

# Factsheet on the ban on advertising at PostFinance

## Payment methods for online shops (e-payment)

### Background

PostFinance Ltd is a bank in accordance with Swiss law. Since PostFinance Ltd does not have a banking licence as a bank abroad, it is prohibited from carrying out any activities subject to a banking licence as a bank abroad. Banking activities subject to authorization refer in particular to the advertising PostFinance Ltd products or services which are suitable for addressing potential customers. These guidelines are also intended for third parties which work with PostFinance on a contractual basis. These rules of conduct also apply to payment service providers (PSP) which use the PostFinance online logo on their homepages, which are thereby given an advertising character. The guidelines applicable to PSPs must also be observed by their merchants who obtain a PostFinance service via their PSP.

### Suggested solutions

Consequently, the PSP or the merchant must design their website and/or position the PostFinance logo in such a way that from a technical and content perspective they do not specifically address customers domiciled outside Switzerland. In principle, this guideline can be met by implementing the following measures (alternatives):

1. Country query when accessing a page: when the PSP or merchant page is called up, the domicile of the person consulting the page is queried first (or at least before the PostFinance logo is shown). "If they select "Switzerland", the PostFinance logos and advertising texts may be shown.
2. Automated IP check: before any logos are shown, the IP address of the person consulting the page is checked by the PSP or the merchant. If the IP corresponds to an address in Switzerland, the PostFinance logos and advertising texts may be shown.
3. Clear addresses: the website is designed in such a way that it is clearly recognizable that the website is only intended for persons domiciled in Switzerland. If necessary, the website should feature a disclaimer stating that the website is intended for customers domiciled in Switzerland.

Other measures must be agreed in advance with PostFinance.

### What does this mean for you?

It is very important to PostFinance Ltd that these guidelines are strictly observed both by the PSP and by the relevant merchant. At the same time, PostFinance Ltd has noticed that foreign supervisory authorities are focusing more on the online sector and are making targeted checks to determine to what extent an online presence is not subject to authorization. If the need for authorization is detected, the bank in question will be fined and obliged to bring their site back in line with the regulations. PostFinance Ltd does not want to take this risk.

PSPs will therefore be asked to sign the new agreement which contains explicit provisions for the placement of the PostFinance logo and the use of PostFinance products and services. PSPs who are already contractually obliged to respect these provisions are required to make specific checks to ensure their online presence adheres to these provisions. They are also responsible for informing PostFinance if they discover that their online merchants are failing to adhere to these provisions. PostFinance will not be able to continue its partnership with any PSPs who do not adhere to these provisions.