

Swiss Financial Services Act (FinSA)

The new Swiss Financial Services Act (FinSA) and its implementing ordinance ("OSFin") entered into force on 1 January 2020.

This Act seeks to protect the clients of financial service providers and to establish comparable conditions for the provision of financial services by financial service providers, and thus contributes to enhancing the reputation and competitiveness of Switzerland's financial centre. To this end, it establishes the requirements for honesty, diligence and transparency in the provision of financial services and governs the offering of financial instruments.

We have put together some important information for you as a client below.

REYL & Cie Ltd and its supervisory authority

REYL & Cie Ltd is a bank and securities firm authorised and supervised by the Swiss Financial Market Supervisory Authority (FINMA). REYL & Cie Ltd provides in particular investment services, asset management, investment advice, lombard and hybrid loans as well as investment banking and family office services.

Reyl & Cie Ltd is subject to the Swiss Federal Banking Act and is supervised by the Swiss Financial Market Supervisory Authority (FINMA).

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Mediation body

Swiss regulations provide that financial services providers must be affiliated to a mediation body. Disputes between a financial services provider and a client can therefore be settled by way of mediation. The mediation proceedings are meant to be straightforward, fair, quick, impartial and inexpensive or free of charge for the client.

The Bank is affiliated to the following mediation body: at the time of publication, no mediation body was recognised by the Federal Department of Finance. This page will be updated accordingly as soon as recognition and affiliation are final.

Definition of Financial Services under FinSA

FinSA defines the following activities carried out for clients as financial services:

- the purchase or sale of financial instruments;
- the receipt and transmission of orders in relation to financial instruments;
- portfolio management;
- providing personal recommendations relating to transactions in financial instruments (investment advice);
- granting of loans for the purpose of executing transactions in financial instruments.

Information on risks involved in trading financial services instruments

Transactions with financial instruments are associated with opportunities and risks. It is therefore important that you are familiar with and understand these risks before using a financial service.

The brochure “Risks Involved in Trading Financial Instruments” contains general information on financial services and on the characteristics and risks of financial instruments.

[ASB - Risks Involved in Trading Financial Instruments](#)

Client categorisation & change in categorisation

FinSA requires that financial services providers classify their clients in either of the following categories:

Institutional clients:

- a financial intermediary within the meaning of the LB, the LEFin and the CISA
- an insurance company specified by the LSA
- a foreign client subject to prudential supervision like the persons listed above
- a central bank
- a national and supranational public entity with a Professional treasury operation

Professional clients:

- a public entity with a Professional treasury operation
- an occupational pension scheme or other institution whose purpose is to serve occupational pensions with a Professional treasury operation
- a company with a Professional treasury operation
- a large company
- a Retail investment structure with a Professional treasury operation created for high-net-worth clients.

Non-Professional or non-Institutional clients are considered as Retail clients.

Professional and Institutional clients per se will be considered as qualified investors according to the Collective Investment Schemes Act (CISA). Retail clients with discretionary portfolio management mandates and advisory mandates will also be considered qualified investors under CISA.

Clients may declare in writing that they wish to opt out (reduce their regulatory protection) or, alternatively, opt in (increase their regulatory protection).

Retail clients may declare that they wish to be categorised as elective Professional investors (opting out), provided that the criteria laid down by the regulations are met:

- the clients have at their disposal bankable assets of at least CHF 2 million,
- or

- the clients have at their disposal bankable assets of at least CHF 500,000, and on the basis of education and Professional experience or on the basis of comparable experience in the financial sector, the clients possess the necessary knowledge to understand the risks associated with the investments.

Occupational pension schemes and other institutions whose purpose is to serve occupational pensions with Professional treasury operations and companies with Professional treasury operations may declare in writing that they wish to be categorised as Institutional clients (opting out). On the other hand, all Professional clients may declare in writing that they wish to be categorised as Retail clients (opting in).

Institutional clients may declare in writing that they wish to be categorised as Professional clients (opting in).

Best execution of client's orders

An objective of the FinSA is to safeguard the principle of best execution of orders when trading in financial instruments. The Bank has taken all the necessary steps to ensure that the transmission and execution of orders are performed in accordance with best-execution rules.