

## Privacy Policy

1.	What is this Privacy Policy about? Privacy Policy .....	1
2.	Who is responsible for processing your data?.....	1
3.	How do we process data in connection with our products and services?.....	2
4.	How do we process data in connection with advertising? .....	3
5.	How we work together within the Group .....	4
6.	How do we work with service providers? .....	4
7.	Can we disclose data abroad? .....	5
8.	How do we process data in connection with our website?.....	5
8.1.	What data is collected when using our website?.....	5
8.2.	How do our service providers process data for our website?.....	6
8.3.	How do we process data via social media? .....	7
9.	Is any other processing carried out?.....	7
10.	How long do we process personal data for? .....	8
11.	Are there any other points that need to be considered? .....	8
12.	What are your rights? .....	9

### 1. What is this Privacy Policy about?

In this Privacy Policy, we set out how we – the OBT Group – do this, primarily in the course of our business activities and in connection with our website. If you would like more information on our data processing, please get in touch (Point 2).

### 2. Who is responsible for processing your data?

For data processing in accordance with this Privacy Policy, the company that is the OBT Group is the “controller”, i.e., the party primarily responsible under data protection law (also “we” within this document), with whom you are in contact in the course of your business activities or whose website you use.

A list of the group companies within the OBT Group can be found at <http://www.obt.ch/de/unternehmen/obt-gruppe>.

You can contact any of these companies if you have any questions about data protection. To do so, please use the contact details provided on the websites of these companies. However, you are also welcome to contact OBT AG directly:

OBT AG  
Rorschacher Strasse 63  
9004 St. Gallen

Tel.: +41 71 243 34 34  
[compliance@obt.ch](mailto:compliance@obt.ch)

OBT has appointed a representative in the EU:

MORGENSTERN consecom GmbH Grosse Himmelsgasse 1  
67346 Speyer Germany

Under certain circumstances, several OBT companies within the Group work together as joint controllers. You will find further information on this in section 5. In this case, you can contact any of the jointly responsible parties, but OBT AG is also available to you as the main contact in these cases.

### **3. How do we process data in connection with our products and services?**

When you use our products and services (together "**Services**"), we process data in connection with the conclusion, execution, administration and enforcement of contracts. In particular, this includes the following data and processing:

- In general, we process master data such as name, contact details and job-related information, as well as other identifying information, such as date of birth or a copy of an ID card. In the run-up to the conclusion of a contract, we can also carry out creditworthiness checks and other checks as part of the legal requirements, such as sanction checks and checks within the framework of the law on combating money laundering and the financing of terrorism. We may also process particularly sensitive personal data within this framework.
- In connection with contracts, we process data on the nature of our services, their fulfilment, payments, contacts with customer service, mutual claims, complaints, termination of the contract and – if disputes arise in connection with the contract – on such termination and any subsequent proceedings.

- If our contractual partners provide us with personal data for our services, we also process this data. This applies, for example, to data pertaining to employees and customers of our clients for whom we provide consulting or auditing services, in particular salary data (e.g. expense reports, sickness and accident reports, bank statements, journals), data for personnel administration (e.g. social security data, personal details, information on children and partners, religion) and data for the accounting department. Insofar as we provide IT services, we generally act as an order processor. In this context, we do not inform you about the handling of the corresponding personal data, but our respective customer does.
- You may be able to register on our website. In this case, we process the registration data (e.g. name, function, company and contact details). We use this data and information about the actions of logged-in users for the administration of registered persons and for the purposes of registration, e.g. for support tickets or the customer portal.
- We receive the data we process from you or from third parties, e.g. our customers, the companies for which you work, from credit agencies (if we carry out credit checks), from address services (if we obtain third-party data for address maintenance), from public and private registers (e.g. for sanction checks or the commercial register) and from other public sources (e.g. the internet or the media).
- We also process the aforementioned data for the purposes of statistical evaluation. This supports the improvement and development of products and business strategies. We may use personal data for marketing purposes; please refer to Point 0 for further details.

You may provide us with data that also relates to other people (e.g. agents, deputies, employees, customers, etc.). In this case, we assume that this data is correct and that you are allowed to send us this data. As we often have no direct contact with these people and cannot inform them directly about our data processing, we ask you to inform these individuals about our data processing (e.g. by referring to this Privacy Policy).

#### 4. How do we process data in connection with advertising?

We also process personal data to advertise our services and the services of our Group companies and partners:

- **Newsletter:** We send out electronic information and newsletters (e.g. our business placement bulletin, professional guides and our SME studies), which also contain advertising. We ask for your consent beforehand, except when we promote certain offers to existing customers. In addition to your name and email address, we also process information about which services you have already used, whether you open our newsletter and which links you click on. For this purpose, our email delivery service provider provides a function that essentially works with invisible image data that is loaded from a server via an encoded link and thereby transmits the relevant information. This is a common method that helps us assess the effect of newsletters and optimise our newsletters. You can avoid being included in this measure by

configuring your email program accordingly (e.g. by switching off the automatic loading of image files).

- **Events:** We may hold events. If you attend an event, we will process your registration data for the organisation and implementation of the event and, if necessary, to contact you afterwards. We may make recordings at the event that we may then share, e.g. on social media channels. In this case, we will point this out to you separately.
- **Market research:** We also process data to improve services and develop new products, e.g. information about your purchases, your reaction to newsletters, information from customer surveys and polls, or from social media, media monitoring services and public sources.

## **5. How we work together within the Group**

We procure certain services centrally from the Group, e.g. accounting and IT services (further information on service providers can be found in section 6). However, the group companies also support each other in other matters and may exchange personal data for this purpose. For example, we may share personal data with other companies in the Group in order to centrally organise tasks such as accounting, financial management, reporting, compliance, contract management, advertising or events. When processing the relevant personal data, the OBT companies generally work together as joint controllers. Even if several OBT companies provide services to clients together, these companies usually act as joint controllers.

Group companies may also use data that they receive from other group companies for their own purposes, including marketing. We assume that such disclosures do not conflict with any confidentiality interests unless you inform us otherwise.

## **6. How do we work with service providers?**

We use various services provided by third parties, in particular IT services (examples are providers of hosting or data analysis services), shipping and logistics services and services provided by banks, the Federal post office, consultants, etc. You will find details of service providers regarding our website under Point 8 . In doing so, these service providers may also process personal data to the extent deemed necessary.

## **7. Can we disclose data abroad?**

The recipients of data are not solely located in Switzerland. This applies in particular to service providers who can process personal data abroad themselves or through their subcontractors. We may also transfer data to authorities and other persons abroad if we are legally obliged to do so or, for example, in the context of a company sale or legal proceedings. This applies to countries in the EU or EEA, but may also apply to other countries worldwide. Not all countries have adequate data protection. We compensate for lower protection through appropriate contracts, especially the standard contractual clauses of the European Commission, which can be accessed [here](#) . In certain cases, we may transfer data without such contracts in accordance with data protection requirements, e.g. if you have consented to such disclosure or if the disclosure is necessary for the performance of a contract, for the establishment, exercise or enforcement of legal claims or due to overriding public interests.

## **8. How do we process data in connection with our website?**

### **8.1. What data is collected when using our website?**

For technical reasons, every time you use our website, certain data is collected and temporarily stored in log files (log data), in particular the IP address of the end device, information about the internet service provider and the operating system of your end device, information about the referring URL, information about the browser used, the date and time of access and the content accessed when visiting the website.

Our website also uses cookies, i.e. files that your browser automatically stores on your end device. This allows us to distinguish individual visitors, but usually without identifying them. Cookies may also contain information about pages viewed and the duration of the visit. Certain cookies (“session cookies”) are deleted when the browser is closed. Others (“persistent cookies”) remain stored for a certain period of time so that we can recognise visitors on a subsequent visit. We may also use other technologies, e.g. to store data in the browser, but also for recognition, e.g. pixel tags or fingerprints. Pixel tags are invisible images or program code that are loaded from a server and thereby provide certain information. Fingerprints are details about the configuration of your end device that make your end device distinguishable from other devices.

We use log data and data collected via cookies and similar technologies to enable our website to be used, to ensure system security and stability, to optimise our website, for statistical purposes, to prevent misuse and to better track user behaviour on our website. Cookies and other technologies may also come from third party companies that provide us with certain features. Further information on this is provided below.

You can configure your browser settings to block certain cookies or similar technologies, or to delete cookies and other stored data. You can find out more about this on the help pages of your browser (usually under “Data protection”).

## 8.2. How do our service providers process data for our website?

We use third-party services to enhance the functionality of our website, e.g. reCAPTCHA (authentication), Google Maps (map service) or Google Fonts (fonts) from Google (transmission of website usage data such as date and time or IP address to Google in Ireland; data transmission to the USA may occur).

Cookies and similar technologies from third-party providers also enable the creation of analysis and evaluations for us, to allow us to track the use of our website and optimise our online content. In addition, these third parties may target you with individualised advertising on websites and social networks operated by these third parties or their partners and measure how effective advertisements are (e.g. whether you arrived at our website via an advertisement and what actions you then take on our website). The relevant third-party providers may record the use of the website for this purpose and combine their records with further information from other websites. In this way, they can record user behaviour across several websites and end devices in order to provide us with statistical evaluations based on this data. Providers may also use this information for their own purposes, e.g. for personalised advertising on their own website or other websites. If a user is registered with the provider, the provider can assign the usage data to the relevant person.

Two examples of this type of service provider are Google and Facebook. You will find further details on these below. We may also use other third-party service providers who generally process personal and other data in similar ways.

We use the Google Analytics website, an analysis service provided by Google LLC (Mountain View, USA) and Google Ireland Ltd (Dublin, Ireland). Google collects certain information about the behaviour of users on the website and about the end device used. Visitors' IP addresses are shortened in Europe before being forwarded to the USA. Google provides us with analysis based on the recorded data, but also processes certain data for its own purposes. You can find information on the data protection of Google Analytics [here](#), and if you have a Google account yourself, you can find further details [here](#).

We also use the Facebook Pixel from Facebook, Dublin, Ireland. We use this technology to display advertisements on Facebook and on partners cooperating with Facebook when they have shown an interest in our company. It also allows us to track the effectiveness of Facebook ads for statistical and market research purposes by seeing whether users have been redirected to our website after clicking on a Facebook ad. We share responsibility (but not further processing) with Facebook for displaying advertising information that matches users' interests, improving ad delivery and personalising features and content. We have therefore entered into a corresponding [access agreement with Facebook](#). Users can therefore address information requests and other data subject requests subject to shared responsibility directly to Facebook. We may also provide Facebook with user details such as email addresses for the purpose of advertising on Facebook. Facebook compares these with the corresponding data of its members in order to be able to display targeted advertising to our users ("custom audiences"). You can object to the processing of your data at any time.

### 8.3. How do we process data via social media?

We have our own presence on social networks and other platforms (e.g. a Facebook fan page and a YouTube channel). If you communicate with us there or comment on or redistribute content, we collect information for this purpose, which we use primarily to communicate with you, for marketing purposes and for the purposes of statistical evaluation. Please note that the provider of the platform also collects and uses data (e.g. on user behaviour) itself, where appropriate together with other data known to it (e.g. for marketing purposes and to personalise the platform content). Insofar as we are jointly responsible with the provider, we shall enter into a corresponding agreement, about which you can obtain information from the provider.

### 9. Is any other processing carried out?

Yes, because many processes are not possible without processing personal data, including common and even unavoidable internal processes. This cannot always be precisely determined in advance, including the amount of data processed in the process, but you will find details of typical (though not necessarily frequent) cases below:

- **Communication:** When we are in contact with you, we process information about the communication content and the type, time and place of communication. To identify you, we may also process proof of identity details. If you contact us via a form on the website, we process the data submitted to us as mandatory or voluntary information.
- **Compliance with legal requirements:** We may disclose data to the authorities in accordance with legal obligations or powers and to comply with internal regulations.
- **Prevention:** We process data for the prevention of criminal offences and other violations, e.g. in the context of fraud prevention or internal investigations.
- **Legal proceedings:** Insofar as we are involved in legal proceedings (e.g. court or administrative proceedings), we process data on the parties to the proceedings and other persons involved, such as witnesses or respondents, and disclose data to such parties, courts and authorities, which may also be located abroad.
- **IT security:** In addition, we process data for monitoring, controlling, analysing, securing and checking our IT infrastructure, and for back-ups and archiving data.
- **Competition:** We process data about our competitors and the market environment in general (e.g. the political situation, the association landscape, etc.). We may also process data about key individuals, particularly their name, contact details, role or function and public statements.
- **Transactions:** If we sell or acquire receivables, other assets, business units or companies, we process data to the extent necessary for the preparation and execution of such transactions, e.g. information about customers, their contacts or employees, and we also disclose corresponding data to buyers or sellers.

- **Other purposes:** We process data to the extent necessary for other purposes such as training and education, administration (e.g. contract management, accounting, enforcing and defending claims, evaluating and improving internal processes, compiling anonymised statistics and evaluations; acquiring or disposing of receivables, businesses, parts of businesses or companies and safeguarding other legitimate interests).

## **10. How long do we process personal data for?**

We process your personal data for as long as it is necessary for the purpose of processing (in the case of contracts, generally for the duration of the contractual relationship), for as long as we have a legitimate interest in storing it (e.g. in order to enforce legal claims, for archiving and or to ensure IT security) and for as long as data is subject to a statutory retention obligation (for certain data, for example, a ten-year retention period applies). After these periods have expired, we delete or anonymise your personal data.

## **11. Are there any other points that need to be considered?**

Depending on the applicable law, data processing is only permitted if the applicable law specifically allows it. This does not apply under the Swiss Data Protection Act, but does apply under the European General Data Protection Regulation ([GDPR](#)), for example, insofar as it applies. In this case, we process personal data based on one or more of the following legal bases:

- Art. 6 Para. 1(b) GDPR for processing that is necessary for the fulfilment of a contract with the data subject and for the implementation of pre-contractual measures (see Point 3);
- Art. 6 Para. 1(f) GDPR for the necessary processing of personal data in order to safeguard the legitimate interests of ourselves or of third parties, except where such interests are overridden by the fundamental rights, freedoms and interests of the data subject. This applies in particular to our interest in carrying out our activities in a sustainable, customer-friendly, safe and reliable manner and in communicating about them (including marketing; see Point 4); statistical evaluations; the guarantee of information security; protection against misuse; the enforcement of our own legal claims; compliance with Swiss law; the operation of our website (see Point 8).
- Art. 6 Para. 1(a) GDPR for processing that we carry out with your separate consent.

You are not obliged to disclose data to us, subject to individual cases (e.g. if you have to fulfil a contractual obligation and this involves disclosing data to us). However, we need to process data for legal and other reasons when we conclude and execute contracts. The use of our website is also not possible without data processing.



## 12. What are your rights?

You have certain rights, subject to the conditions and within the framework of the applicable data protection law, to request a copy of your personal data or to influence our processing of this data:

- You can request a copy of your personal data and further information about our data processing;
- You can object to our data processing. Insofar as the GDPR applies to our data processing, you have the right to object at any time to the processing of personal data relating to you pursuant to Art. 6 Para. 1(f) GDPR for reasons arising from your particular situation. This also applies to profiling based on these provisions. If we process personal data for the purpose of direct marketing, you have the right to object at any time to the processing of your personal data for the purpose of such marketing.
- You can have incorrect or incomplete personal data corrected or completed;
- you also have the right to receive the personal data you have provided to us in a structured, common and machine-readable format, insofar as the corresponding data processing is based on your consent or is necessary for the performance of the contract;
- insofar as we process data on the basis of your consent, you can revoke your consent at any time. Such revocation is only valid for the future, and we reserve the right to continue to process data on a different basis in the event of a revocation.

If you wish to exercise your rights, please feel free to contact us (Point 2). As a rule, we will need to check your identity (e.g. by means of a copy of your ID card). You are also free to lodge a complaint against our processing of your data with the competent supervisory authority. In Switzerland, this is the Federal Data Protection and Information Commissioner (FDPIC).