

Emergee sagl

Privacy Statement pursuant to Legislative Decree 196/2003 and Article 13 of European Regulation 679/2016 (GDPR)

Emergee sagl (VAT No. CHE-314.200.340), in the person of its legal representative pro tempore, with registered office in Via Valdani 1 - 6830 Chiasso (Switzerland), as data controller, informs you that, in compliance with Legislative Decree 196/2003 and European Regulation 679/2016 (cd. GDPR), which governs and regulates the protection of personal data and their free movement, your personal data will be processed in accordance with the aforementioned legislation, based on the principles of correctness, lawfulness, proportionality of interests and transparency as well as the protection of your privacy and your rights, for the purposes, in the manner and under the terms set out below.

-1- Purposes, methods and legal bases of data processing

This privacy policy applies exclusively to the online activities of this website and is valid for visitors/users of the website. It does not apply to information collected through channels other than this website. The purpose of the privacy policy is to provide maximum transparency regarding what data the site collects and how it uses it.

Your personal data will be processed exclusively for purposes strictly related, instrumental and necessary to the fulfilment of the obligations inherent to the relationship with our Company; in particular:

The processing of personal data is carried out by means of the operations indicated in Legislative Decree 196/2003 and Article 4 no. 2) of the GDPR, namely: collection, recording, organisation, storage, adaptation or alteration, selection, extraction, comparison, use, interconnection, restriction, communication, erasure or destruction.

The processing of personal data shall be carried out by the data controller, the data processor(s) and the authorised persons (appointees) by means of computerised means, in compliance with all precautionary measures guaranteeing the security and confidentiality of the data.

The data will not be subject to profiling or automated decision-making processes.

The data will be stored at the data controller and at the data processors designated by it. In any event, your personal data will be stored and processed within the borders of the European Economic Area and will only be transferred outside this area with your express consent.

In the event that you provide comments and/or personal data to request information and/or specific services requested by the user (by way of example but not limited to requests for commercial information, subscription to our portal, subscription to our newsletter), such data shall be deemed to have been voluntarily provided by the user at the time of the request for the provision of the service. By entering a comment or other information, the user expressly accepts this privacy policy,

This website may process some of your personal data in accordance with the legitimate interests of the data controller as set out in Legislative Decree 196/2003 and Art. 6 of European Regulation 679/2016.

The data received will be used exclusively for the provision of the requested service and only for the time necessary for the provision of the service.

The information that users of the site deem to make public through the services and tools made available to them is provided by the user knowingly and voluntarily, exempting this site from any liability for any violation of the law. It is up to the user to verify that they have permission to enter personal data of third parties or content protected by national and international regulations.

The data collected by the site during its operation are used exclusively for the purposes indicated above and retained for the time strictly necessary to carry out the activities specified. In any case, the data collected by the site will never be disclosed to third parties, for any reason whatsoever, unless in case of a legitimate request by a judicial authority and only in the cases provided for by law.

-2- Nature of data collection and consequences of the non-provision of data

Like all websites, this site also makes use of log files in which **information collected automatically** during user visits is stored.

The information collected may include the following:

- Internet Protocol (IP) address;
- browser type and parameters of the device used to connect to the site;
- name of the internet service provider (ISP);
- date and time of visit;
- the visitor's source (referral) and exit web pages;
- possibly the number of clicks.

The aforementioned information is processed automatically and collected exclusively in an aggregate form for the purpose of verifying the proper functioning of the site, for security reasons and for the legitimate interests of the owner as provided for by current legislation.

For security purposes (anti-spam filters, firewalls, virus detection), automatically recorded data may

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also include personal data such as the IP address, which could be used, in accordance with the laws in force on the matter, to block attempts to damage the site or to harm other users, or in any case harmful or criminal activities. This data is never used to identify or profile the user, but only for the protection of the site and its users and the legitimate interests of the Data Controller in the processing of data.

By using or consulting this site, visitors and users explicitly approve this privacy policy and consent to the processing of their personal data in the manner and for the purposes described below, including possible communication to third parties if necessary for the provision of a service. The provision of data, and thus the consent to the collection and processing of data, is optional; however, refusing consent may make it impossible to provide certain services and the site navigation experience may be compromised.

Consent to the use of your data for marketing and/or advertising purposes (sending of e-mails and/or communications with advertising offers) is optional and requires, in addition to the provision of your personal data, an explicit request on your part via the opt-in function on this website.

-3- Duration and terms

The data controller, data processors and authorised persons (appointees) will process personal data for the time necessary to fulfil the abovementioned purposes and, in any case, for no longer than 10 years from the termination of the relationship, where this is provided for or made necessary by the regulations in force.

With regard to the provision of data by you for the receipt of commercial information, newsletters and periodic updates, the data will be processed until you request to unsubscribe.

-4- Communication and dissemination of data

Your personal data may be disclosed for the performance of the contract or the services requested by you and for the abovementioned purposes:

- to all natural and juridical persons (by way of example but not limited to: legal, administrative and fiscal consultancy firms, auditing firms, couriers and forwarding agents, data processing centres, IT consultants, suppliers, etc.) in cases where communication is necessary for the abovementioned purposes;
- to banking institutions for the management of receipts and payments;
- to factoring or debt collection companies;
- to our collaborators and employees appointed for the purpose and within the scope of their duties.
- to SMTP providers for sending newsletters

The D.P.O., if appointed by the Controller on a compulsory or voluntary basis, as well as the names and number of the persons in charge may be subject to change; thus, it is advisable to consult our website, where you can find all the updated information on the dedicated page at the following link: www.emergee.ch or at the following contact details:
+41912246238, info@emergee.ch.

-5- Rights of the data subject

By calling +41912246238 or writing to info@emergee.ch you may at any time exercise your rights vis-à-vis the data controller pursuant to European Regulation 679/2016, which we reproduce for your convenience.

The data subject has the right to obtain confirmation of the existence of personal data concerning him or her and/or of the fact that they are or are not being processed, even if not yet recorded, as well as to have them communicated in intelligible form.

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The data subject has the right to be informed about:

- the origin of the personal data (with particular regard to the case in which the data are not collected from the data subject and, in the case of transfer of data to a third country, the existence of adequate safeguards pursuant to Article 46 of the Regulation);
- the purposes and modalities of processing;
- the logic applied in the event of processing effected by electronic means;
- the identification information of the data controller, processors and appointed representative;
- the subjects or categories of subjects to whom the personal data may be communicated or who may come into the knowledge of them in their capacity as designated representative in the territory of the State, data processors or authorised subjects;
- the categories of personal data for which processing is being performed;
- the data retention period or the criteria used to determine that period;
- the existence of automated decision-making processes, particularly with regard to profiling, and the logic applied by them;
- the right to obtain a copy of the personal data undergoing processing;

The data subject also has the right to:

- the updating, rectification or completion of the data, when they have an interest therein;
- the erasure, transformation into anonymous form or blocking of data processed in breach of the law, including data whose storage is not necessary in relation to the purposes for which the data were collected or subsequently processed;
- certification to the effect that the operations at points a) and b) have been notified, also with regard to their contents, to the entities to whom the data were communicated or disseminated, unless this requirement proves impossible or involves a manifestly disproportionate effort compared with the right that is to be protected;
- the portability of data to other parties, for which an explicit request must be made to the following contact information: +41912246238,

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info@emergee.ch

- erasure of the data held in our files pursuant to Article 17(1)(a) to (f) of the Regulation (known as the right to be forgotten), by notification to +41912246238, info@emergee.ch
- restriction of the processing of the data pursuant to Art. 18, par. 1, (a) to (d) of the Regulation

The data subject has the right to object, in whole or in part, to the processing of data:

- for legitimate reasons relating to their particular situation, even if the processing is relevant to the purpose of the collection;
- for the processing of personal data concerning him/her for the purpose of sending advertising or direct sales material or for carrying out market research or commercial communication;
- for the processing of data pursuant to Art. 6, par. 1, (e) and (f), including profiling on the basis of these provisions.

If the data processing is based on the consent of the data subject, the data subject has the right to revoke this consent at any time by making an explicit request to the following contact information: +41912246238, info@emergee.ch.

The data subject also has the right to lodge a complaint with the Supervisory Authority. The aforementioned rights may be exercised by making a request to the Data Controller or Data Processor by telephone, by e-mail to the above-mentioned addresses or by registered letter with acknowledgement of receipt.

Privacy Policy under the New Federal Data Protection Act pursuant to Art. 6 and Art. 19 of the DPA

emergee sagl (VAT No. CHE-314.200.340), in the person of its legal representative pro tempore, with registered office at Via Valdani 1 - 6830 Chiasso (Ticino), in its capacity as Data Controller, hereby informs you that, in compliance with the new Federal Data Protection Act (DPA), which governs and regulates the protection of personal data and their free circulation, your personal data will be processed in compliance with the aforementioned Federal Law, in accordance with the principles of correctness, lawfulness, proportionality of interests and transparency, as well as protection of your privacy and your rights, for the purposes, in the manner and under the terms set out below.

-1- Purposes, methods and legal bases of data processing

This privacy policy applies exclusively to the online activities of this site and is valid for visitors/users of the site. It does not apply to information collected through channels other than this website, namely www.emergee.ch. The purpose of the privacy policy is to provide maximum transparency regarding the information the site collects and how it uses it.

Your personal data will be processed exclusively for purposes strictly connected with, instrumental to and necessary for the fulfilment of the obligations inherent in the relationship with our Company; in particular:

The processing of personal data is carried out by means of the operations of collection, recording, organisation, storage, adaptation or alteration, selection, extraction, comparison, use, interconnection, restriction, communication, erasure or destruction.

The processing of personal data will be carried out by the data controller, the data processor(s) and the authorised persons (appointees) with the observance of all precautionary measures to ensure their security and confidentiality. The data will not be subject to profiling.

The data will be stored at the data controller and at the data processors designated by the data controller. In all cases, your personal data will be stored and processed within the borders of the Swiss Confederation and will only be transferred outside its borders with your express consent.

In the event that you provide comments and/or personal data for the request for information and/or specific services requested by the user (by way of example but not limited to: request for commercial information, subscription to our portal, subscription to our newsletter), such data shall be deemed to have been voluntarily provided by the user at the time of the request for the provision of the service. By entering a comment or other information, the user expressly accepts this privacy policy.

The data received will be used exclusively for the provision of the requested service and only for the time necessary for the provision of the service.

The information that users of the site choose to make public through the services and tools made available to them is provided by the user knowingly and voluntarily, exempting this site from any liability for any violation of the law. It is up to the user to verify that they have the permissions to enter personal data of third parties or content protected by national and international regulations.

The data collected by the site during its operation are used exclusively for the purposes indicated above and retained for the time strictly necessary to carry out the specified activities. In any case, the data collected by the site will never be disclosed to third parties, for any reason whatsoever, unless in case of a legitimate request by a judicial authority and only in the cases provided for by law.

-2- Nature of data collection and consequences of the non-provision of data

Like all websites, this site also makes use of log files in which information collected automatically during user visits is stored. The information collected may include the following:

- Internet Protocol (IP) address;
- browser type and parameters of the device used to connect to the site;
- name of the internet service provider (ISP);
- date and time of visit;
- the visitor's source (referral) and exit web pages;
- possibly the number of clicks.
- Your e-mail address if you decide to subscribe to our newsletter, for which your explicit consent will still be required.

The aforesaid information is processed automatically and collected exclusively in an aggregate form for the purpose of verifying the proper functioning of the site, for security reasons and for the legitimate interests of the data controller as provided for by the laws in force. For security purposes (anti-spam filters, firewalls, virus detection), the automatically recorded data may possibly also include personal data such as the IP address, which could be used, in accordance with the laws in force on the subject, in order to block attempts to damage the site or to cause damage to other users, or in any case harmful activities or activities constituting a crime. Such data are never used to identify or profile the user, but only for the purpose of protecting the site and its users and the legitimate interests of the Data Controller in the processing of data. By using or consulting this site, visitors and users explicitly approve this privacy policy and consent to the processing of their personal data in the manner and for the purposes described below, including the possible disclosure to third parties if necessary for the provision of a service. Providing data and therefore consenting to the collection and processing of data is optional; however, denying consent may make it impossible to provide certain services and the site navigation experience may be compromised.

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Consent to the use of your data for marketing and/or advertising purposes (sending of e-mails and/or communications with advertising offers, newsletters) is optional and requires, in addition to the provision of your personal data, an explicit request on your part via the opt-in function on this website.

-3- Duration and terms

The data controller, data processors and persons authorised to process data (appointees) will process personal data for the time necessary to fulfil the abovementioned purposes and, in any case, for no longer than 10 years from the termination of the relationship, where this is provided for or made necessary by the regulations in force. With regard to the provision of data by you for the receipt of commercial information, newsletters and periodical information, the data will be processed until you request to unsubscribe.

-4- Communication and diffusion of data

Your personal data may be disclosed, for the purpose of the execution of the contract or the services you have requested and for the abovementioned purposes:

- to all natural and legal persons (by way of example but not limited to: legal, administrative and tax consultancy firms, auditing firms, couriers and forwarding agents, data processing centres, IT consultants, suppliers, etc.) in cases where communication is necessary for the purposes described above;
- to banking institutions for the management of collections and payments;
- to factoring or debt collection companies;
- to our employees and staff appointed for this purpose within the scope of their duties.
- to SMTP providers for sending Newsletters

-5- Rights of the data subject

By calling +41912246238 or writing to info@emergee.ch you may at any time exercise your rights vis-à-vis the Data Controller under the Federal Data Protection Act (DPA), which we reproduce here for your convenience.

The data subject has the right to obtain confirmation of the existence and/or the fact that personal data concerning him/her is or is not being processed, even if not yet recorded, as well as the communication of such data in intelligible form. The data subject has the right to be informed about:

- the origin of the personal data (with particular regard to the case in which the data are not collected from the data subject, and, in the case of data transfer to a third country, the existence of adequate safeguards) and the purposes and methods of processing;
- the logic applied in the event of processing carried out with the aid of electronic instruments;
- the identification information of the data controller, data processors and appointed representative;
- the subjects or categories of subjects to whom the personal data may be communicated or who may become aware of them in their capacity as designated representative in the territory of the State, as managers or authorised parties;
- the categories of personal data being processed;
- the data retention period or the criteria used to determine that period;
- the existence of automated decision-making processes, with particular regard to profiling, and the logic applied by them;
- the right to obtain a copy of the personal data undergoing processing;

The data subject also has the right to obtain:

- the updating, rectification or completion of the data, when they have an interest therein;
- the erasure, transformation into anonymous form or blocking of data processed in breach of the law, including data whose storage is not necessary in relation to the purposes for which the data were collected or subsequently processed;
- certification to the effect that the operations at points a) and b) have been notified, also with regard to their contents, to the entities to whom the data were communicated or disseminated, unless this requirement proves impossible or involves a manifestly disproportionate effort compared with the right that is to be protected;

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- the portability of data to other parties, for which an explicit request must be made to the following contact information:
+41912246238, info@emergee.ch
- erasure of the data in our archives (so-called right to be forgotten), by notification to +41912246238, info@emergee.ch
- restriction of the processing of the data in accordance with the Federal Data Protection Act (DPA)

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The data subject has the right to object, in whole or in part, to the processing of data:

- for legitimate reasons relating to their particular situation, even if the processing is relevant to the purpose of the collection;
- for the processing of personal data concerning him/her for the purpose of sending advertising or direct sales material or for carrying out market research or commercial communication;
- for data processing including profiling on the basis of these provisions.

If the data processing is based on the consent of the data subject, the data subject has the right to revoke this consent at any time by making an explicit request to the following contact information: +41912246238, info@emergée.ch.

The data subject also has the right to lodge a complaint with the Supervisory Authority.

The aforementioned rights may be exercised by making a request to the Data Controller or Data Processor by telephone, by e-mail to the abovementioned addresses or by registered letter with acknowledgement of receipt.

Consent of the data subject

In requesting your express declaration of consent to processing (which we will consider to have been given orally in the event that you do not return this signed document), we will consider you, as of now, to be informed about the processing carried out by us, pursuant to and for the purposes of the Federal Data Protection Act.

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