

Privacy Notice of the "FAIRTIQ Campaign with Visa" prize draw

August 2023

In this privacy notice, we, FAIRTIQ AG, Aarberggasse 29, 3011 Bern, Switzerland, (hereinafter FAIRTIQ, we or us) explain how we collect and otherwise process personal data. This is not an exhaustive description; other data protection notices [or general terms and conditions, conditions of participation and similar documents] may govern specific matters. Personal data means any information relating to an identified or identifiable individual.

If you provide us with personal data of other persons (e.g. family members, data of work colleagues), please make sure that these persons are aware of this privacy notice and only share their personal data with us if you are allowed to do so and if this personal data is correct.

This Privacy Notice is designed to meet the requirements of the EU General Data Protection Regulation ("GDPR") and the Swiss Data Protection Act ("DPA"), as amended from time to time. However, whether and to what extent these laws are applicable depends on the individual case.

1. Person responsible / data protection officer / representative

FAIRTIQ AG, Aarberggasse 29, 3011 Bern, Switzerland is responsible for the data processing activities we carry out here, unless otherwise stated in individual cases. If you have any data protection concerns, you can communicate them to us at the following contact address: FAIRTIQ AG, Aarberggasse 29, 3011 Bern, Switzerland; app.privacy@fairtiq.com (this is also the address of our data protection officer according to Art. 37 DSGVO).

Our representative in the EEA according to Art. 27 DSGVO: FAIRTIQ Austria GmbH, Data Protection, Straubingerstraße 12, 5020 Salzburg, Austria, app.privacy@fairtiq.com

2. Data collection, processing and disclosure for the purpose of the competition

The following personal data will be collected and processed pursuant to Art. 6 para. p. 1 lit. b DSGVO for the purpose of contacting participants with information about the sweepstakes (including newsletters, push messages) and for the purpose of drawing and contacting winners: Name, age, email address, driving region, as well as number of driving days with FAIRTIQ and Visa in September and October 2023.

The personal data of the winners provided as part of the "FAIRTIQ Campaign with Visa" sweepstakes may be shared with Visa, its affiliates and service providers to the extent necessary for the fulfillment, delivery and organization for the redemption of the prize. In doing so, they will be processed in accordance with Visa's privacy policy: <https://www.visa.co.uk/legal/privacy-policy.html>

3. General collection and processing of personal data

We primarily process the personal data that you share with us as part of your participation in the "FAIRTIQ Campaign with Visa" sweepstakes.

To the extent permitted, we may also take certain data from publicly accessible sources (e.g. debt collection registers, land registers, commercial registers, press, internet) or receive such data from authorities and other third parties (such as credit agencies). In addition to the data about you that you give us directly – including in the context of using the FAIRTIQ app – the categories of personal data that we receive about you from third parties include, in particular, information from public registers, information that we learn in connection with official and judicial proceedings, creditworthiness information (insofar as we conduct business with you personally), information about you that people close to you (family, advisors, legal representatives, etc.) give us so that we can conclude or process contracts with you or involving you (e.g. References, your address for deliveries, powers of attorney, information on compliance with legal requirements such as anti-money laundering and export restrictions, information from banks, insurance companies, sales and other contractual partners of ours on the use or provision of services by you (e.g. payments made, purchases made), information from the media and Internet about you (where this is appropriate in the specific case), your addresses and, where applicable, your personal data. interests and other socio-demographic data (for marketing), data in connection with the use of the website (e.g. IP address, MAC address of the smartphone or computer, information about your device and settings, cookies, date and time of visit, pages viewed and content, functions used, referring website, location information).

4. Purposes of data processing and legal basis

We use the personal data we collect primarily to conduct the sweepstakes for which you have registered and to comply with our legal obligations in Switzerland and abroad.

In addition, we also process personal data of you and other persons, as permitted and as we deem appropriate, for the following purposes, in which we (and sometimes third parties) have a legitimate interest corresponding to the purpose:

- Offer and further develop our offers, services and websites, apps and other platforms on which we are present;
- Communicating with third parties and handling their requests (e.g. applications, media requests);
- Examination and optimization of procedures for needs analysis for the purpose of direct customer contact as well as collection of personal data from publicly available sources for the purpose of customer acquisition;
- Advertising and marketing, insofar as you have not objected to the use of your data (if we send you advertising as an existing customer of ours, you can object to this at any time, we will then put you on a block list against further advertising mailings);
- Market and opinion research, media monitoring;
- Assertion of legal claims and defense in connection with legal disputes and official proceedings;

- Prevention and investigation of crime and other misconduct (e.g., conducting internal investigations, data analysis to combat fraud);
- Warranties of our operations, especially IT, our websites, apps, and other platforms;

Insofar as you have given us consent to process your personal data for certain purposes (for example, when you register to receive newsletters or carry out a background check), we process your personal data within the scope of and based on this consent, insofar as we have no other legal basis and we require such a basis. Consent given can be revoked at any time, but this has no effect on data processing that has already taken place.

5. Cookies / tracking and other technologies related to the use of our website

We typically use "cookies" and similar technologies on our websites [and apps] to identify your browser or device. A cookie is a small file that is sent to your computer or automatically stored on your computer or mobile device by the web browser you are using when you visit our website [or install app]. When you visit this website again [or use our app], this allows us to recognize you even if we do not know who you are. In addition to cookies that are only used during a session and deleted after your website visit ("session cookies"), cookies can also be used to store user settings and other information for a certain period of time (e.g. two years) ("permanent cookies"). However, you can set your browser to reject cookies, store them for one session only, or otherwise delete them early. Most browsers are preset to accept cookies. We use persistent cookies [so that you can save user preferences (e.g., language, autologin),][so that we can better understand how you use our offers and content,][and][so that we can show you offers and advertisements tailored to you (which may also happen on websites of other companies; however, they then do not learn from us who you are, if we ourselves know this at all, because they only see that on their website is the same user who was also on a certain page with us)]. [Certain cookies are set by us, and certain are also set by contractors with whom we work]. If you block cookies, certain functionalities (such as language selection, shopping cart, ordering processes) may no longer work.

[We also include visible and invisible image elements in our newsletters and other marketing emails, in some cases and where permitted, that allow us to determine if and when you have opened the email by retrieving them from our servers, so that we can measure and better understand how you use our offers and tailor them to you here as well. You can block this in your email program; most are preset to do so].

By using our websites[, apps] and consenting to receive newsletters and other marketing emails, you consent to the use of these techniques. If you do not want this, then you must set your browser or email program accordingly[, or uninstall the app if this cannot be adjusted via the settings]].

We sometimes use Google Analytics or similar services on our websites. This is a service provided by third parties that may be located in any country in the world (in the case of Google Analytics, it is Google Ireland (based in Ireland), Google Ireland relies on Google LLC (based in the USA) as an order processor (both "Google", www.google.com), with which we can measure and evaluate the use of the website (not on a personal basis). Permanent cookies set by the service provider are also used for this purpose. We have configured the service so that the IP addresses of visitors are shortened by Google in Europe before being forwarded to the USA and

thus cannot be traced. We have turned off the "Data Forwarding" and "Signals" settings. Although we can assume that the information we share with Google is not personal data for Google, it is possible that Google can draw conclusions about the identity of visitors from this data for its own purposes, create personal profiles and link this data to the Google accounts of these individuals. Insofar as you have registered with the service provider yourself, the service provider also knows you. The processing of your personal data by the service provider then takes place under the responsibility of the service provider in accordance with its data protection provisions. The service provider only informs us how our respective website is used (no information about you personally).

We also use so-called plug-ins from social networks such as Facebook, Twitter, YouTube, Pinterest or Instagram on our websites. This is apparent to you in each case (typically via corresponding icons). We have configured these elements so that they are disabled by default. If you activate them (by clicking on them), the operators of the respective social networks can register that you are on our website and where and can use this information for their purposes. The processing of your personal data is then the responsibility of this operator according to its privacy policy. We do not receive any information about you from him.

6. Data transfer and data transmission abroad

Within the scope of our business activities and purposes pursuant to Section 3, we also disclose data to third parties, insofar as this is permitted and appears to us to be appropriate, either because they process it for us or because they want to use it for their own purposes. In particular, this concerns the following entities:

- Visa
- Service providers of us, including order processors (such as IT providers);
- Dealers, suppliers, subcontractors and other business partners;
- Domestic and foreign authorities, official agencies or courts;
- Media;
- public, including visitors to websites and social media;
- other parties in potential or actual legal proceedings;

all common recipient.

These recipients are partly domestic, but can be anywhere in the world. In particular, you must expect the transfer of your data to all countries where FAIRTIQ is represented by group companies, branches or other offices (Switzerland, EU, Singapore, Canada), as well as to other countries in Europe and the USA where the service providers we use are located (such as Google or Hubspot).

If a recipient is located in a country without adequate legal data protection, we contractually oblige the recipient to comply with the applicable data protection (for this purpose, we use the revised standard contractual clauses of the European Commission, which are available here: https://eur-lex.europa.eu/eli/dec_impl/2021/914/oj?), unless it is already subject to a legally recognized set of rules to ensure data protection and we cannot rely on an exemption provision and, if necessary, additional technical measures. An exception may apply in particular in the case of legal proceedings abroad, but also in cases of overriding public interests or if the performance of a contract requires such disclosure, if you have consented or if it is a matter of data made generally available by you, the processing of which you have not objected to.

7. Duration of the retention of personal data

We process and store your personal data as long as it is necessary for the fulfillment of our contractual and legal obligations or otherwise the purposes pursued with the processing, i.e., for example, for the duration of the entire business relationship (from the initiation, processing to the termination of a contract) and beyond that in accordance with the statutory retention and documentation obligations. In this context, it is possible that personal data will be retained for the time during which claims can be asserted against our company and insofar as we are otherwise legally obligated to do so or legitimate business interests require this (e.g. for evidence and documentation purposes). As soon as your personal data is no longer required for the above-mentioned purposes, it will be deleted or anonymized as a matter of principle and to the extent possible. For operational data (e.g. system logs, logs), shorter retention periods of twelve months or less generally apply.

8. Data security

We take appropriate technical and organizational security measures to protect your personal data from unauthorized access and misuse, such as issuing instructions, training, IT and network security solutions, access controls and restrictions, encryption of data carriers and transmissions, pseudonymization, controls.

9. Obligation to provide personal data

In the context of our business relationship, you must provide those personal data that are necessary for the establishment and implementation of a business relationship and the fulfillment of the associated contractual obligations (you usually do not have a legal obligation to provide us with data). Without this data, we will generally not be able to enter into or perform a contract with you (or the entity or person you represent). Also, the website cannot be used if certain traffic-securing information (such as IP address) is not disclosed.

10. Profiling [and automated decision making]

For the establishment and implementation of the business relationship, we generally do not use profiling or fully automated decision-making (such as regulated in Art. 22 DSGVO). Should we use such procedures in individual cases, we will inform you separately about this, provided this is legally required and inform you about the associated rights.

11. Rights of the data subject

Within the scope of the data protection law applicable to you and insofar as provided therein (such as in the case of the GDPR), you have the right to information, correction, deletion, the right to restriction of data processing and otherwise the right to object to our data processing, in particular those for the purposes of direct marketing, profiling operated for direct advertising and other legitimate interests in the processing, as well as to the release of certain personal data for the purpose of transfer to another entity (so-called data portability). Please note, however, that we

reserve the right to enforce the restrictions provided for by law, for example if we are obliged to retain or process certain data, have an overriding interest in doing so (insofar as we are entitled to rely on this) or require it for the assertion of claims. If you incur costs, we will inform you in advance. We have already informed you about the possibility of revoking your consent in section 3. Please note that the exercise of these rights may conflict with contractual agreements and may have consequences such as the premature termination of the contract or cost consequences. We will inform you in advance if this is not already contractually regulated.

The exercise of such rights usually requires that you clearly prove your identity (e.g. by means of a copy of your ID card, where your identity is otherwise not clear or cannot be verified). To exercise your rights, you can contact us at the address given in section 1.

In addition, every data subject has the right to enforce his or her claims in court or to lodge a complaint with the competent data protection authority. The competent data protection authority in Switzerland is the Federal Data Protection and Information Commissioner (<http://www.edoeb.admin.ch>).

12. Changes

We may amend this privacy policy at any time without prior notice. The current version published on our website applies. Insofar as the data protection information is part of an agreement with you, we will inform you of the change by e-mail or other suitable means in the event of an update.

Based on the template from DSAT.ch.