

Information for our customers

Avoiding assets without contact and dormant assets

Dear customer,

Every now and again contact between a bank and a customer can become lost for one reason or another and as a result, assets deposited with the bank become dormant and without contact. This can lead to difficulties and an undesirable situation for all concerned, especially when the assets are totally forgotten about by customers and their heirs. The Swiss Bankers Association (www.swissbanking.org), in conjunction with the Swiss banks, has taken measures concerning the avoidance of assets without contact and dormant assets.

The amended Banking Act along with the revised Banking Ordinance and the new guidelines of the Swiss Bankers Association (SBVg) on the treatment of assets without contact and dormant assets at Swiss banks came into force on 1 January 2015. These regulations stipulate the following:

- Assets in respect of which customer contact can no longer be established are designated as “without contact for 10 years”.
- These accounts are thereafter deemed to be dormant for a further 50 years and are subsequently published on www.dormantaccounts.ch 60 years after the last customer contact. This publication applies to all accounts which exceed the value of CHF 500 or the value of which is unknown.
- If within one year no legitimate claimant registers at the publication, the banks transfer the assets to the federal government. In the case of assets where the last customer contact occurred prior to 1954, the registration time-limit is 5 years.
- Assets not exceeding CHF 500 are transferred after 60 years without publication.

Search for assets that are without contact or dormant

If you know of any assets at our Bank which are putatively without contact or are dormant and to which you are entitled please notify us directly. Please note that documents are required in order to prove your entitlement. If the assets, which are putatively without contact or dormant, are not at our Bank, please refer to the Swiss Banking Ombudsman (www.bankingombudsman.ch) for further assistance with your search.

Your contribution to avoiding absence of contact

Please inform us immediately if you change your address, or if you use a different name, e.g. following marriage.

Also, please let us know if you leave for an extended period of time and arrange for correspondence from your bank to be sent to a third party, and how you can be reached in an emergency. We generally advise you to designate a proxy or representative with full power of attorney who can be contacted by your bank should your assets become “dormant”.

Another way to avoid absence of contact and dormancy is for you to tell a trusted individual about your bank relationship. However, we can only disclose information to such a trusted individual if that individual has been given written authorisation by you for this purpose on a form provided by the Bank. You can also mention the assets which are deposited with us by referring to our Bank, for example, in a testamentary deed.

Measures in the event of absence of contact

In the event assets become without contact, we will take the following measures, in line with the relevant guidelines of the Swiss Bankers Association.

Immediate measures

As soon as we determine that mail sent by post to a customer cannot be delivered, e.g. because of a change of address, we will then attempt to discover the new address with due diligence. Further search measures shall be performed in accordance with the principle of proportionality, depending on the amount of the assets concerned. If necessary, we will appoint third parties to investigate. Such third parties are of course subject to the same

laws concerning confidentiality as the bank itself. Bank customer confidentiality is thereby preserved.

Measures to be taken when absence of contact is established

If our enquiries are unsuccessful or contact with the customer is not possible for other reasons, then we are bound by the guidelines laid out by the Swiss Bankers Association to:

- Record the assets of these customers centrally within the bank as being without contact for 10 years;
- Specially earmark the assets and report safe deposit boxes and all assets exceeding CHF 500 to a central database in which only the Banking Ombudsman can carry out a search on behalf of legitimate claimants. The managers of these offices, which are equipped with the very latest in security measures, are subject to bank customer confidentiality;
- 50 years after the onset of dormancy (i.e. 60 years after the last contact) publish the information concerning the bank customer on www.dormantaccounts.ch if all assets of a bank customer in aggregate exceed the amount of CHF 500;
- Transfer the assets to the Federal Department of Finance if during the publication period no one has filed a legitimate claim to the assets. All claims thereto expire upon transfer of the assets.

Continued rights in cases of absence of contact

The rights of the customer or his legal successors remain intact until the assets are transferred to the Swiss government even in the case of absence of contact. Banks may only take action that diverges from the contractual agreement with the customer when such action is in the customer's properly understood interest:

- Savings accounts are continued unchanged at the Bank's relevant applicable interest rates.
- Current accounts and similar balances are invested in a manner that protects the bank customer's interests, i.e. with due care and, as far as possible, for the purpose of income generation (e.g. as savings accounts, medium-term notes or an investment fund with a conservative risk profile).
- Securities custody accounts are to be continued, money from repaid securities and accrued income therefrom are reinvested in similar or other appropriate securities. To avoid a loss in value the Bank may also invest in other types of investment.
- Safe deposit boxes can be opened where rental costs are not covered, in order to complete the search measures, where necessary in order to ensure the value of the contents is preserved, and with a view to liquidation, subject to compliance with the bank's internal instructions, and the contents may be stored centrally.

We shall be happy to provide you with more detailed information in connection with the handling of assets which are without contact and dormant assets.

Costs

Our bank's usual debited costs and expenses also apply in cases of absence of contact and dormancy. If these costs and expenses exceed the available assets, the customer relationship may be terminated. Furthermore, we will charge the customer for costs incurred for our inquiries as well as for the special handling and supervision of assets without contact as well as for the publication. Costs arising from processing clearly unjustified claims may be invoiced to the claimant.

Thank you for your assistance in avoiding absence of contact and dormancy.

SB Saanen Bank AG, 27.11.2020