

FINANCIAL SERVICES ACT (FinSA)

Information intended for clients of CA Indosuez
(Switzerland) SA, Singapore Branch

This document contains general information about CA Indosuez (Switzerland) SA, Singapore Branch (the “Bank”) and outlines the main elements of the Financial Services Act (“FinSA”) in the context of the business relationship between the client and the Bank. The relationship managers remain at your disposal for any additional information you may require.

1. GENERAL INFORMATION

1.1 INFORMATION ABOUT THE BANK

CA Indosuez (Switzerland) SA, Singapore Branch, is a branch of CA Indosuez (Switzerland) SA, a stock corporation incorporated under Swiss law, with its registered office in Geneva and whose purpose is to operate as a bank for Swiss and foreign private, corporate and institutional clients. CA Indosuez (Switzerland) SA is licensed and supervised as a bank by the Swiss Financial Market Supervisory Authority (FINMA).

The Bank’s contact details are as follows:

CA Indosuez (Switzerland) SA, Singapore Branch
168 Robinson Road
#23-03 Capital Tower
Singapore 068912
Telephone: +65 6225 0325
website: <https://singapore.ca-indosuez.com>

CA Indosuez (Switzerland) SA, Singapore Branch, is licensed and supervised as a Wholesale Bank by the Monetary Authority of Singapore (MAS), 10 Shenton Way, MAS Building, Singapore 079117, telephone: +65 6225 5577, website: <https://www.mas.gov.sg>. The Wholesale Bank licence allows the Bank to act as an *Exempt Capital Markets Services Entity, Exempt Financial Adviser and Exempt Trust Company*.

1.2 OMBUDSMAN

Client satisfaction is the top priority of the Bank and of the relationship managers, who shall make every effort to reach a satisfactory solution to any client complaints.

However, if such efforts should not be successful, CA Indosuez (Switzerland) SA, Singapore Branch, is affiliated with the Ombudsman of the Swiss Arbitration Centre, an information and mediation body whose contact details are as follows:

Ombudsman for Financial Services – Swiss Arbitration Centre
Boulevard du Théâtre 4
CH – 1204 Geneva
Telephone: +41 22 819 91 57
E-mail: centre@swissarbitration.org
Website: <https://www.swissarbitration.org/centre/ombuds-fin/>

2. IMPORTANT ELEMENTS OF THE FINSA

2.1 INTRODUCTION

The FinSA is part of the new Swiss financial market supervision architecture. Its objective are to protect the clients of financial service providers, to set consistent standards for providers with respect to the performance of financial services and thus help improve Switzerland’s reputation and competitiveness as a financial centre. The FinSA also regulates the offering of financial instruments.

This law is applicable to financial services provided to clients domiciled in Switzerland and to financial services provided in Switzerland, including for clients domiciled abroad. Under the FinSA, a client relationship exists as soon as the financial service is proposed, even if there is not yet any contractual relationship between the Bank and the client.

The rules of the FinSA are largely inspired by the regulations of the European Union (MiFID II, Prospectus and PRIIPs regulations) and provide for similar regulations.

The FinSA entered into force on 1 January 2020, providing for a two-year transitional period to implement most of the provisions, particularly those related to rules of conduct and organisational measures. According to the transitional provisions, the Bank shall ensure compliance with the FinSA as of 1 January 2022 at the latest.

2.2 SERVICES AND FINANCIAL INSTRUMENTS

The FinSA is applicable whenever the Bank provides clients in Switzerland with a financial service related to any of the following categories: (i) acquisition or disposal of financial instruments, (ii) receiving and transmitting orders concerning financial instruments, (iii) management of financial instruments (asset management), (iv) issuing of personalised recommendations concerning transactions with financial instruments (investment advice), (v) granting of credit for execution of transactions with financial instruments.

The main financial instruments covered by the FinSA are securities issued in the form of equity securities (particularly shares, participation certificates, dividend right certificates), debt securities (particularly bonds), units in collective investment schemes, structured products and derivatives. The financial instruments selected by the Bank in order to provide financial services may come from the Bank as well as from other group entities or third parties.

2.3 CLIENT CLASSIFICATION

The FinSA requires the Bank to classify its clients by placing them in one of the following categories: (i) private clients, (ii) professional clients or (iii) institutional clients. Each category is associated with a suitable level of protection.

- **Private Clients.** The Bank classifies the following as private clients: natural persons, small and medium sized companies, private investment structures without professional treasury operations and, more generally, all clients who are not professional/institutional clients. Unless informed otherwise by the Bank, clients of the Bank will be classified in this category, which will ensure them the highest level of protection once the FinSA has been implemented. The investment universe is generally limited to the products designed or authorised for marketing to private clients.
- **Professional Clients.** Professional clients include large companies and occupational pension schemes, companies and private investment structures with professional treasury operations, which benefit from a lower level of protection than private clients. Professional clients have access to a wider selection of financial instruments than private clients, including financial products that cannot be marketed to private clients.
- **Institutional Clients.** This category, mainly composed of financial intermediaries subject to prudential supervision in Switzerland or abroad, is considered to have sufficient knowledge and experience to evaluate the suitability of any financial service. To this extent, the rules of conduct provided by the FinSA do not apply to transactions with institutional clients.

The FinSA classification is also decisive for the definition of the qualified investor status within the meaning of the Collective Investment Schemes Act.

Finally, it should be noted that, under certain conditions, it is possible for a client to ask to be reclassified in order to benefit from greater protection (opting-in) or from greater freedom resulting from a lower level of protection (opting-out).

The relationship managers remain at your disposal for any question you may have about client classification.

2.4 RULES OF CONDUCT AND ORGANISATIONAL RULES

The FinSA defines the rules of conduct that must be followed by financial service providers. These rules concern (i) the duty to provide information, (ii) the duty to verify the appropriateness or suitability of the financial services, (iii) the duty to document and render accounts and (iv) the duty of transparency and due diligence with respect to client orders, including, in particular, the duty to ensure the best execution of such orders.

The scope of the rules of conduct depends on the type of financial service provided and the classification of the client. Thus, whenever the services provided are execution-only (receiving and transmitting orders for financial instruments), the Bank is not required to verify the appropriateness or suitability.

To be able to comply with the rules of conduct, financial service providers must take appropriate organisational measures, especially in order to avoid potential conflicts of interest that may arise when providing financial services and to protect clients from any disadvantages that may result from such conflicts.

3. DISCLAIMER

This document is provided for information only and does not constitute legal advice on the scope of the FinSA.

It should not be considered as an advertising document and does not constitute a solicitation or an offer of financial services, or a recommendation to buy or sell any financial instrument.

CA Indosuez (Switzerland) SA, Singapore Branch disclaims all responsibility for the content of this brochure. The information communicated above is not exhaustive and is subject to change over time.

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