

**Privacy policy digitec connect
(customer account)**
September 2019

Please note: Only the German version of this privacy policy is legally binding. The English translation is provided for information purposes only and has no legal force.

Data protection is a matter of trust and your trust is important to us. We respect your personal rights and privacy. Accordingly, keeping your personal data safe and to ensuring that it is processed responsibly and in compliance with the law is of high importance to us. We comply at all times with the applicable law, in particular Swiss Federal data protection law and any applicable foreign data protection law, such as the European General Data Protection Regulation (GDPR), which forms the basis of this privacy policy.

This privacy policy explains how we, Digitec Galaxus AG, Pfingstweidstrasse 60, 8005 Zurich, Switzerland (hereinafter referred to as «we», «us» or the like) collect and process personal data in connection with the operation and use of the customer account of «digitec connect» and the associated websites and applications (hereinafter referred to as «customer account»).

Other applicable contractual or business terms and conditions of us (e.g. the «digitec connect mobile subscription contract» or the «digitec connect general terms and conditions for mobile services») regulate specific circumstances. If there are any inconsistencies between this privacy policy and other applicable terms and conditions, the provisions of this privacy policy shall prevail.

This privacy policy covers both historical and future personal information. In other words, personal data collected from you in the future as well as your personal data already stored with us is processed in accordance with this privacy policy.

Personal data is defined as any information relating to an identified or identifiable individual. A data subject is a person whose personal data is being processed. When we refer to the processing of your personal data in this privacy policy, we mean any handling of your personal data, in particular its collection, storage, retention, administration, use, modification, transmission, disclosure or deletion.

1 How do we protect your personal data?

We have appropriate technical and organisational security measures and procedures in place to safeguard the security of your personal data and to protect it against unauthorised or unlawful processing and against accidental loss, alteration, disclosure or access. Nevertheless, we cannot guarantee the complete security of your personal data. In particular, keep in mind that the transmission of information via the Internet and other electronic means always comes with certain security risks.

2 How long do we keep your personal data?

We process and store your personal data for as long as it is necessary for the purposes for which it is processed or for the fulfilment

of our contractual and legal obligations (i.e. for the duration of the entire business relationship, for instance) as well as in accordance with the legal obligations to store and document data. We may keep personal data for as long as claims can be made against our company (e.g. within a statutory period of limitation) and as long as we are otherwise required to do so by law or for legitimate business interests (e.g. for purposes of evidence and documentation). As soon as your personal data are no longer required for the above-mentioned purposes, we will delete or anonymise them as far as possible.

3 Who is responsible and owner of the data collection?

Digitec Galaxus AG is responsible for the data processing and is the owner of the data collection described in this privacy policy.

4 When do we collect personal data?

We collect personal data from you when we have contact with you. For example, we collect personal information from you in the following cases:

- you create or use the customer account;
- you order goods or services via the customer account or edit services in it;
- you use our services, in particular the «digitec connect» mobile communication services;
- you make use of a service provided by our customer service / support team;
- you take part in one of our market research campaigns or opinion polls;
- you communicate with us or third parties via the customer account, our app for mobile devices or offers on Internet platforms, multimedia portals or social networks;
- you communicate with us via telephone, fax, e-mail, voice messages, text messages (SMS), picture messages (MMS), video messages or instant messaging (chat);
- you get in touch with us at special occasions such as events, advertising events, sponsoring events or cultural and sporting events.

If you provide us with personal data of other persons (e.g. family members, other users of our goods and services, other employees of your company), you must ensure that these persons have taken note of the contents of this privacy policy and that you only provide us with their personal data if you are permitted to do so and if the personal data is correct.

5 Which personal data do we process?

We primarily process personal data that we receive from you or collect about you in connection with the operation and use of your customer account. The personal data processed by us include:

5.1 Personal data

- Name and surname;
- Birthday and age;
- Sex;
- Address;
- Nationality;
- Photo/copy of your identity document;
- Customer and order preferences;
- Delivery address;
- Billing address;
- Credit card and account information;
- Language preferences;
- Phone number(s);
- E-mail address(es);
- Identification numbers/IP address of your technical devices;
- Location information
- Customer account information (including creation date, username, profile pictures);
- Information about Family & Friends accounts
- User-defined naming of SIM cards in the customer portal

5.2 Data on customer activity

- Contract data (including contract date, contract type, contract content; contract partner; contract duration; contract value; claims asserted in the contract);
- Order information (including date and time of order) Order; type, quantity and value of the goods ordered; and Services; means of payment used; paying agent; purchasing history);
- Customer service information (including returns of goods, complaints, warranty claims, delivery information);
- Some data from telecommunication (including telephone number, value-added service numbers, date, time and duration of connection; type of connection; location data; IP address; device identification numbers such as IMEI, IMSI, MAC address);
- Session data related to customer account visits, our mobile apps or offerings on Internet platforms, multimedia portals and/or social networks (including duration and frequency of visits, language and country preferences, browser and computer operating system information, Internet protocol addresses, search terms and results; reviews submitted);
- location-related data when using mobile devices;
- Communication via telephone, fax, e-mail, voice messages, text messages (SMS), picture messages (MMS), video messages, or instant messaging (chat).

6 For what purposes do we process personal data?

We process your personal data for various purposes. These purposes can be summarised in different groups. In particular, we may process all or some of your personal data for one or more of the following purposes:

6.1 Purposes of processing in connection with our products and services

- Supply and sale of our products and services;
- Processing of orders and contracts, including dispatch of order and dispatch confirmations, delivery confirmations, delivery and invoicing;
- Organising and executing customer service/support services;
- Organising and executing loyalty card programs;
- Organising and executing market research and opinion polls;
- Verification of customer creditworthiness.

6.2 Purposes of processing in connection with customer communication

- Provision, administration and implementation of customer communication by post and electronic means of communication;
- Communication by post and by telephone, fax, e-mail, voice messages, text messages (SMS), picture messages (MMS), video messaging, or instant messaging (chat);
- Evaluation of the usage of our offers via telephone, fax, e-mail, voice messages, text messages (SMS), picture messages (MMS) or instant messaging (chat) such as type of use, frequency and duration of use, exact location of use.

6.3 Purposes of processing in connection with specific activities and occasions

- Organisation and realisation of competitions or prize draws, including notification and publication of winners via the customer account, our apps for mobile devices or our products on internet platforms, multimedia portals or social networks;
- Organisation and execution of special occasions such as events, advertising events, sponsoring events, cultural and sporting events.

6.4 Purposes of processing in connection with the analysis of customer behaviour

- Individualised and personal or anonymous and group-based recording and evaluation of historical and current customer and order behaviour in the use of products in the customer account, on our apps for mobile devices or on Internet platforms, multimedia portals and/or social networks;
- Individualised and personal and/or anonymous and group-based identification, classification and analysis of current and potential customer needs and customer interests;
- Individualised and personal and/or anonymous and group-based categorisation and analysis of customer behaviour and customer potential;
- Statistical evaluation of customer behaviour based on anonymised customer data;
- Linking of new personal data collected about you with the personal data previously collected by us or other Migros Group companies;
- Linking of the personal data collected by us about you with the personal data about you collected by other Migros Group companies (including as part of bonus schemes) or with data that is publically available and also data gathered by third parties outside the Migros Group to improve our database and to analyse customer behaviour. The enrichment of profiles with third-party data includes, e.g. data from the Federal Statistical Office, calendar data or geodata.

6.5 Purposes of processing in connection with direct marketing

- Simplification of processes – such as purchases or orders – and the use of findings from the analysis of customer behaviour for the continuous improvement of all goods and services on offer;
- Avoidance of unnecessary advertising through findings from the analysis of customer behaviour for individualised and personalised direct marketing;
- Sending of individualised and personalised advertising by post or via telephone, fax, e-mail, voice messages, text messages (SMS), picture messages (MMS), video messages or instant messaging (chat);
- Individualised and personalised matching of offers and advertising in customer accounts, apps for mobile devices or with our channels on Internet platforms, multimedia portals and/or social networks.

In the application report of the DSGVO, we process personal data with the consent of the data subject (Art. 6 para. 1 lit. a DSGVO), in order to fulfil a contract with the data subject and to carry out corresponding pre-contractual measures (Art. 6 para. 1 lit. b DSGVO), in order to fulfil a legal obligation to which we are subject under any applicable EU law or under any applicable law of a country in which the DSGVO is applicable in whole or in part (Art. 6 para. 1 lit. c DSGVO) and, in particular, in order to comply with a legal obligation to which we are subject under any applicable EU law or under any applicable law of a country in which the DSGVO is applicable in whole or in part (Art. 6 para. 1 lit. c DSGVO). Legitimate interests are in particular our business interest in being able to operate the customer account, information security, the enforcement of our own legal claims and compliance with Swiss law (Art. 6 para. 1 lit. f DSGVO).

If you have given us permission to process your personal data for specific purposes (e.g. when you subscribe to newsletters or to carry out a credit check), we will process your personal data within the scope of and based on this permission, as long as we have no other legal basis and we need one. A given consent can be revoked at any time, which, however, has no effect on data processing that has already been carried out.

7 Whom do we pass your personal data on to?

We may pass your personal data to other Migros Group companies for the purposes specified in this privacy policy (see «Scope of consolidation» in the according annual report of Migros). The other Migros Group companies may use your personal data in their own interests for the same purposes as we do. Migros Group companies may process your personal data in particular for individualised and personalised analyses of customer behaviour and for direct marketing activities in their own interests. Within the Migros Group, employees are only allowed access to your personal data where this is necessary to carry out their duties.

We also disclose your personal data to other companies of the Migros Group and to third parties within the scope of the purposes stated in this privacy policy and our business activities, insofar as this is legally permitted and appears appropriate to us. Other companies of the Migros Group and to third parties includes in particular:

- Service providers (within the Migros Group as well as third parties outside the Migros Group such as banks, insurance companies, legal advisors / lawyers, debt collection service providers), including order processors (such as IT providers, software suppliers, providers of newsletter services);
- merchants, suppliers, subcontractors and other business partners;
- domestic and foreign authorities, official bodies or courts;
- the public, including visitors to websites and social media;
- industry organisations, associations, organisations and other bodies;
- acquirers or interested parties in acquiring business units, companies or other parts of the Migros Group;
- other parties in possible or actual legal proceedings;
- other Migros Group companies.

Our service providers are contractually obliged to process personal data exclusively on our behalf of and according to our instructions. We also oblige our service providers to comply with technical and organisational measures which guarantee the protection of personal data. The above-mentioned recipients of your personal data may also be located abroad, including outside the European Economic Area (EEA). If the recipients are located in countries in which the applicable laws do not provide for the pro-

tection of personal data comparable to Swiss law or EU law, we will adequately ensure the protection of your personal data, for example by concluding data transfer agreements on the basis of agreements approved, issued or recognised by the European Commission (so-called standard contractual clauses, Art. 46 para. 2 DSGVO). In exceptional cases, transfer to countries without an adequate level of data protection is permitted, for example on the basis of an explicit consent (Art. 49 para. 1 lit. a DSGVO), to fulfil a contract with the data subject or to process your contract application (lit. b), to conclude or fulfil a contract with someone else in the interest of the data subject (lit. c) or to assert, exercise or defend legal claims (lit. e).

8 How do we use cookies and similar technologies?

In the customer account, we use cookies and similar technologies such as pixel tags (hereinafter referred to collectively as «cookies»). These are small files that are stored on the end device when you visit / use the customer account. We would also like to provide you with comprehensive information about our use of cookies.

8.1 Why do we use cookies?

The cookies we use are used first and foremost to guarantee the functionality of the customer account. We also use cookies to adjust the customer account to your wishes and to make it as convenient as possible for you to use it. We also use cookies to optimise our advertising. Cookies make it possible for us to present you with advertising and/or particular products and services that might be of special interest to you based on your use of the customer account. Our aim is to make the customer account as attractive as possible for you and to present you with advertising that corresponds to your areas of interest.

8.2 Which cookies do we use?

Most of the cookies we use are automatically deleted from your computer or mobile device after your browser session has ended (so-called session cookies). For example, we use session cookies to store your regional and language defaults over different sites in a web session.

In addition, we use temporary and permanent cookies. These remain stored on your computer or mobile device after the end of the browser session. When you revisit the customer account, your preferred entries and settings are automatically identified. Depending on which type they are, these temporary and permanent cookies remain stored on your computer or mobile device for between one month and ten years, and are automatically deactivated after the end of the programmed period. They serve to make the customer account more user-friendly, effective and secure. Thanks to these cookies you will have, for example, information displayed that is tailored especially to your interests.

The cookies stored on your computer or mobile device may also originate from partner companies. These may be other Migros Group companies or companies outside the Migros Group. Among other things, these cookies enable our partner companies to address you with advertising that might actually be of interest to you. Cookies of partner companies remain stored on your computer or mobile device for between one month and ten years and are automatically deactivated after the end of the programmed period.

8.3 How can you prevent the storage of cookies?

Most web browsers automatically accept cookies. You can, however, instruct your browser not to accept any cookies, or to ask you each time before a cookie from a website you have visited is accepted. You can also delete cookies from your computer or

mobile device by using the appropriate function on your browser. If you decide not to accept our cookies or the cookies of our partner companies, you will not be able to see certain information on our websites or use a number of functions which should improve your visit.

9 How do we use log files?

Every time you access the customer account, certain usage data are transmitted to us by your Internet browser for technical reasons, and stored in protocol files, known as log files. This involves the following usage data: Date and time the customer account is called up; the name of the website called up; the IP address of your computer or mobile device; the address of the website from which you accessed our website; the volume of data transferred and the name and version of your browser.

Analysis of the log files helps us to further improve the customer account and make them more user-friendly, to find and remove errors more quickly, and to control server capacities. Using log files, we can, for instance, determine the time when the use of the user account is particularly popular and make appropriate data volumes available to guarantee optimum usage.

10 How do we use web analysis tools?

In order to constantly improve and optimise the customer account, we use what are known as tracking technologies. Web analysis tools provide us with statistics and graphics which provide us with information about the use of the customer account. This involves data about the use of a website being transferred to the server used. Depending on the provider of a web analysis tool, these servers may be located abroad. Among others, we use the web analysis tool «Google Analytics». This service provided by Google LLC in Mountain View, USA («Google») enables us to measure and evaluate the use of a customer's account on a non-personally identifiable basis. The service uses permanent cookies set by Google. The transmission involves shortening the IP addresses, whereby the identification of individual end devices is prevented. The IP address transmitted by your browser as part of the use of Google Analytics is not merged with other data from Google. Transmission of this data by Google takes place only based on legal regulations or in the context of the order data processing. Google is committed to ensuring adequate data protection in accordance with the American-European Privacy Shield and the American-Swiss Privacy Shield. More information can be found in Google's privacy policy (<https://policies.google.com/privacy>). You may prevent the collection of data generated by cookies and relating to your use of your customer account (including your IP address) and the processing of such data by Google by downloading and installing the according browser plug-in (<http://tools.google.com/dlpage/gaoptout>).

11 Which rights do you have with regard to your personal data?

If we process personal data from you, you have the right to information, correction, deletion, restriction of data processing as well as publishing of certain personal data for the purpose of transfer to another place (so-called data portability), if and to the extent provided for by the data protection law applicable to you (in particular the DSGVO). You also have the right to revoke any consent you have given and to object to the processing of your personal data.

We reserve the right to assert the restrictions provided for by law, for example if we are obliged to store or process certain personal data, if we have an overriding interest in it (to the extent that we may invoke it) or if it is necessary for the assertion of claims.

Please note that exercising the above rights may conflict with con-

tractual agreements between you and us (e.g. concerning the provision of services) and this may lead to consequences such as costs or premature termination of a contract. In these cases, we will inform you in advance.

Please also note that exercising the aforementioned rights requires that you prove your identity. If this has not already happened, please send us a copy of your identity card for this purpose. To exercise your rights, you may contact us by e-mail or post at the addresses indicated in paragraph 14. In this context, we reserve the right to correspond with you electronically (in particular by e-mail).

You also have the right to take legal action to enforce your claims or file a complaint with the appropriate data protection authority. The competent data protection authority in Switzerland is the Federal Data Protection and Information Commissioner (<https://www.edoeb.admin.ch/edoeb/en/home.html>).

12 How can you contact us?

If you have any questions or concerns regarding data protection, please contact us as follows:

By e-mail

Private customers: digitec@digitec.ch

Business customers: d2b@digitec.ch

By phone

Private customers: +41 44 575 95 00

Business customers: +41 44 575 96 00

By post

Digitec Galaxus AG, Pfingstweidstrasse 60,

8005 Zurich, Switzerland

13 Alterations

We reserve the right to modify this privacy policy at any time without prior notice. The current version published in the customer account shall apply. If the privacy policy is part of a contractual agreement with you, we will notify you of any changes by e-mail or other appropriate means.