



# Data Protection Guidelines

## General Information and Scope

1. In the context of its contractual relationship with the customer or during preparation of the contract with the prospective customer, FATZER AG (FATZER) processes certain personal data or personal information (hereinafter Personal Data) of its (prospective) customers (referred to collectively as the Customers or individually as a Customer). In so doing, FATZER is subject to and complies with the relevant regulations and requirements applicable to the processing of such Personal Data (e.g. depending on applicability, the Swiss Federal Act on Data Protection, the EU General Data Protection Regulation (GDPR), specific national data protection legislation in EU/EEA Member States, etc.).
2. With the present document, FATZER provides information about the processing of the Customers' Personal Data during contract preparation and about the processing of the Customers' Personal Data in the context of the contractual relationship and the rights to which the Customers are entitled in this connection.

## Data categories

3. FATZER processes Customers' Personal Data that FATZER receives from Customers or third parties in the context of business relationships. Such information particularly consists of the following data: contact data (name, address, telephone number and email-address), salutation, position/title and position/function in the company and – to the extent necessary for contractual performance – banking or payment details (banking institution, account details, intended purpose, credit card information), information from publicly available sources or information databases (e.g. Internet, commercial register, debt collection register) as well as other Personal Data provided by the Customers of FATZER in the context of the contractual relationship and/or contract preparation, such as the Customers' history and the content of correspondence, access data, or details concerning language preferences.

## Legal basis and purpose of the processing

4. FATZER processes Personal Data in a lawful manner. Depending on the circumstances, data processing may only be permitted if specifically authorised by the applicable law. This does not apply under the Swiss Federal Act on Data Protection but does apply, for example, under the General Data Protection Regulation, to the extent applicable. In this case, the data processing is therefore founded on the following legal bases and for the following purposes:
  - For the performance of a contract or in connection with the preparation, execution and termination of the contractual relationship (GDPR Art. 6(b)); e.g. delivery of goods or services and payment processing or general correspondence with Customers;
  - For compliance with a legal obligation imposed on FATZER (GDPR Art. 6(1)(c)); e.g. the obligation to preserve records for tax purposes, obligations of reporting and disclosure to government agencies, etc.;
  - Based on consent (GDPR Art. 6(1)(a)); e.g. participation in surveys or marketing actions
  - To safeguard the legitimate interests of FATZER (GDPR Art. 6(1)(f)); e.g. asserting and enforcing legal claims, defending its own assets, meeting IT security and compliance requirements, complying with legal requirements, preparing and carrying out purchases and sales of business divisions, companies or parts of companies and other corporate transactions, and the related transfer of Personal Data, as well as measures for business management, corporate development, etc.

## Transfer of data to third parties

5. FATZER may transfer Personal Data, as defined by item 3, to the following categories of recipients for the purposes mentioned in item 4, among others:
  - Group companies of BRUGG Group AG, Brugg, Switzerland (up-to-date list available on the BRUGG Group AG website) and to the Joint Venture TRUcompany AG, Romanshorn, Switzerland.
  - IT service providers and auditors/chartered accountants;
  - third-party service providers/vendors that FATZER deploys and/or involves in the performance of a contract or in the context of preparation, execution and termination of the contractual relationship;
  - public authorities and regulatory bodies
  - purchasers of companies and assets,
  - financing companies in the context of securitisation,
  - legal service providers and collection agencies.

6. Such recipients are partly in Switzerland and/or the EU/EEA (particularly in Germany) but may also be in other areas (particularly in Australia, Chile, China, India, Japan, Mexico, Philippines, Singapore, South Africa, UK, USA) including in countries that lack an adequate level of data protection according to the Swiss Federal Data Protection and Information Commissioner, and/or in countries not covered by an adequacy decision of the European Commission. In such cases, to the extent necessary for the data transfer in question, appropriate contractual safeguards shall be agreed on with the corresponding recipients in the form of clauses/agreements approved by the Swiss Federal Data Protection and Information Commissioner and/or in the form of standard data protection clauses issued by the European Commission. For further information and a copy of these clauses, see <https://www.edoeb.admin.ch/en/cross-border-transfer-of-personal-data>.

## Retention period

7. FATZER generally stores the relevant Personal Data only as long as necessary for the specific purpose of the processing. Under certain circumstances, however, FATZER may retain the data longer, namely in order to safeguard its rights in any legal dispute and/or to meet its legal obligations (to provide information to authorities, statutory record-keeping obligation, etc.). Thus, FATZER generally retains contract and master data for ten (10) years following the last contractual activity, at least from the termination of the contract in any case.

## Protection of the data

8. FATZER takes appropriate security measures to safeguard the confidentiality, integrity and availability of the Personal Data in order to protect it against unauthorised or unlawful processing and to mitigate the risks of loss, unintended alteration, unwanted disclosure or unauthorised access. Security risks cannot generally be ruled out completely, however: certain residual risks are unavoidable.

## Rights of data subjects

9. Data subjects have the right to receive further information about the processing of their own Personal Data, in accordance with the applicable provisions, the right to rectification, erasure or restriction of the processing and - where relevant - to modify or revoke their consent to data processing at any time with future effect. To the extent permitted by the applicable regulations, data subjects are therefore entitled to object to the processing and to file a complaint with a competent supervisory authority. Finally, to the extent permitted by the applicable regulations, data subjects are entitled to receive the Personal Data concerning them in a structured, commonly used and machine-readable format and to have such data transferred to another controller without hindrance by FATZER.
10. Please note, however, that such rights are subject to statutory requirements and restrictions and are therefore not fully available in every case. In particular, FATZER may need to process and store your Personal Data in order to fulfil a contract with you, to protect its own legitimate interests, e.g. to assert, exercise or defend legal claims, or to comply with legal obligations. To the extent permitted by law, particularly to protect the rights and freedoms of other data subjects and to safeguard legitimate interests, FATZER may also refuse a data subject's request in whole or in part (e.g., by redacting certain content concerning third parties or our business secrets).
11. If you wish to exercise rights against us, please address FATZER in writing. The contact information is featured in item 12. As part of this process, FATZER will generally need to check your identity (e.g. by using a copy of an identity document).

## Data controller

12. The data controller, as defined by the applicable data protection regulations, is FATZER AG, Hofstrasse 44, 8590 Romanshorn, Switzerland, email: [info@fatzer.com](mailto:info@fatzer.com), telephone: +41 71 466 81 11.

Romanshorn, 28.02.2025