

**Affiliation form
to
OFS Ombud Finance Switzerland**

Mediation organ recognised as per art. 74 FinSA by decision of the Federal Finance Department dated June 24, 2020 (hereafter « the Ombudsman Office »)

Company Name/Name of the Financial Services Provider / Financial Advisor (strike out the incorrect entry)
(hereafter « the Affiliate »)

Legal seat and if different, business address:

.....
.....
.....

Contact person:

.....
.....

E-mail address :

Phone :

FINMA Application: Date Application Type FinIA Activity

FINMA Authorisation: Type¹ Filed on Obtained on

or

Registration with Client Advisors Register²: Register Name (foreseen)

Individual affiliation yes/no

Collective affiliation yes/no

Entity in charge of the collective affiliation :

(Evidence of your payment of the one-time file constitution fee and the yearly affiliation fee to be attached to the present application).

1 Autorisation type : asset manager, collective asset manger, etc.

2 Not relevant for providers subject to FINMA authorisations

Art. 1 Affiliation

- 1.1 Affiliation is complete and effective only upon payment of all affiliation fees, that is for individual affiliations the one-time file constitution fee and the yearly affiliation fee, and for collective affiliations, the fees agreed upon between the Ombudsman Office and the Entity in charge of the collective affiliation.
- 1.2 Once delivered, the Affiliate undertakes to communicate a copy of its FINMA authorisation to the Ombudsman Office or, on its behalf, to the ASG (Association suisse des gérants de fortune).

Art. 2 Affiliates' duties

- 2.1 Upon signing and communication of the present Affiliation form, the Affiliate undertakes to fulfill and comply with all its obligations set forth under Title 5 of FinSA pertaining to the ombudsman office, the mediations and with all rules and procedures set forth by the Ombudsman Office.
- 2.2 In particular, the Affiliate undertakes to :
 - a. inform its clients about the availability of a mediation procedure and the name and address of the Ombudsman Office upon entering a business relationship, in the event of a legal claim raised by a client and at any time when requested by a client (art. 79 FinSA);
 - b. participate to any mediation procedure organised by the Ombudsman Office (art. 78 FinSA) ;
 - c. to pay to the Ombudsman Office all costs and fees set forth in the Schedule of costs pertaining to a mediation (that it be initiated by the client or the Affiliate);
 - d. to pay the one-time file constitution fee and the yearly affiliation fee set forth by the Ombudsman Office as per art. 3 below or any other fee schedule agreed as part of a collective affiliation.

Art. 3 Delegation of affiliation processing services

The Ombudsman Office outsourced to the Association Suisse des Gérants de Fortune | ASG (« ASG ») a number of administrative tasks, mainly the affiliation of financial service providers or financial advisers, the reception and processing of payments regarding the one-time file constitution fee and the yearly affiliation fee.

In this respect, the Affiliate :

- a. recognizes and agrees that payment of the one-time file constitution and the yearly affiliation fees are made directly to ASG on the ASG's account with Zürcher Kantonalbank, IBAN CH35 0070 0110 0012 4943 8. All other arrangements agreed as part of a collective affiliation remain reserved;
- b. informs ASG about any modification in status, address, contact person or else, relevant in relation to its affiliation;
- c. informs ASG in case of discontinuance of its activities ending its obligation to affiliate to an ombudsman office.

Art. 4 Information to the authorities

The Affiliate is aware of the provisions contained in art. 83 and 88 FinSA obliging ombudsman offices to provide certain information to the competent supervisory authorities and the registration body (register of advisers), in particular information on the Affiliates and on the providers or advisers whose admission the ombudsman office has refused or which were excluded.

Art. 5 Data processing

- 5.1 The collection and processing of personal data in connection with affiliations and its storage in a database of the Affiliates is carried out in compliance with the Data Protection Act by the Ombudsman Office and, for delegated tasks, by ASG. The financial service provider is entitled to the rights provided for in the Data Protection Act, namely the right to information and correction.
- 5.2 ASG maintains a list of the affiliates to the Ombudsman Office.

Art. 6 Termination

The Affiliate may terminate this affiliation agreement at the end of a calendar year by means of a written declaration, subject to a notice period of three months.

An Affiliate who repeatedly fails to comply with the obligations set out in art. 78 to 80 FinSA, in particular the obligations relating to participation in the procedure, the information to be provided to clients about the possibility of mediation or the non-payment of membership fees, mediation costs and fees, is excluded by the Ombudsman Office.

The Affiliate is automatically and with immediate effect excluded if the requirements for exercising the profession in accordance with the FinIA or the FinSA are no longer met, in particular in the event of withdrawal of its authorisation by the FINMA or its removal from the register of advisers as well as in the event of removal from the Swiss commercial register.

Should the Ombudsman Office terminates its activities this shall automatically result in the termination of the affiliation.

The annual contribution remains due in the event of termination or exclusion.

Art. 7 Governing law and jurisdiction

This Affiliation Agreement is governed by Swiss law. Any dispute in relation to the present Affiliation Agreement shall be subject to the jurisdiction of the courts of the legal seat of the Ombudsman Office in Bern.

For the Affiliate :

.....
Signature

.....
Signature

.....
Name First name

.....
Name First name

Date:.....