

## 1. Introduction

We would like to use the information below to provide you as "data subject" with an overview of our collection and processing of your personal data and your rights under data protection law.

This data privacy notice is based on the requirements of the Swiss "Federal Act on Data Protection" ("FADP"). In several cases our processing procedures are subject to the "General Data Protection Regulation" of the European Union ("GDPR"), depending on the individual case.

We, the CHT Switzerland AG as the data controller, have implemented numerous technical and organisational measures to ensure the most complete possible protection when processing personal data. Despite various security measures, Internet-based data transmissions can in principle have security gaps so that absolute protection cannot be guaranteed. For this reason, you are free to submit personal data on alternative ways, such as by phone or by post to us.

In the following text mentioned "personal data" means any information relating to an identified or identifiable natural person.

This data privacy notice is located on the website of the CHT Group. This website and all offered services (login-area, contact form etc.) on this homepage are operated and controlled by the CHT Germany GmbH. The CHT Germany GmbH is subject to the GDPR. The processing of your personal data is in this respect also subject to the GDPR. To get more information about the processing of your personal data on this website, please read the Data Privacy Notice of the CHT Germany GmbH ([www.cht.com/en/privacy-policy](http://www.cht.com/en/privacy-policy)).

## 2. Data Controller

The data controller, as defined by the GDPR, is:

CHT Switzerland AG  
Kriessernstrasse 20  
9462 Montlingen  
Switzerland

The CHT Switzerland AG has designated as representative in the European Union, according to Article 27 Paragraph 1 in conjunction with Article 3 Paragraph 2(a) GDPR:

CHT Germany GmbH  
Bismarckstraße 102  
72072 Tübingen  
Germany

## 3. Data protection officer

If needed in the individual case, you can reach CHT Switzerland AG's data protection officer in accordance with the GDPR as follows:

Manager Quality & Compliance  
E-Mail: [data-protection.switzerland@cht.com](mailto:data-protection.switzerland@cht.com)

To reach the data protection officer of the CHT Germany GmbH (as representative of the CHT Switzerland AG) you can find the contact details in their Data Privacy Notice ([www.cht.com/en/privacy-policy](http://www.cht.com/en/privacy-policy)).

## 4. Purposes of the processing

We process your personal data for different purposes. The main purposes are described as follows. In individual cases we can process your personal data also for other purposes. In such cases you would be informed in a timely manner.

- **Communication**  
We process your personal data to communicate with you. You can get in contact with us for example via contact form, E-Mail, letter, fax or telephone. We utilise therefore the personal data disclosed by you (such as company, name, address, telephone number, telefax number and E-mail address) to fulfil and resolve your request. Which personal data is processed when using the

contact form, is apparent in the contact form and from the data that you enter. The personal data is processed only to fulfil and resolve your request.

- **Conclusion or performance of a contract**  
We process your personal data for the conclusion and performance of contracts e.g. about the delivery of goods and to comply with the assigned duties that are directly connected with the contract. Initiation, negotiation, execution and fulfilment are also part of the conclusion and performance of contracts. For this, certain personal data is necessary, such as e.g. company, name, address, contact details, credit ratings and bank account details.
- **Safety purposes and access control**  
In order to maintain and continuously improve an appropriate security in the IT-systems and other infrastructure (buildings, premises etc.), we process certain personal data about you. Monitored are e.g. electronic accesses to our IT-systems and the entering and leaving of our buildings and premises.  
The monitoring and control is done e.g. by maintaining access- and visitor-records, for which we process your name, company, occasion of the visit and date of the visit. About CCTV surveillance we inform you at the relevant areas with respective signs.
- **Requirement by law**  
In certain cases our company is subject to a legal obligation requiring the processing of personal data. In such cases we process your personal data only in such a manner as foreseen by the respective legal requirement. For example we process your personal data for measures against money laundering and for the fulfilment of tax obligations. For this, your company, name, contact information, payment transaction data and bank account data can be processed.
- **Applications**  
When you apply to our company for an open position or send a speculative application, we process the data provided within your application. This can be first name, surname, date of birth, birthplace, contact data as e-mail address, telephone number, mobile phone number, address, education, knowledge and skills, experiences and certifications. This personal data is only processed for the purpose of the application process and, in case of a successful employment, for respective further purposes within the scope of fulfilling the terms of employment.  
When you apply via the web portal of the CHT Group ([www.cht.com](http://www.cht.com)), your personal data is processed by the CHT Germany GmbH; in accordance with the principles of the GDPR. On the webpage you can find respective information about how your personal data are processed.
- **Marketing**  
In individual cases, we process your personal data for direct marketing purposes of products and services marketed by the CHT Group. You have the right to object at any time to the processing of personal data for the purpose of such advertising.

## 5. Legal basis for processing

### 5.1. Legal basis according to FADP

In many cases Article 6 Paragraph 6 and Article 31 Paragraph 1 FADP serves as our company's legal basis for processing operations in which we obtain consent for a specific processing purpose.

The personal data we collect, we use primarily to conclude and process contracts with our customers and business partners, so especially for supplying our customers and for purchasing products and services from our suppliers and subcontractors, as well as to fulfil our legal obligations in Switzerland and abroad. If you work for such a customer or business partner, you in this function and your personal data may of course also be affected.

In such cases the processing is based on Article 31 Paragraph 1(a) FADP. The same applies to those processing operations required to carry out pre-contractual measures, such as in cases of queries regarding our products or services.

If the processing of personal data is required by legal obligations, such as for the fulfilment of tax obligations, processing is based on Article 31 Paragraph 1 FADP.

A processing can also take place to safeguard the overriding interests of our company or those of a third party in accordance with Article 31 Paragraphs 1 and 2 FADP. The interests of the controller to process personal data may be overriding in particular– besides the abovementioned overriding interests – when the data controller is or intends to be in commercial competition with another person and this personal data is not disclosed to third parties or when the data is processed to verify the creditworthiness of the data subject. For each necessary balance of interests, we take into account in particular the categories of personal data, the purpose of the processing, the circumstances of the processing and your interest in the confidentiality of your personal data.

## **5.2. Legal basis according to GDPR**

For processing operations in which we must obtain consent for a specific processing purpose, Article 6 Paragraph 1(a) GDPR serves as our company's legal basis.

If the processing of personal data is necessary for the conclusion or performance of a contract to which you are a party, as is the case, for example, with processing operations that are necessary for the delivery of goods or the provision of other services or consideration, processing is based on Article 6 Paragraph 1(b) GDPR. The same applies to those processing operations required to carry out pre-contractual measures, such as in cases of queries regarding our products or services.

If we, as the data controller, are subject to a legal obligation requiring the processing of personal data, the processing is based on Article 6 Paragraph 1(c) GDPR; e.g. for the fulfilment of tax obligations.

Furthermore, processing operations could be based on Article 6 Paragraph 1(f) GDPR. Processing operations not based on any other of the above-mentioned legal bases may be carried out on the basis of Article 6 Paragraph 1(f) GDPR if processing is necessary to safeguard the legitimate interests of our company or those of a third party, provided the interests and fundamental rights and freedoms of the data subject do not take precedence. We are permitted to engage in such processing operations in particular because they have been specifically mentioned in European law. In this respect, the legislature took the view that a legitimate interest could be assumed if you are a customer of our company.

## **6. Recipients or categories of recipients of personal data and transmitting to third countries**

In the context of our business activities we disclose or transfer personal data also to other recipients, provided the allowance and appropriateness, either because they process the data for us, or because they want to use it for their own purposes. This includes mainly the following categories of recipients:

- Other entities of the CHT Group, mainly the CHT Germany GmbH as processor;
- Banks and insurance companies;
- Dealers, suppliers, subcontractors and other business partners;
- Customers;
- Domestic and foreign authorities or courts;
- The general public, including visitors to websites and social media as well as readers of electronic and printed publications;
- Competitors, (industry) organizations, associations and other bodies;
- Acquirers or parties interested in acquiring business divisions, entities or other parts of the CHT Group;
- Other parties in potential or actual legal proceedings.

Many of those recipients are located partly in Switzerland or the European Union (for which the Swiss Federal Council has decided that its legislation guarantees an adequate level of protection), but they can also be located in any other country worldwide. In particular, you should expect your data to be transmitted to other countries in which the CHT Group is represented by sister companies (see [www.cht.com/en/cht-group/locations](http://www.cht.com/en/cht-group/locations)). Our data processor CHT Germany GmbH discloses data also to other countries, where in particular the third parties and service providers used by CHT Germany GmbH are located.

Personal data may also be transferred to the USA and any other country worldwide; via third parties and possibly in the future by the CHT Switzerland AG itself. Some of these countries, for example the USA do not have an adequate level of data protection. In particular, U.S. investigative authorities can oblige U.S. companies to hand over or disclose personal data without the data subjects being able to effectively take

legal action against this. Thus, in principle, there is a possibility that your personal data will be processed by U.S. investigative authorities. We have no influence on these processing activities. To protect your data, we (or the CHT Germany GmbH being processor of the CHT Switzerland AG) have concluded commissioned processing agreements based on the standard data protection clauses of the European Commission or agreed upon binding corporate rules or other permissible mechanisms.

If the standard data protection clauses or other permissible mechanisms to protect an appropriate level of data security are not sufficient, your personal data may be disclosed abroad in specific cases, when you explicitly agreed into the disclosure. In such a case we will ask for your consent for the Cross-Border disclosure.

## **7. Your rights as data subject according to FADP**

### ***7.1. Right to confirmation, Article 25 Paragraph 1 FADP***

You have the right to request confirmation from us as to whether personal data relating to you is processed.

### ***7.2. Right to information, Article 25 FADP***

You have the right to obtain information about the personal data stored about you at any time, free of charge, as well as the right to access a copy of such data from us, in accordance with the statutory provisions; as described in Article 25 FADP.

### ***7.3. Right to correction, Article 32 Paragraph 1 FADP***

You have the right to request the correction of incorrect personal data relating to yourself.

### ***7.4. Deletion, Article 32 Paragraph 2 FADP***

You have the right to demand that we erase the personal data relating to you without delay.

### ***7.5. Prohibition of a specific data processing activity, Article 32 Paragraph 2 FADP***

You have the right to request that a specific data processing activity be prohibited.

### ***7.6. Data portability, Article 28 FADP***

You may request us to transfer the personal data that you have disclosed to us. The data must be transferred in a conventional electronical format. The requirements are that we are carrying out the automated processing of the data and that the data is being processed with the consent of the data subject or in direct connection with the conclusion or the performance of a contract between you and us.

You may also request us to transfer your personal data to another data controller if the requirements described in the previous paragraph are met and no disproportionate effort is required.

### ***7.7. Objection, Article 30 Paragraph 2(b) FADP***

You have the right to lodge an objection to the processing of personal data relating to you. After your objection we will no longer process your personal data unless there are grounds for justification for further processing. Grounds for justification are in particular an overriding private or public interest of the processing or a justification by the law.

This would also apply to a profiling based on these provisions pursuant to Article 5 Paragraph 1(f) FADP.

In individual cases, we process your personal data for the purposes of direct marketing of products and services marketed by the CHT Group. You have the right to object at any time to the processing of personal data for the purpose of such advertising.

### ***7.8. Revocation of consent regarding data protection***

You have the right to revoke any consent to the processing of personal data at any time with future effect.

### **7.9. Complaint to a supervisory authority**

Every data subject furthermore has the right to enforce legal rights before a court or to complain to a supervisory authority responsible for data protection. The responsible federal authority for data protection in Switzerland is the Federal Data Protection and Information Commissioner ([www.edoeb.admin.ch](http://www.edoeb.admin.ch)).

### **7.10. Possible consequences**

Please note, that the exercise of these rights (in particular the right of revocation, objection, deletion, prohibition of a specific data processing activity) may conflict with contractual agreements, and this may have consequences such as e.g. early contract-termination or costs. In such a case we will inform you in advance, if this is not already regulated by contract.

## **8. Your rights as data subject according to GDPR**

### **8.1. Right to confirmation, Article 15 GDPR**

You have the right to request confirmation from us as to whether personal data relating to you is processed.

### **8.2. Right to information, Article 15 GDPR**

You have the right to obtain information about the personal data stored about you at any time, free of charge, as well as the right to access a copy of such data from us, in accordance with the statutory provisions.

### **8.3. Right to rectification, Article 16 GDPR**

You have the right to request the immediate rectification of incorrect personal data relating to yourself. Furthermore, the data subject has the right to request the completion of incomplete personal data, taking into account the purposes of the processing.

### **8.4. Erasure, Article 17 GDPR**

You have the right to demand that we erase the personal data relating to you be deleted without delay, provided that one of the reasons provided by law applies and if processing or further storage is not required.

### **8.5. Restriction to processing, Article 18 GDPR**

You have the right to request that we restrict the processing of your data if one of the legal requirements is met.

### **8.6. Data transferability, Article 20 GDPR**

You have the right to obtain personal data relating to you that you provided us in a structured, commonly used and machine-readable format. You also have the right to transfer this data to another controller without hindrance by us, to whom the personal data was provided, provided that the processing is based on the consent pursuant to Article 6 Paragraph 1(a) GDPR or Article 9 Paragraph 2(a) GDPR or on a contract pursuant to Article 6 Paragraph 1(b) GDPR, and the data is processed using automated procedures, unless processing is necessary to complete a task, is in the public interest or is carried out in the exercise of an official authority assigned to us.

Furthermore, when exercising your right to data transferability pursuant to Article 20 Paragraph 1 GDPR, you have the right to have personal data transferred directly from one controller to another, provided this is technically feasible and does not impede the rights and freedoms of other persons.

### **8.7. Objection, Article 21 GDPR**

**You have the right to lodge an objection to the processing of personal data relating to you for reasons relating to your particular situation where this is done on the basis of Article 6 Paragraph 1(e) (data processing in the public interest) or (f) (data processing on the basis of the weighing of legitimate interests) GDPR.**

**This would also apply to a profiling based on these provisions pursuant to Article 4 Paragraph 4 GDPR.**

Should you lodge an objection, we will no longer process your personal data unless we can demonstrate compelling and legitimate reasons for such processing that outweigh your interests, rights and freedoms, or where processing serves the assertion, exercise or defence of legal claims.

In individual cases, we process your personal data for the purposes of direct marketing of products and services marketed by the CHT Group. You have the right to object at any time to the processing of personal data for the purpose of such advertising. This also applies to profiling where this is connected to this kind of direct marketing. Should you object to the processing of your data for direct marketing purposes, we will no longer process your personal data for this purpose.

You can also object to our processing of your personal data for research purposes or for statistical purposes pursuant to Article 89 Paragraph 1 GDPR, unless such processing is necessary for the performance of a task carried out in the public interest.

You are free to exercise your right to lodge an objection in relation to the use of information society services, Directive 2002/58/EC notwithstanding, by means of automated procedures using technical specifications.

#### **8.8. Revocation of consent regarding data protection, Article 7 Paragraph 3 GDPR**

You have the right to revoke any consent to the processing of personal data at any time with future effect.

#### **8.9. Lodging a complaint with a supervisory authority, Article 77 GDPR**

You have the right to complain to a supervisory authority responsible for data protection about our processing of personal data.

#### **8.10. Possible consequences**

The provision of personal data is, in some cases, a statutory requirement. In other cases the provision of personal data as e.g. name and address is necessary to enter into a contract. In case of failure to provide such data, the desired or agreed services may not be able to be provided.

Please note, that the exercise of abovementioned rights (in particular the right of revocation, objection, erasure, restriction to processing) may conflict with contractual agreements, and this may have consequences such as e.g. early contract-termination or costs. In such a case we will inform you in advance, if this is not already regulated by contract.

### **9. Duration of storage of personal data**

We process and store your personal data only for the period of time necessary to meet the processing purpose or as required by contractual obligations or legal provisions to which our company is subject.

It is possible that personal data will be retained for the period, in which claims can be brought against our company or legitimate business interests require so (e.g. for evidentiary and documentation purposes).

As soon as your personal data is no longer required for the respective purposes of processing, and there are no more legal retention obligations, they will generally be deleted or anonymised as far as possible.

### **10. Automated individual decision-making and profiling**

An automated individual decision (GDPR: automated individual decision-making) or profiling according to FADP Article 5 Paragraph 1(f) and GDPR Article 22 Paragraphs 1 and 4 does currently not take place.

### **11. Version and amendments to the Privacy Notice**

This privacy notice is currently valid until we publish a new version and was last updated in November 2023.

It may be necessary for us to amend this Privacy Notice in the process of further developing our services or due to changes in legal or regulatory requirements. You can view and print our current Privacy Notice on the website at any time by visiting: [www.cht.com/ch.en](http://www.cht.com/ch.en).

Montlingen, 24.11.2023