

Information obligations customers and suppliers

1 General Information

The A.Vogel AG takes the protection of your personal data very seriously. Your privacy is important to us. We process your personal data in accordance with the applicable statutory data protection requirements for the following purposes. Personal data in the sense of this data protection information is all information that relates to you as an individual.

Controller of the data processing

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In addition to A.Vogel AG, all other Swiss subsidiaries are also responsible for data processing within the meaning of the DPA. These can be viewed under the following link:

https://www.avogel-company.ch/de/unternehmen/facts_figures.php

2 Processing Framework

2.1 Data Categories

Relevant categories of personal data may include, in particular:

- Personal data (Date of birth, place of birth, nationality, marital status, profession/industry and comparable data).
- Contact data (address, e-mail address, telephone number and similar data)
- Payment/coverage confirmation for bank cards and credit cards
- Data about your use of the telemedia offered by us (e.g.time of accessing our websites, apps or newsletters, our pages/links clicked on or entries and similar data)
- Video and image recordings
- Energy consumption, budget billing amounts
- Creditworthiness data
- Heating and lighting control data
- Usage data of the customer card
- Communication data (user details, content data, connection data as well as comparable data) within the scope of telephone conferences, video conferences and web meetings through the use of internet-based communication tools (hereinafter: web meetings)

2.2 Purposes for processed Data

We process personal data in accordance with the provisions/regulations of the Data Protection Act (FADP) and other applicable data protection regulations (details below). Which data are processed in detail and how they are used depends largely on the services requested or agreed/settled in each case. Further details or additions for the purposes of data processing can be found in the respective contractual documents, forms, a declaration of consent and/or other information provided to you (e.g in the context of the use of our website or our general terms and conditions).

2.2.1 Purposes in the Context of your Consent

Your personal data may also be processed for certain purposes with your consent (e. g. use of your e-mail address for marketing purposes, recording telephone conversations for quality control, training purposes etc.).

2.2.2 Purposes within the Scope of a Legitimate Interest of us

2.2.2.1 Purposes for the Performance of a Contract or Pre-Contractual Measures

The processing of personal data takes place to fulfill our contracts with you and to carry out your orders as well as measures and activities within the framework of pre-contractual relationships, e.g. with interested parties. This essentially includes: contract-related communication with you, the corresponding billing and associated payment transactions, the traceability of orders and other agreements as well as quality control through appropriate documentation, measures to monitor and optimize business processes and to fulfill general duties of care, control and monitoring by affiliated companies; statistical evaluations for corporate control, cost recording and controlling, reporting, internal and external communication, emergency management, accounting and tax assessment of operational services, risk management, assertion of legal claims and defence in the event of a legal dispute; guarantee of IT security (e.g. system or plausibility tests) and general security, securing and exercising the right of admission (e.g. through access controls); guarantee of integrity, authenticity and availability of data, prevention and investigation of criminal offences and monitoring by supervisory bodies or control bodies (e.g. audit).

2.2.2.2 Purposes for checking creditworthiness (Art. 31 para. 1, 2 lit. c) FADP)

Personal data is also processed to check the creditworthiness of our customers. The check is necessary to evaluate the capacity to pay of our potential customers and therefore prevent payment defaults. Because non-payment can have a negative economic impact on our company, this is intended to eliminate business risks.

A check of creditworthiness is only carried out if it is necessary for the processing or conclusion of a contract.

2.2.2.3 Other purposes within the Scope of a Legitimate Interest

Beyond the actual performance/fulfilment of the contract or preliminary contract, we process your data to pursue our own legitimate interests or those of a third party, in particular for purposes of

- advertising or market and opinion research, provided that you have not objected to the use of your data;
- the testing and optimisation of needs analysis procedures
- the further development of services and products as well as existing systems and processes
- the enhancement of our data, including through the use or researching of publicly accessible data
- the assertion of legal claims and defence in legal disputes which are not directly attributable to the contractual relationship
- the limited storage of data, if deletion is not possible or only possible with a disproportionate amount of effort due to the special nature of the storage
- the development of scoring systems or automated decision-making processes

- the prevention and investigation of criminal offences, if not exclusively for the fulfilment of legal requirements
- building and system security (e. g. through access controls), if this goes beyond the general duty of care
- internal and external investigations as well as security checks
- securing and exercising the right of admission through appropriate measures (such as video surveillance) and to secure evidence of criminal offences and to prevent such
- the effective and resource-saving conduct of web meetings through the use of Internet-based communication tools.

2.3 Recipients of Data

2.3.1 Within Switzerland

Within our institution, the internal departments or organisational units that receive your data are those which require these to fulfil our contractual and legal obligations or within the context of the processing and execution of our legitimate interest. Within our group, your data will be transmitted to certain companies to undertake central data processing tasks (e. g. accounting, disposal of documents, IT support).

Your data will only be passed on to external bodies

- in connection with the execution of the contract
- for the purpose of fulfilling legal requirements according to which we are obliged to provide information, to report or pass on data, or the passing on of data is in the public interest
- if external service providers process data on our behalf as processors or function providers (e.g. data centres, support / maintenance of EDP/IT applications, archiving, document processing, call centre services, compliance services, controlling, data validation or plausibility checks, data destruction, purchasing / procurement, customer administration, letter shops, marketing, research, risk controlling, billing, telephony, website management, auditing services, credit institutes, print shops or companies for data disposal, courier services, logistics)
- on the basis of our legitimate interest or the legitimate interest of the third party for the purposes mentioned (e. g. to authorities, credit agencies, debt collectors, lawyers, courts, experts, subsidiaries and bodies and control bodies)
- if you have given us your consent for transmission to third parties

In addition, we will not share your data with third parties. If we commission service providers as part of the order processing, your data there are subject to the same security standards. Recipients may only use the data for the purposes for which they were provided to them.

2.3.2 Transmission of personal data abroad

We transfer data to countries outside of Switzerland. This takes place on the basis of the above-mentioned purposes (e.g. transfer within the group). The transfer takes place for the fulfillment of our contractual and legal obligations or based on a previously given consent of the data subject. In addition, a transfer takes place in compliance with the applicable data protection laws, in particular taking into account Art. 16 para. 2, Art. 17 para. 1 FADP, i.e. in particular insofar as an international agreement exists, data protection clauses have been concluded between us and the contractual partner which have been notified to the FDPIC in advance, specific guarantees exist which have been drawn up by the competent federal body and presented to the FDPIC, standard data protection clauses have been concluded which the FDPIC has approved, issued, recognized in advance, or binding, internal company data protection regulations are applicable which have been approved by the FDPIC.

In this specific case, we transfer your personal data to the USA. A transfer takes place on the basis of the regulations of Art.16 para.2 lit.d DSG in the form of recognized standard contractual clauses of the FDPIC. Furthermore, a data transfer also takes place to Germany etc. on the basis of the decision of the Federal Council according to Art.16 para.1 FADP of the FDPIC.