

# Privacy policy

## 1. General Information

With this privacy policy, we inform you about the nature, scope and purpose of the collection and use of your personal data. You can access this data protection declaration at any time on our website <https://msmgroup.ch/> or request it from us in writing or by e-mail.

Personal data means any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

The operators of this website take the protection of your personal data very seriously. We treat your personal data confidentially and in accordance with the legal requirements. We point out that data transmission over the Internet (eg communication by e-mail) security gaps. Complete protection of data against access by third parties is not possible.

This privacy policy serves to implement the Swiss Data Protection Act (DSG; SR 235.1) as well as the requirements of Regulation (EU) 2016/679 (General Data Protection Regulation; hereinafter: DSGVO).

It can be updated at any time. We recommend that you check it regularly.

## 2. Person responsible for data processing

The responsible entity for data processing is, unless otherwise specified:

### **MSM GROUP AG**

Steinberggasse 23  
CH-8400 Winterthur

Tel: +41 52 269 21 00

Fax +41 52 214 14 00

E-Mail: [sekretariat@m-win.ch](mailto:sekretariat@m-win.ch)

Internet: [www.msmgroup.ch](http://www.msmgroup.ch)

If you have any data protection concerns, you can contact us.

## 3. Collection, storage and type and purpose of use of personal data

### LogFiles

For technical reasons, your Internet program (browser) automatically transmits data to our web server for internal system and statistical purposes when you access our website.

The following data is collected, stored and evaluated in this way:

- Visited website
- Date of access
- Time of access
- Host name of the accessing computer
- URL of the referring website (referrer URL)
- Retrieved file(s)
- Amount of data sent

- Browser type and version used
- Operating system used
- IP address used

This data is stored in so-called server log files; separately from other data that you transmit in the course of your use of our website, e.g. by entering it in a form. A combination of this data with other data sources is not made. Your data will be used by us or by other providers to administer the website, to carry out statistical evaluations (e.g. about accesses), as well as to be able to recognize and ward off unauthorized accesses.

We and any other providers collect and store this data on the basis of our legitimate interest in the administration of the website (in particular the technically flawless presentation and optimization), in statistical analysis and in being able to detect and prevent unauthorized access (see Art. 6 para. 1 lit. f DSGVO).

This data is stored by us or by other providers for a maximum of 7 days, evaluated and deleted by us following the evaluation. If data must be retained for evidentiary reasons, it is exempt from deletion until the incident has been finally clarified. Legal storage obligations remain unaffected.

## Cookies

We use cookies on our site. These are small (text) files that are automatically created by your browser and stored on your end device (laptop, tablet, smartphone or similar) when you visit our site.

We currently use the following cookies:

Name	Funktion	Dauer	Notwendig
pll_language	This cookie is used to determine the visitor's preferred language and set the language on the website accordingly, if possible.	1 Year	No
cookieLawinfo-checkbox-non-necessary	Determines whether the visitor has accepted the cookie consent field for non-essential cookies.	1 Year	Yes
cookieLaw-checkbox-necessary	Determines whether the visitor has accepted the cookie consent field for necessary cookies.	1 Year	Yes

Necessary cookies are stored in your browser. Necessary cookies are mandatory because they are essential for the functioning of the basic functions and the security of the website. These cookies do not store any personal data. The legal basis for the use of the above-mentioned necessary cookies is our legitimate interest (see Art. 6 para. 1 lit. f DSGVO) in obtaining your consent for the lawful use of cookies.

In addition, there are cookies that are not necessary. All cookies that are not strictly necessary for the functioning of the website and, in particular, are used to collect personal data of the user through analytics, ads and other embedded content are called non-essential cookies. We also use third-party cookies for this purpose, which help us analyze and understand how you use this website. Such cookies are stored and analyzed in your browser only based on your explicit consent. To declare your consent, you can activate these cookies in the cookie banner on the home page in the "Non-Necessary" section. These cookies are stored in your browser only with your consent. You also have the option to reject these cookies. However, rejecting some of these cookies may have an impact on your browsing experience. The legal basis for the processing is Art. 6 para. 1 lit. a., Art. 7 DSGVO.

The data will be stored as long as indicated above. If there is no indication, they will be stored until the purpose of the data storage no longer applies, you revoke your consent or request us to delete them. Mandatory legal provisions - in particular retention periods - remain unaffected.

Most browsers have functions with which you are informed about the setting of cookies and can allow cookies only in individual cases; have the option to exclude the acceptance of cookies for certain cases or generally as well as to activate the automatic deletion of cookies when closing the browser. However, this could limit the functionality of our offer.

## **Process prospect, customer, contract or inventory data.**

### **Contacting, data of interested parties**

If you contact us because you are interested in our products, want to receive information from us or would like us to call you back, we collect and use personal data to the extent necessary for these purposes. This may involve the following data, for example: Name, address, e-mail address, telephone number, account details.

The legal basis for the processing is the implementation of pre-contractual measures that take place upon your request and/or the processing for the fulfillment of a contract with you (see Art. 6 para. 1 lit. b DSGVO).

The collected data will be deleted after completion of the order, processing of the request or termination of the business relationship. Legal retention periods remain unaffected.

### **Contract data**

If a contractual relationship between you and us is to be or will be established, structured in terms of content or amended, we collect and process personal data insofar as this is necessary for these purposes. This involves the following data:

- Personal data & addresses
- Contact details (phone numbers, email, social media profiles)
- Bank & deposit data of customers (esp. account details)
- Agreed dates
- Information from public registers (debt collection register, commercial register, land registers)
- Information that we learn in connection with official and judicial proceedings
- 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 related to your job functions and activities
- Information about you in correspondence and meetings with third parties
- Credit information (insofar as we conduct business with you personally)
- Information from banks, insurance companies, sales and other contractual partners of ours regarding the use or provision of services by you (e.g. payments/purchases made)
- Information from the media and the Internet about you (if this is appropriate in the specific case), as well as
- References for applications.

The legal basis for the processing is the implementation of pre-contractual measures that take place upon your request and/or the processing for the fulfillment of a contract with you (see Art. 6 para. 1 lit. b DSGVO).

If you have given us your consent to process your personal data for specific purposes, we will process your personal data within the scope of and based on this consent, unless we have another legal basis. In this case, the legal basis is Art. 6 lit. a DSGVO. Consent may be revoked at any time for the future without affecting the lawfulness of the processing carried out on the basis of the consent until revocation.

We process the collected personal data to ensure the management of the mandate or for the purpose of concluding the contract as well as the processing of the contract and for invoicing as well as for customer communication purposes. We process special categories of personal data within the meaning of the GDPR indirectly if they are part of a commissioned or contractual processing, e.g. your

place of birth or the information that you are married. Processing of such special categories of personal data is based on a separate consent.

In the context of our mandate and business relationship, you must provide all personal data required for the establishment and execution of a mandate and business relationship and the fulfillment of the associated contractual obligations. Without this data, we will generally not be able to conclude a contract with you (or the person you represent) or to process it.

The collected customer data will be deleted after completion of the order or termination of the business relationship. Statutory retention periods remain unaffected.

## **Newsletter**

If you would like to receive the newsletter offered on the website, we require an e-mail address from you as well as information that allows us to verify that you are the owner of the e-mail address provided (last name and first name).

The processing of the data is based on your express consent (Art. 6 para. 1 lit. a DSGVO).

The data will be stored until you request us to delete it, declare your revocation or the purpose of the data storage no longer applies. Mandatory legal provisions - in particular retention periods - remain unaffected.

## **Data transfer and transmission at home and abroad**

A transfer of your personal data to third parties may occur in the following cases:

- within the framework of a consent granted by you,
- in the context of processing an inquiry, order or the use of our services. In this case, data is passed on to subcontractors who receive the data required to carry out the respective step and use it for the intended purpose,
- within the framework of order processing,
- in the context of fulfilling legal obligations to bodies entitled to receive information,
- insofar as the disclosure is necessary for the assertion, exercise or defense of legal claims and there is no reason to assume that you have an overriding interest worthy of protection in the non-disclosure of your data,
- insofar as it is necessary for the processing of contractual relationships with you.

The third parties are, for example, service providers of us, in particular order processors, as well as authorities, courts, legal representatives and other parties in legal disputes or proceedings.

These recipients may be located in Germany or abroad. If we transfer data to a country without an adequate level of data protection, this is done within the framework of the exceptional circumstances pursuant to Article 49 (1) of the GDPR, namely on the basis of a separate consent or if required in the context of the performance of a contract.

## **Hyperlinks**

We use so-called hyperlinks to the websites of other providers. As soon as you click on them, you will be redirected from our website directly to the website of the other provider.

It is possible that when using the websites, the user's personal data will be transferred to a server in the USA or another country and stored there. It cannot be guaranteed that these countries offer a comparable level of data protection as the EU.

As a rule, the user data is processed by the other providers for market research and advertising purposes, whereby user profiles can also be created. This usually occurs through the storage of cookies on your terminal device by the respective website operators. However, data may also be stored independently of the device you use.

We cannot assume any responsibility for the handling of your data by the providers on their website, as we have no influence on whether and that these providers adhere to the data protection provisions. You can find information about the data protection of these providers on their websites.

## **Social media network presences**

We maintain various social media network presences. When you visit these presences, personal data may be transmitted to the operator of the social media network.

As a rule, the user data is processed by the other providers for market research and advertising purposes, whereby user profiles can also be created. This usually occurs through the storage of cookies on your terminal device by the respective website operators. However, data may also be stored and processed independently of the device you use. It is possible that data may be merged with other data, regardless of whether you have a profile on the corresponding social media network.

Even if you send us a direct message on the social media network presences, for example, the network may be able to access and process the content. For sensitive content, messages or inquiries, we recommend contacting us directly by phone or e-mail, not via our social media network presences.

It is possible that when visiting the presences, personal data of the user will be transferred to a server in the USA or another country, stored and processed there. It cannot be guaranteed that these countries offer a comparable level of data protection as the EU or Switzerland. Insofar as the data is transferred to the USA, there is a risk that your data will be processed by US authorities (e.g. intelligence services) for control and monitoring purposes, without you possibly having any legal remedies.

We cannot assume any responsibility for the handling of your data by the providers on their website, as we have no influence on whether and that these providers adhere to the data protection provisions. You can find information about the data protection of these providers on their websites.

Information about the operators of the social media networks we use:

**Facebook** is operated by Facebook Ireland Limited, 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland (hereinafter "Facebook") and provides us with a fan page.

More information:

- For Fanpage: Shared responsibility agreement: [https://www.facebook.com/legal/terms/page\\_controller\\_addendum](https://www.facebook.com/legal/terms/page_controller_addendum)
- Privacy Policy: <https://www.facebook.com/about/privacy/>
- Cookie Policy: <https://www.facebook.com/policies/cookies/>
- Opt-Out: <https://www.facebook.com/settings?tab=ads> und <http://www.youronlinechoices.com/>

**Xing** is operated by XING SE, Dammtorstrasse 30, 20354 Hamburg, Deutschland.

You can find more information here:

- Privacy Policy: <https://privacy.xing.com/de/datenschutzerklaerung>

**LinkedIn** is operated by LinkedIn Corporation, 1000 W. Maude Ave., Sunnyvale, California 94085, USA and LinkedIn Ireland Unlimited Company Wilton Place, Dublin 2, Ireland.

You can find more information here:

- Privacy Policy: <https://www.linkedin.com/legal/privacy-policy>
- Opt-Out: <https://www.linkedin.com/psettings/guest-controls/retargeting-opt-out>

## Facebook-Insights

Facebook Ireland Limited, 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Irland (i.W. «Facebook») provides us as Fanpage operator with so-called "Facebook Insights".

Facebook Insights are aggregate statistics created based on certain events logged by Facebook servers when people interact with pages and the content associated with them. This can provide information about the usage of the fan page. Facebook processes various data from you to create the statistics and for other purposes, such as promotional activities. For example, actions (clicks, posts, messages, ...), demographic characteristics (age, gender, location, ...), IP address, browser type and version used, operating system used, etc. are processed.

Facebook places cookies on your terminal device when you visit the Fan Page, the purpose of which is to store information in web browsers and remain effective for a period of two years unless deleted. Facebook receives, records and processes the information stored in the cookies, in particular when a person visits the "Facebook services, services provided by other members of the Facebook group of companies and services provided by other companies that use the Facebook services." In addition, other entities such as Facebook partners or even third parties "may use cookies on the Facebook Services to provide services to [that social network directly] or to companies advertising on Facebook."

This data is collected with the help of so-called cookies, each of which contains a unique user code that is active for two years and which Facebook stores on the hard drive of the computer or other data carrier of the visitors to the fan page. The user code, which can be linked to the login data of such users who are registered with Facebook, is collected and processed when the fan pages are called up.

It is not known to what extent Facebook processes data and uses it for its own purposes. However, it must be assumed that Facebook very probably processes all inputs and actions of persons (with or without a Facebook account). For this purpose, Facebook uses various tools (its own and those of third parties), e.g. web trackers, LogFiles, cookies, Java scripts, etc.

If you have a Facebook account, Facebook can also link the collected data to your account. If you do not have a Facebook account, Facebook can still store your data, e.g. via cookies, and assign it to you. You can find more information about the cookies used by Facebook here: <https://de-de.facebook.com/policies/cookies/>

It cannot be ruled out that Facebook will transfer the data to the USA. There is a risk that your data may be processed by US authorities (e.g. intelligence agencies) for control and monitoring purposes, without you possibly having any legal remedies.

We only receive anonymized statistics about the use of our fan page from Facebook in connection with Facebook Insights, so we cannot assign the Facebook Insights data to any person.

Insofar as personal data is processed by Facebook and us in connection with our Facebook page and we contribute to the decision on the purposes and means of this processing, Facebook and we are jointly responsible for the processing. We assume that the scope of joint responsibility extends exclusively to the processing of so-called "Insights data".

Jointly responsible for the processing (cf. Art. 26 DSGVO) in connection with Facebook Insights are:

### **Facebook Ireland Ltd**

4 Grand Canal Square  
Dublin 2  
Irland

and

## **MSM GROUP AG**

Steinberggasse 23  
CH-8400 Winterthur

Tel: +41 52 269 21 00

Fax +41 52 214 14 00

E-Mail: [sekretariat@m-win.ch](mailto:sekretariat@m-win.ch)

Internet: [www.msmgroup.ch](http://www.msmgroup.ch)

We have entered into an agreement with Facebook for joint accountability according to Art. 26 DGSVO. You can find the agreement here:

[https://www.facebook.com/legal/terms/page\\_controller\\_addendum](https://www.facebook.com/legal/terms/page_controller_addendum)

Facebook provides data subjects with the essence of the agreement (Page Insights Supplement) (Article 26(2) of the GDPR). This is currently done via the Facebook Insights data information, which can be accessed from all pages: [https://de-de.facebook.com/legal/terms/information\\_about\\_page\\_insights\\_data](https://de-de.facebook.com/legal/terms/information_about_page_insights_data)

The legal bases and the purposes of the processing of Facebook can be found at:

[https://www.facebook.com/about/privacy/legal\\_bases](https://www.facebook.com/about/privacy/legal_bases) und <https://de-de.facebook.com/policy.php>.

Our legal basis and purpose for obtaining and processing Facebook Insights data is our legitimate interest in tracking user behavior on our Fanpage in order to be able to optimize our offer and our marketing measures (cf. Art. 6 (1) lit. f DSGVO).

You can assert your data subject rights (see below) against Facebook or against us. If you contact us, we will forward your request to Facebook within 7 days.

You can find more information here :

- Facebook Insights Information: [https://www.facebook.com/legal/terms/information\\_about\\_page\\_insights\\_data](https://www.facebook.com/legal/terms/information_about_page_insights_data)
- Data processing for Facebook Insights and agreement for joint controllers (cf. Art. 26 DSGVO): [https://www.facebook.com/legal/terms/page\\_controller\\_addendum](https://www.facebook.com/legal/terms/page_controller_addendum)
- Privacy Policy: <https://www.facebook.com/about/privacy/>
- Cookie Policy: <https://www.facebook.com/policies/cookies/>
- Opt-Out: <https://www.facebook.com/settings?tab=ads> und <http://www.youronlinechoices.com/>

## **4. Your rights according to DSG**

You have the following rights under the DPA:

- Right to information
- Right of rectification
- Supplementary right
- Blocking right
- Cancellation right
- Right to object to the use of your data for advertising purposes

To exercise your rights, it is sufficient to send a letter by post to

MSM Group AG  
Steinberggasse 23  
CH-8400 Winterthur

or by e-mail to [sekretariat@m-win.ch](mailto:sekretariat@m-win.ch)

## **5. your rights according to DSGVO**

### **Right to information**

You have the right to request information about your personal data processed by us. In particular, you can request information about the processing purposes, the category of personal data, the categories of recipients to whom your data has been or will be disclosed, the planned storage period, the existence of a right to rectification, erasure, restriction of processing or objection, the existence of a right of complaint, the origin of your data, if it was not collected by us, as well as the existence of automated decision-making (including profiling) and, if applicable. You also have the right to be informed about the guarantees pursuant to Art. 46 of the GDPR that apply when your data is transferred to third countries (see Art. 15 of the GDPR).

### **Right of rectification**

You have the right to request the correction of inaccurate or incomplete personal data stored by us without delay (see Art. 16 DSGVO).

### **Right of cancellation**

You have the right to request the deletion of your personal data stored by us, unless the processing is necessary for the exercise of the right to freedom of expression and information, for compliance with a legal obligation, for reasons of public interest or for the establishment, exercise or defense of legal claims (see Art. 17 DSGVO).

### **Right to restriction of processing**

You have the right to request the restriction of the processing of your personal data, insofar as the accuracy of the data is disputed by you, the processing is unlawful, but you object to its erasure and we no longer need the data, but you need it for the assertion, exercise or defense of legal claims or you have objected to the processing pursuant to Art. 21 DSGVO (see Art. 18 DSGVO).

### **Right of notification regarding recipients**

We are obliged to inform all those to whom we have transmitted your data that you have requested rectification, erasure or restriction of processing (cf. Art. 16, 17, 18 DSGVO). This does not apply if the notification is impossible or only possible with disproportionate effort. You have the right to know to whom we have made a notification (cf. Art. 19 GDPR).

### **Right to data portability**

You have the right to receive your personal data that you have provided to us in a structured, common and machine-readable format or to request the transfer to another controller (see Art. 20 DSGVO).

### **Revocation of consent**

You have the right to revoke your consent at any time. This has the consequence that we may no longer continue the data processing based on this consent for the future (see Art. 7 para. 3 DSGVO).

### **Right of appeal**

You have the right to complain to a supervisory authority. As a rule, you can contact the supervisory authority of your usual place of residence or workplace or our registered office for this purpose (see Art. 77 DSGVO).

### **Objection to processing pursuant to Article 6(1)(e) or (f) DSGVO**

**You have the right to,**

**to object, on grounds relating to your particular situation, to processing operations carried out on the basis of Article 6(1)(e) or (f) of the GDPR,**

**Object to the processing (cf. Art. 21 DSGVO).**



**In this case, we will no longer process the data unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of you, or insofar as the processing serves the assertion, exercise or defense of legal claims.**

**If personal data are processed for the purpose of direct marketing, you have the right to object at any time to processing of personal data concerning you for the purpose of such marketing; this also applies to profiling insofar as it is related to such direct marketing, Article 21 (2) DSGVO. If you object, your personal data will subsequently no longer be used for the purpose of direct marketing.**

To exercise your rights, it is sufficient to send a letter by post to

MSM Group AG  
Steinberggasse 23  
CH-8400 Winterthur

oder per E-Mail an [sekretariat@m-win.ch](mailto:sekretariat@m-win.ch)

## **6. SSL or TLS encryption**

This site uses SSL or TLS encryption for security reasons and to protect the transmission of confidential content, such as orders or requests that you send to us as the site operator. You can recognize an encrypted connection by the fact that the address line of the browser changes from "http://" to "https://" and by the lock symbol in your browser line.

If SSL or TLS encryption is activated, the data you transmit to us cannot be read by third parties.

## **7. Objection against Advertising Mails**

The use of contact data published within the framework of the imprint obligation to send advertising and information materials not expressly requested is hereby prohibited. The operators of the pages expressly reserve the right to take legal action in the event of the unsolicited sending of advertising information, such as spam e-mails.