheet is to provide Swiss clients with information on the financial services offered by Degroof Petercam Asset Management sa ("DPAM"), Degroof Petercam Asset Management Suisse Sàrl ("DPAM Suisse") and Degroof Petercam Asset Management - Succursale italiana ("DPAM Italian branch") ( each a "Company" and, together, the "Companies") in Switzerland, in accordance with Article 8 and seq. of the Swiss Financial Services Act ("FinSA").

For the purpose of the FinSA, DPAM, DPAM Italian branch and DPAM Suisse are considered, each, a Financial Service Provider as defined in Article 3 (d) FinSA and, as a result, are required to implement certain rules of conduct and organizational measures when they provide financial services within the meaning of FinSA to Swiss clients.

## 2. Information on DPAM

Degroof Petercam Asset Management SA/NV Rue Guimard 18 1040 Bruxelles Belgium

DPAM is a Belgian independent asset management company and manages investment funds as well as discretionary mandates on behalf of clients. DPAM has been authorized by the Financial Services and Markets Authority ("FSMA"), since February 6, 2007 as a management company of collective investment schemes under Belgian law. It is also authorized by the FSMA since October 15, 2014 as a management company of alternative investment funds under Belgian law pursuant to Art. 6 of the EU Directive 2011/61.

Contact details of DPAM's Belgian regulator:

Financial Services and Markets Authority / Autorité des services et marchés financiers Rue du Congrès 12-14 1000 Bruxelles Belgium +32(0)2 220 52 11 +32(0)2 220 52 75

DPAM is authorized by the Swiss Financial Market Supervisory Authority ("**FINMA**") as representative of a foreign manager of collective assets within the meaning of Article 58(1) LEFin. For these activities, DPAM Suisse represents DPAM in Switzerland.

Contact details of DPAM's Suisse regulator for the activities as representative office in Switzerland:

#### **Swiss Financial Market Supervisory Authority FINMA**

Laupenstrasse 27 CH-3003 Bern

Phone: +41 31 327 91 00 Fax: +41 31 327 91 01 E-mail: info@finma.ch

## 3. Information on DPAM Suisse

Degroof Petercam Asset Management Suisse Sàrl Boulevard Georges-Favon 20 1204 Geneva Switzerland

DPAM Suisse is a fully owned subsidiary of DPAM. DPAM Suisse provides financial services within the meaning of the FinSA, chiefly in the form of acquisition and disposal of financial instruments (in particular collective investment schemes).

DPAM Suisse is not subject to the supervision of the Swiss Financial Market Supervisory Authority (FINMA) as it does not carry out a regulated activity in Switzerland.

## 4. Information on DPAM Italian branch

Degroof Petercam Asset Management - Succursale italiana Piazza Cavour 2 20121 Milano Italy

DPAM Italian branch is an authorised branch of DPAM, which promotes the investment funds managed by DPAM and the discretionary management mandates and investment advice services of DPAM in Italy and, on a cross-border basis, in Switzerland.

#### Swiss Ombudsman

In case we would not be able to fulfil your expectations as a client, please contact us so we can address your concerns and find a solution.

If no mutually agreeable solution can be found, you as a Swiss domiciled client who maintains a client relationship with DPAM, DPAM Italian branch or DPAM Suisse, which provide you with certain financial services within the meaning of FinSA, can seek a mediation through the following Ombudsman in Switzerland, a free and impartial information and mediation service:

Swiss Arbitration Centre Boulevard du Théâtre 4, 1204 Geneva Switzerland: 022 819 91 57 Abroad: +41 (0)22 819 91 57

Email: centre@swissarbitration.org

The Swiss Federal Department of Finance has recognized the Swiss Arbitration Centre as ombudsman.

### 6. Business Activities and Financial Services

FinSA regulates the provision of financial services and the offering of financial instruments as defined, respectively, by Art. 3 let. c and g FinSA. It applies to financial service providers, client advisors and producers of financial instruments.

DPAM provides financial services that fall within the scope of this regulation such as purchase and sale of financial instruments, as well as discretionary portfolio management and the production and offering of collective investment schemes.

DPAM Suisse and DPAM Italian branch's activities in Switzerland are limited to the offer of financial services in the form of purchase and sale of financial instruments as defined in Art. 3(c)(1) FinSA.

## 7. Client Classification

Prior to offering any financial services into Switzerland, the Companies are required to classify Swiss clients. FinSA has established three client classifications: Institutional investors, Professional investors and Retail investors. Each category is assigned a different level of investor protection.

As DPAM is a Belgian firm and has already implemented the MiFID II classification requirements, it has made the decision to use the MiFID II classification also under the FinSA regulation as far as legally permissible. Its decision also applies to DPAM Italian branch, which uses the MiFID II classification under the FinSA regulation as far as legally permissible as well.

On the other hand, DPAM Suisse has performed a client classification in accordance with the FinSA classification pursuant to Art. 4 and 5 FinSA.

You have been informed of your classification separately. Your client advisor will be pleased to explain you the requirements and implication of said classification.

A change of classification can be requested in writing. Please be aware a change of classification may result in changes in the financial instruments that may be offered to you and investor protection.

## 8. Rules of Conduct and Organizational Measures

#### 7.1 Appropriateness and Suitability Assessment

As DPAM provides portfolio management services to their Swiss clients, they are required to perform appropriateness and suitability verifications under the FinSA (in particular, DPAM is required to take into account the clients' financial situation and investment objectives as well as their knowledge and experience).

Since DPAM has already implemented the MiFID II suitably and appropriateness requirements, the Company has decided to apply the same standards of appropriateness and suitability reviews to all their clients as applicable under MiFID II. Please refer to Degroof Petercam Asset Management MiFID II Information Brochure for further information.

DPAM Suisse and DPAM Italian branch on the other hand do not provide any financial services requiring appropriateness and suitability verifications under FinSA. This being said, DPAM Suisse and DPAM Italian branch are subject to the group policy and it has been decided that the Companies will apply the same standards of appropriateness and suitability reviews to all their clients as applicable under MiFID II. Please refer to Degroof Petercam Asset Management MiFID II Information Brochure for further information.

#### 7.2 Conflicts of Interest

The Companies have implemented organizational measures to prevent situations of conflict arising between the interests of the Company (including their employees and of any other business partners) and those of their clients. You can find more information about DPAM's Conflict of Interest Policy here: <a href="https://dpaminvestments.com/documents/conflict-of-interest-management-policy-enBE">https://dpaminvestments.com/documents/conflict-of-interest-management-policy-enBE</a> or <a href="https://www.funds.dpaminvestments.com/sites/degroofpetercam/regulatory-disclosures.html">https://www.funds.dpaminvestments.com/sites/degroofpetercam/regulatory-disclosures.html</a>.

#### 7.3 Disclosure of Compensations Received by Third Parties

Compensations are benefits that the Companies may receive from any third parties (including Group companies) that are not paid directly by a client or an investor. Charges paid directly by a client or an investor, such as custody fees, management fees or transaction fees (including fees that are part of the issue price of an instrument), are not considered as compensation.

The most common form of compensation occurs between providers and distributors of financial instruments, whereby providers forward part of their revenues from financial instruments to the distributor in exchange for distribution services. For example, in the area of investment funds, the management company charges the investor a management fee for managing the fund assets, which is disclosed in the fund prospectus. The management company may use part of the revenues generated with this management fee to remunerate distributors such as banks or financial advisers for access to their distribution network or for the administrative efforts they need to undertake when distributing the management company's products.

Because such remunerations may lead to potential conflicts of interest, receipt and payment are regulated under Swiss law. Swiss clients must both be properly informed about the existence of such compensation and waive their right to receive such compensation, or the Company must pass on the remuneration received to the Swiss clients.

There are no service-related costs associated with the financial services charged by the Companies. You will only incur the costs related to the financial instrument – shares/units in investment funds' - and to the financial services provided by the Companies with which you will place your orders regarding the investment funds. Any product-related fees or costs are specified in the relevant offering and/or subscription documents. Neither DPAM, DPAM Italian branch nor DPAM Suisse receive inducements as defined in MiFID II as explained in DPAM's MiFID II Information Brochure.

## 7.4 Information on Costs and Fees

Information on the costs and fees of the financial services you have received can be obtained from periodic reporting. For any additional information, please get in touch with your usual contact.

## 7.5 Documentation and Reporting

The financial service provider, whether DPAM, DPAM Italian branch or DPAM Suisse, is required to document and keep records of the agreed financial services and the information collected about you as well as any financial services effectively provided to you.

#### 7.6 Transparency and Due Diligence

Another objective of FinSA is to safeguard the principle of best execution of orders when trading in financial instruments. You can find more information about the DPAM Best Execution Policy here: <a href="https://dpaminvestments.com/documents/best-execution-policy-enBE">https://dpaminvestments.com/documents/best-execution-policy-enBE</a> or <a href="https://www.funds.dpaminvestments.com/sites/degroofpetercam/regulatory-disclosures.html">https://www.funds.dpaminvestments.com/sites/degroofpetercam/regulatory-disclosures.html</a>.

### Risks Involved

Investments in financial instruments, such as investment funds, structured products, equities, etc. contain opportunities but also bear important risks. It is important that any investor understands the risks involved with an investment made in a specific financial instrument. The brochure - Risks Involved in Trading Financial Instruments – of the Swiss Bankers Association contains general information on typical services and on the characteristics and risks of financial instruments: https://www.swissbanking.ch/ Resources/Persistent/e/1/8/d/e18dc86d8033b556db0c7db772e9b025042db1d5/

## SBA\_Risks\_Involved\_in\_Trading\_Financial\_Instruments\_2023\_EN.pdf

## 10. Disclaimer

The content published in this document is provided for information purposes only and does not constitute legal or tax advice.

It represents neither an offer in the legal sense nor an invitation nor a personal recommendation and therefore is no substitute for client advice.

#### Contact

<u>dpam@degroofpetercam.com</u> • www.dpaminvestments.com • <u>www.funds.dpaminvestments.com</u>