

PRIVACY NOTICE

We are an innovative and dynamic company on a mission to simplify sustainable mobility internationally. Our application offers a user friendly ticketing solution for travellers, transport authorities and public transport operators.

We invite you to read our privacy notice below to learn more on how we are committed to respect your privacy and protect your personal data.

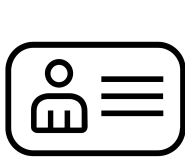
To give you a convenient overview of how we process your data, we use [Privacy Icons](#), an initiative by leading Swiss companies to create transparency in data processing.

Table of contents

A. How we treat your data (privacy icons)	2
B. Contact information of the Controller and the DPO	4
C. Data controllership and applicable law	4
D. Processed personal data	4
E. Processing purposes and modalities	5
F. Legal basis	6
G. Automated decision-making and profiling	6
H. Security	7
I. Data Transfer	7
J. Customer contact	8
K. Data retention period	8
L. Exceptions to the time limits according to section K	8
M. Right to erasure and to be forgotten	9
N. Correction and limitation	9
O. Information and transmission rights	9
P. Right of objection	9
Q. Right to lodge a complaint	10
R. Data processing in the European Economic Area or a country with adequacy decision	10
S. Data processing outside the EEA or a country with adequacy decision	10
T. Data protection representation in the European Union	11
U. Changes of this data protection declaration	11
V. Accessibility and download of the privacy notice	11

A. How we treat your data (privacy icons)

Our aim is to provide you with an easy-to-understand overview of how your personal data is processed. The main purpose of the processing is, of course, to fulfil the contract with you, i.e. to provide you with the correct, valid ticket.



General Data

We process general personal data about you, such as your name and contact details.

Example: We display your name on the digital ticket in the FAIRTIQ app.

See section:
[Processed personal data](#)



Financial Data

We process your financial data.

Example: You register a payment method in the FAIRTIQ app.

See section:
[Processed personal data](#)



Location Data

We process your location data.

Example: We process location data when you are checked in to calculate the public transport journey you've made.

See section:
[Processed personal data](#)



Provided Data

We process personal data that you provide to us.

Example: You register in the FAIRTIQ app with your name and your email address.

See section:
[Processed personal data](#)

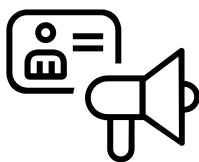


Collected Data

We process personal data that we collect about you.

Example: We collect location and movement data while you're checked in.

See section:
[Processed personal data](#)

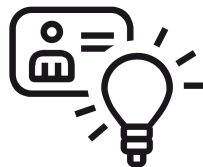


Marketing

We use your personal data for marketing and advertising.

Example: We send product related marketing information to the email address you have registered.

See section:
[Processing purposes and modalities](#)

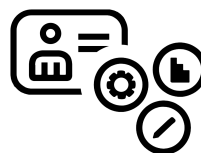


Product Development

We use your personal data for the development and improvement of products and services.

Example: We use the journeys calculated in anonymised or pseudonymised form to minimise errors in the journey calculation.

See section:
[Processing purposes and modalities](#)



Other Purposes

We use your personal data for other purposes without direct connection with the core service.

Example: We analyse whether the check-out is made when the means of transport is in motion to detect possible fraudulent activities.

See section:
[Processing purposes and modalities](#)



Data Transfers

We transfer your personal data to other companies that decide themselves how to use the data.

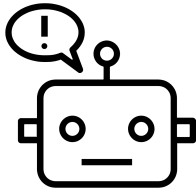
Example: If you submit a customer care request, it will be managed by the public transport operators that are in partnership with us.

See section:
[Data Transfer](#)



No Data Sale

We do not sell your personal data.



Automated Decision-Making
We make decisions based on fully automated processing.

Example: The fraud detection processes are automated.

See section: [Automated decision-making and profiling](#)



Profiling
We analyse your behaviour.

Example: We analyse whether you use the application fraudulently.

See section: [Automated decision-making and profiling](#)



Worldwide
We also process your personal data outside of Switzerland and the EEA.

Example: We generally process and store data in Switzerland and the EEA. In exceptional cases certain data may flow outside Europe.

See section: [Data storage outside the European Union or a country with adequacy decision](#)



B. Contact information of the Controller and the DPO

Data Controller

FAIRTIQ Ltd.
Aarberggasse 29
3011 Bern
Switzerland
CEO: Dr. Gian-Mattia Schucan, Anne Mellano
UID: CHE-370.720.489
feedback@fairtiq.com

Data Protection Officer

FAIRTIQ Ltd
Data Protection
Aarberggasse 29
3011 Bern
Switzerland
app.privacy@fairtiq.com

C. Data controllership and applicable law

FAIRTIQ is the operator and controller in connection with the FAIRTIQ App («application») and processes personal data in accordance with

- the Federal Act on Data Protection (FADP) and the Ordinance to the Federal Act on Data Protection (DPO), if the customer obtains services from FAIRTIQ in Switzerland;
- the EU General Data Protection Regulation 2016/679 (GDPR), including the applicable data protection legislation of the EU member states, if the customer obtains services in the European Union or the European Economic Area; and
- other applicable privacy legislation, if the customer obtains services outside the European Union or Switzerland.

When purchasing tickets for fellow passengers in accordance with section III A 2 of the General Terms and Conditions, the customer acts as a controller according to Art. 5 lit. j FADP/Art. 28 GDPR and FAIRTIQ takes on the role of the processor.

Within the framework of 'Service Après Vente' and the clarification and control of abuse, FAIRTIQ and the partner companies / partnering tariff communities are independently responsible controllers (see section [I. Data Transfer](#)). In exceptional cases, a joint controllership responsibility applies, which is indicated accordingly in the application.

D. Processed personal data

General information about the customer:

- First and last name, date of birth according to the applicable tariff regulations;
- Mobile phone number;
- Email address (mandatory depending on the applicable law and tariff regulations and if a purchase receipt is needed, voluntary in all other cases);
- Ticket settings: chosen class and discount level;
- Deposited zone subscriptions or discount authorisations (optional);
- User ID;
- IP-address and device ID;
- IDFA identifier (only for customers with iOS version older than 14.5 for risk analysis purposes in order to prevent fraud);
- Information on abusive or other fraudulent behaviour;
- Interactions with customer care.

Details of fellow travellers in accordance with GTC, section III. A. 2.

- First and last name, date of birth;
- Settings for the selected / registered tickets, deposited zone subscriptions and discount authorisations.



Means of payment data:

- Payment method;
- Partially anonymized payment method details.

Travel data:

- Tracing and activity data (based on a motion sensor, if active);
- Registered electronic tickets (ticket data);
- Bluetooth beacon signals;
- Calculated journey.

The recording of travel data starts with opening the application and ends at the latest 5 minutes after the check-out process has been completed. The completion of the check-out process is signalled in the application.

Purchase data:

- Purchased products;
- Charged amount;
- Date and time;
- Payment ID and token.

Information about the device:

- Device: brand and model;
- Operating system;
- Battery level.

Usage data

Data may be collected about how customers interact with the services. This includes data such as the date and time of access, app functions or pages accessed, app crashes and other system activity, and browser type.

E. Processing purposes and modalities

FAIRTIQ exclusively collects and processes data in connection with the application and the purchase of electronic tickets.

Personal data transferred by the customer to FAIRTIQ via the application are processed by FAIRTIQ for the following purposes:

- To **provide electronic ticketing applications**, in particular the purchase and processing of electronic tickets, the identification and payment of decisive rides, including customer coupons (e.g., FAIRTIQ bonus), for customer service (help desk) and functions serving to support the check-out process. Furthermore, the data is also processed to combat **abuses** (prevention from and investigation of unlawfully obtained journeys).
- To capture the nearest public transport stop before check-in, location data and bluetooth signals are collected when the application is active in the foreground of the device display. This data is stored in temporary log files. Bluetooth signal detection is only enabled in selected regions. Further information is available at https://fairtiq.com/docs/beacon_signals.pdf. A delayed shutdown of the collection of activity and location data (see above, section [D. Processed personal data](#)) serves combating abuse and the continuous improvement of the functions used to support the check-out process, thus optimising the services provided by FAIRTIQ to the customer. The completion of the check-out process is signalled in the application.
- For the **provision of discounted rides**, i.e. the generation of an individual code for a free journey of a new customer.
- For the **further development of the application and the services**. In particular, FAIRTIQ may use the location and activity data in pseudonymised form for 12 months (see section [K. Data retention period](#)) in order to further develop the application.
- For the means of **communication with the customer and commercial purposes**.
- In relation to **legal proceedings and requirements**.
- For **research purposes (academia)**, in particular for non-personal scientific research purposes (see section [I. Data transfer](#)).



The customer has the right to object to the use of personal data for the purposes of optimising the application and the services or evaluating its use. FAIRTIQ strongly advises to send the request directly via the application (menu item 'Contact > Others').

In the case of requests via email (feedback@fairtiq.com) or contact form (<https://fairtiq.ch/en/contact>), the processing of the request is subject to the unambiguous identification of the customer by means of an SMS validation code (identification process initiated by FAIRTIQ). Fellow travellers are encouraged to inform FAIRTIQ of any request via the customer in order to enable identification.

F. Legal basis

The processing of personal data for electronic tickets and the provision of discounted travel is required to fulfil the services of FAIRTIQ (performance of a contract). The further development of the service and the utilisation analysis are in the legitimate interest of FAIRTIQ and serve the optimisation of the user experience and the dissemination of the application. The provision of data to academia is in the legitimate interest of FAIRTIQ and in the public interest (Art. 6 para. 1 lit. e GDPR) with regard to the data processing by academic institutions. Fraud detection and prevention is in the legitimate interest of FAIRTIQ. Communication with the customer serves to support the customer's use, to inform the customer about services in relation to the application and to improve the offer and serves the performance of a contract and/or is in the legitimate interest of FAIRTIQ. Sending newsletters and the related processing of data are based on the customer's consent.

We are subject to a variety of legal obligations. Primarily, these are legal requirements (e.g. commercial and tax laws, regulations), but also regulatory or other official requirements where applicable. The purposes of processing may include identity and age verification, fraud and money laundering prevention, the prevention, combating and investigation of terrorist financing and criminal offences endangering assets, the fulfilment of control and reporting obligations under tax law, as well as the archiving of data for the purposes of data protection and data security as well as auditing by tax and other authorities. In addition, the disclosure of personal data may become necessary in the context of official/court measures for the purposes of gathering evidence, criminal prosecution or the enforcement of civil law claims.

The legal basis for the processing of personal data of customers within the European Union is Art. 6 para. 1 a), b), c), f) GDPR.

G. Automated decision-making and profiling

In order to detect and prevent fraudulent behaviour, we are using automated decision making processes and profiling mechanisms. Examples:

- The system checks whether the means of transport is in motion when check-in and check-out are performed to ensure that the complete journey is recorded and charged. If the system detects incorrect behaviour multiple times, the account is automatically blocked.
- If a past journey cannot be charged to the deposited means of payment, the check-in will automatically be blocked until the journey can be charged.

Affected persons have the right

- to request the intervention of a natural person in the decision-making process,
- to express their own point of view,
- to have the decision reviewed or challenged outside of the legal process.

FAIRTIQ strongly advises to send the request directly via the application (menu item 'Contact > Others').

In the case of requests via email (feedback@fairtiq.com) or contact form (<https://fairtiq.ch/en/contact>), the processing of the request is subject to the unambiguous identification of the customer by means of an SMS validation code (identification process initiated by FAIRTIQ).



H. Security

FAIRTIQ protects personal data against foreseeable risks and unauthorised access with suitable technical and organisational measures. FAIRTIQ minimises the use of personal data.

For security reasons, the data for the means of payment are stored only at the service provider of the payment service and not on the mobile phone of the customer. Furthermore, the registration of the means of payment takes place directly with the contractual payment partner of FAIRTIQ without the intervention of FAIRTIQ.

I. Data Transfer

To **service providers of FAIRTIQ**: Subprocessors in Switzerland and in the European Union (see section [S. Data storage outside the European Union or a country with adequacy decision](#) for exceptions), commissioned by FAIRTIQ to control the electronic ticketing, hosting, operation, maintenance and improvement of the application as well as the payment transactions and customer communication, process the personal data of the customers (including storage). FAIRTIQ has entered into privacy agreements with these service providers to ensure the protection of personal data. A list of subprocessors is available at https://fairtiq.com/docs/subprocessor_list.pdf

To **payment providers**: Information about the mode of payment is not recorded on the mobile phone, in the application, with FAIRTIQ or any partner association (see section [D. Processed personal data](#) for exceptions). The registration of the means of payment in connection with the application is directly arranged by the payment provider (Datatrans AG, Stadelhoferstrasse 33, 8001 Zurich, Switzerland, info@datatrans.ch and Adyen N.V., Simon Carmiggeltstraat 6-50, 1011 DJ Amsterdam, the Netherlands, dpo@adyen.com). Further information on data processing by Adyen is available at <https://www.adyen.com/policies-and-disclaimer/privacy-policy>

To **Google Pay** and **Apple Pay**: On the application, the option to pay with Google Pay or Apple Pay is offered depending on the region of use. This is performed via the payment provider Adyen.

For the purpose of payment processing, the customer deposits the required payment data with Google Pay or Apple Pay. FAIRTIQ only stores an ID created by the payment provider and a token to process future payments.

The provision of the payment data is necessary and mandatory for the conclusion or execution of the contract. If the payment data is not provided, a conclusion of the contract and / or the execution by means of Google Pay or Apple Pay is impossible. The data required for payment processing are transmitted securely via the "SSL" procedure and processed exclusively for payment processing.

The data accruing in this context will be deleted after the storage is no longer necessary or the processing will be restricted if there are legal obligations to retain data. FAIRTIQ is obliged to store the payment and order data for a period of up to ten years due to mandatory commercial and tax regulations.

When using Google Pay or Apple Pay, data may also be processed in the USA. In the opinion of the European Court of Justice, there is currently no adequate level of protection for data transfers to the USA. A transfer may therefore be associated with various risks for the legality and security of the data processing.

Further information on data processing by Apple Pay is available at <https://support.apple.com/en-ie/HT203027>

Further information on data processing by Google Pay is available at https://payments.google.com/payments/apis-secure/get_legal_document?ldo=0&ldt=privacynotice&ldl=en

To **partners**: FAIRTIQ forwards the required personal data to the allied transportation company / tariff community to fulfil the customer care, to combat abuse, and to communicate with customers (see the 'Partner Companies' on fairtiq.com). In this context, the relevant partner companies are independently responsible for the personal data processing.

FAIRTIQ forwards ticket data to partners for the purpose of payment and accounting. Furthermore, FAIRTIQ forwards location data in an anonymised form to partners for improving their products and their public transport offer, for the partially personalised communication of information and offers as well as for further statistical evaluation purposes.

Information in accordance with art. 13 para 1 & 2 GDPR related to the processing of personal data by partners, in case of a transfer to partners acting as independent controllers, is available at https://fairtiq.com/docs/fairtiq_Privacy_principles_annex_1.pdf



For **research purposes (academia)**: FAIRTIQ is entitled to disclose pseudonymised personal data to universities from Switzerland, the EU or the EEA for non-personal scientific research purposes under the following conditions:

- A. FAIRTIQ shall take measures to prevent the identifiability of the data subjects by pseudonymization.
- B. The results of the research may only be published or otherwise passed on if no conclusions can be drawn about the data subjects.

The customer has the right to object against the disclosure of their data for research purposes at any time and without any disadvantage (please consult section [P. Right of Objection](#) for further information).

J. Customer contact

FAIRTIQ is entitled to contact the customer concerning topics affecting FAIRTIQ. This includes:

- Information in connection with the offer or about its amendment
- Information to help customers use the app
- Surveys on the use of FAIRTIQ. Participation in surveys is voluntary.

If the customer has given consent, FAIRTIQ is allowed to contact the customer concerning further offers and information not necessarily related to FAIRTIQ. The customer can revoke the consent at any time.

Depending on the type of contact, the messages may contain tracking pixels that enable a log file recording for the statistical evaluation of the contact. FAIRTIQ can see if and when a message has been opened and which links in the message have been activated.

The customer can unsubscribe from being contacted by writing FAIRTIQ at app.privacy@fairtiq.com or following the unsubscription link or the instructions in each message that FAIRTIQ sends to the customer.

K. Data retention period

The *travel, purchase and means of payment data* and the *information about the device* in accordance with Section [D. Processed personal data](#) shall be retained **for 12 months** after the end of the journey for fulfilling the services, for after-sales services of FAIRTIQ and the partner transportation companies and tariff communities, for the purpose of combating abuse and for improving the services, in particular the price optimisation. Subsequently, deletion/anonymisation of this data is performed and the connection to a data subject is no longer possible.

The *general information about the customer and details of fellow travellers* shall be retained for the purpose of combating abuse, for the means of communication with the user and for commercial purposes **for two years** from the last journey or from joining a campaign (depending on what occurs later).

The data can also be saved in backup files and temporary databases (caches) after deletion. The final deletion takes place when the backup files are overwritten (typically within days).

L. Exceptions to the time limits according to section K

Location data collected to capture the nearest public transport stop before check-in shall be retained in temporary files for a few days.

Data which is relevant under tax law and for accounting purposes of FAIRTIQ or the partner companies shall be retained by FAIRTIQ and/or the partner companies in accordance with the legally prescribed retention periods (usually 10 years plus duration of the current accounting year) and subsequently deleted.

If the customer has been excluded from using FAIRTIQ due to a justified suspicion of misuse, FAIRTIQ has the right to store the personal data in accordance with section [D. Processed personal data](#) in order to prevent repeated misuse and to enforce their legal claims, including the date and reason for the exclusion, even against the customer's deletion request until the rights have been exercised or the limitation period has expired. If the exclusion is reversed (e.g., because the suspicion of abuse turns out



to be unfounded), the retention period of 12 months until the anonymisation of the travel data starts anew.

In the case of outstanding invoices, FAIRTIQ has the right to retain personal data according to section [D. Processed personal data](#) until the invoice and any additional claims have been fully settled or the limitation period has expired.

If the customer does not purchase a ticket with the application during the period of one year at a time, FAIRTIQ has the right to delete the customers' user account. The customer must then repeat the registration process before they can use FAIRTIQ to purchase electronic tickets again. With the deletion of the user account, they also lose access to their travel and payment history with FAIRTIQ.

If the customer does not purchase a ticket with the application within four months, FAIRTIQ has the right to delete the customer's payment method data. The customer must then repeat the registration of a valid means of payment before being able to purchase electronic tickets with FAIRTIQ again.

M. Right to erasure and to be forgotten

Subject to the foregoing storage provision and if FAIRTIQ or a partner company does not require the data to safeguard and exercise their rights, the customer has the right to request the deletion of their personal data at any time.

FAIRTIQ strongly advises to send the request directly via the application (menu item 'Contact > Account deletion').

With the request for deletion, the customer expressly waives the right to use customer service with regard to past trips and to complain about any trips affected by the request.

In the case of deletion requests via email (feedback@fairtiq.com) or contact form (<https://fairtiq.ch/en/contact>), the deletion is subject to the unambiguous identification of the customer by means of an SMS validation code (identification process initiated by FAIRTIQ).

Deletion requests for fellow passengers' personal data shall be submitted by the customer to enable the identification of the fellow passengers.

N. Correction and limitation

The customer has the right to correct and limit the data stored for the respective customer account, if the data is faulty or a limitation does not affect the processing purposes. The customer can adjust the general account information according to section [D. Processed personal data](#) directly in the app.

Modifications are not possible during an ongoing journey.

O. Information and transmission rights

The customer and fellow passengers have the right to request information about the data stored on the customer's account and its transmission.

FAIRTIQ strongly advises to send the request directly via the application (menu item 'Contact > Others').

In the case of deletion requests via email (feedback@fairtiq.com) or contact form (<https://fairtiq.ch/en/contact>), the processing of the request is subject to the unambiguous identification of the customer by means of an SMS validation code (identification process initiated by FAIRTIQ).

Deletion requests for fellow passengers' personal data shall be submitted by the customer to enable the identification of the fellow passengers.

P. Right of objection

The customer has the right to object at any time to the processing of personal data concerning them for reasons arising from their particular situation, if the data processing is carried out on the basis of art. 6 para. 1 lit. f GDPR. This also applies to profiling and automated decision making based on these provisions. If the customer objects, FAIRTIQ will no longer process their personal data unless compelling



legitimate grounds for the processing can be demonstrated which override the interests, rights and freedoms of the customer, or the processing serves to assert, exercise or defend legal claims.

If the customer's personal data are processed for the purpose of direct marketing, the customer shall have the right to object at any time to the processing of personal data concerning them for the purpose of such marketing; this shall also apply to profiling insofar as it is related to such direct marketing. If the customer objects, their personal data will subsequently no longer be used for the purpose of direct advertising.

FAIRTIQ strongly advises to send the request directly via the application (menu item 'Contact > Others').

In the case of deletion requests via email (feedback@fairtiq.com) or contact form (https://fairtiq.ch/en/contact), the deletion is subject to the unambiguous identification of the customer by means of an SMS validation code (identification process initiated by FAIRTIQ).

Deletion requests for fellow passengers' personal data shall be submitted by the customer to enable the identification of the fellow passengers.

Q. Right to lodge a complaint

Data subject rights are not absolute and may be subject to exemptions or derogations under applicable data protection laws.

The customer further has the right to lodge a complaint with the competent supervisory authority, as follows:

- in Switzerland, with Swiss Federal Data Protection and Information Commissioner (FDPIC);
- In the EU, with the [competent authority of the member state](#) relevant for the data subject.

R. Data processing in the European Economic Area or a country with adequacy decision

The Client acknowledges that all Personal Data, with the exception of the data referred to in section [S Data storage outside the EEA or a country with adequacy decision](#), will be processed in the EEA or any other country for which an adequacy decision has been issued by the European Commission.

S. Data processing outside the EEA or a country with adequacy decision

The customer acknowledges that the following personal data can be processed outside the EEA or a country for which an adequacy decision has been issued by the European Commission:

- Registered phone number, for sending automatic SMS messages by Twilio, Rosenheimerstr. 143c, 81671 München, Germany (sending the registration code). The data transfer is based on the following data protection guarantees: EU Standard Contractual Clauses, Binding Corporate Rules, case-by-case assessment. **Processing site: EU, eventually USA for bug fixing.** The transferred data is encrypted in transit and at rest.
- Information is sent via the contact form in the application or on fairtiq.com when the customer contacts FAIRTIQ. FAIRTIQ uses Zendesk, Neueschönhauserstr. 3-5, 10178 Berlin, Germany to process contact requests. The data transfer is based on the following data protection guarantees: EU Standard Contractual Clauses, Binding Corporate Rules, case-by-case assessment. **Processing site: EU, eventually USA for bug fixing.** Data transferred is encrypted in transit and at rest. The following data is collected:
 - telephone number
 - email address
 - client number
 - journey ID
 - text of the message
 - date and time of the message.

If FAIRTIQ transfers data to a country without adequate data protection level, FAIRTIQ will, as provided for by law, use appropriate contracts (namely on the basis of the so-called Standard Contract Clauses of the European Commission) and appropriate or suitable safeguards (available on request via app.privacy@fairtiq.com) and / or rely on the statutory exceptions of



consent, contract execution, the establishment, exercise or enforcement of legal claims, overriding public interests, published personal data or because it is necessary to protect the integrity of the persons concerned.

T. Data protection representation in the European Union

In case of questions or uncertainties about data protection, FAIRTIQ's data protection representation in the EU is available for interested parties at the following address. FAIRTIQ Austria GmbH, Data Protection, Straubingerstraße 12, 5020 Salzburg, Austria, app.privacy@fairtiq.com

U. Changes of this data protection declaration

FAIRTIQ regularly checks this data protection notice. To be informed about the latest version, it is recommended to check it regularly via <https://fairtiq.com/de-de/politik/app-privacy>.

V. Accessibility and download of the privacy notice

The current version of the data protection declaration can be viewed and printed at <https://fairtiq.com/en-ch/policy/app-privacy-policy>

