

# PRIVACY POLICY

**Version effective as of 18 September 2023**

In this privacy policy (this "**Privacy Policy**"), we, The New No. 14 Verbier SA (hereinafter, we or us), explain how we collect and otherwise process personal data.

The term "personal data" or "data" refers to all information that relates to a specific or identifiable person.

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

Note that other privacy policies or general terms and conditions, conditions of participation, and similar documents may govern specific data privacy topics.

This Privacy Policy is aligned with the EU General Data Protection Regulation ("**GDPR**") and the Swiss Data Protection Act ("**DPA**"). However, the application of these laws depends on each case.

The terms used are not gender-specific.

## **1 Controller and Data Protection Officer**

The New No. 14 Verbier SA, 1936, is responsible for the data processing that we describe here unless otherwise specified in individual instances. If you have any data privacy concerns, you can communicate them to us at the following contact address:

Postal address: AdresseUnternehmen

Email: Concierge@no14verbier.com

## **2 Collection and Processing of Personal Data**

We primarily process the personal data that we receive from our customers and other business partners in the course of our business relationship with them and other persons involved in it, or that we collect from their users in the operation of our website(s). To the extent permitted, we also collect certain data from publicly accessible sources (for example, debt collection registers, land registers, commercial registers, the press, and the Internet) or receive such data from public authorities and other third parties (such as credit agencies or address providers).

In addition to the data about you that you give us directly, 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 legal proceedings, information relating to your professional functions and activities (for example, to enable us to enter into and process transactions with your employer with your assistance), information about you in correspondence and meetings with third parties, credit reports (to the extent that we process transactions with you personally), information about you provided to us by persons close to you (family, advisors, legal representatives, etc.) to enable us to enter into contracts with you, conclude or process agreements with you or involving you (for example, 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, (e.g. payments made, purchases made), personal data from the media and the Internet (if this is appropriate in the specific case, for example as part of an application, press review, marketing/sales, etc.), your addresses and, if applicable, interests and other socio-demographic data (for marketing), data in connection with the use of the website (for example, 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).

### **3 Purpose of Data Processing and Legal Grounds**

We use the personal data we collect primarily to enter into and perform our agreements with our customers and business partners, so in particular in the context of the following activity:

#### **Hospitality**

As part of this activity, we collect personal data for transactions with our customers and the purchase of products and services from our suppliers and subcontractors, as well as to comply with our legal obligations at home and abroad. If you work for such a customer or business partner, your personal data may of course also be concerned in this capacity.

We also process your and other person's data, to the extent permitted and as we deem appropriate, for the following purposes, in which we (and sometimes also third parties) have a legitimate interest:

- Offering and further developing our products, services and websites, apps, and other platforms on which we are present;
- Communicating with third parties and processing their inquiries (for example, job applications, media inquiries);
- Testing and optimizing procedures for analyzing needs to address customers directly, as well as collecting personal data from publicly available sources for customer acquisition;
- Advertising and marketing (including the organization of events), unless you have objected to the use of your data (if we send you advertisements as an existing customer

of ours, you can object to this at any time; we will then place you on a blocking 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 criminal offenses and other misconduct (for example, conducting internal investigations, data analysis to combat fraud);
- Ensuring that our operations, in particular IT, our websites, apps, and other platforms, are running properly;
- Purchase and sale of business units, companies, or parts of companies and other transactions under company law and the associated transfer of personal data, as well as measures for business management and, to the extent necessary to comply with legal and regulatory obligations and our internal regulations.

#### **4 Cookies / Tracking and Other Techniques Regarding the Use of Our Website**

We typically use "**cookies**" and **similar techniques** on our website(s), which allow for the identification of your browser or device. A cookie is a small text file that is sent to your computer and automatically saved by the web browser on your computer or mobile device when you visit our website(s). If you revisit our website, we may recognize you, even if we do not know your identity. Besides cookies that are only used during a session and deleted after you visit the website ("**session cookies**"), we may use cookies to save user configurations and other information for a certain period (for example, two years) ("**permanent cookies**"). Notwithstanding the foregoing, you may configure your browser settings in a way that rejects cookies, only saves them for one session, or deletes them prematurely. Most browsers are preset to accept cookies. We use permanent cookies to save user configuration (for example, language, automated log-in), to understand how you use our services and content, and to show you customized offers and advertisements (which may also happen on websites of other companies; should your identity be known to us, such companies will not learn your identity from us; they will only know that the same user is visiting their website has previously visited a certain website). Certain cookies are sent to you from us, others from business partners with whom we collaborate. If you block cookies, certain functions (for example, language settings, shopping basket, and ordering processes) may be no longer available to you.

Under applicable law, we may include visible and invisible image files in our **newsletters** and other **marketing e-mails**. If such image files are retrieved from our servers, we can determine whether and when you have opened the e-mail, so that we can measure and better understand how you use our offers and customize them. You may disable this in your e-mail program, which will usually be a default setting.

By using our website(s) and consenting to the receipt of newsletters and other marketing e-mails you agree to our use of such techniques. If you object, you must configure your browser or e-mail program accordingly.

We may use **Google Analytics** or **similar services** on our website. These are services provided by third parties, which may be located in any country worldwide (in the case of Google Analytics Google Ireland Ltd. (located in Ireland), Google Ireland relies on Google LLC (located in the United States) as its sub-processor (both “**Google**”, [www.google.com](http://www.google.com)) and which allow us to measure and evaluate the use of our website (on an anonymized basis). For this purpose, permanent cookies are used, which are set by the service provider. We have configured the service so that the IP addresses of visitors are truncated by Google in Europe before forwarding them to the United States and then cannot be traced back. We have turned off the «Data sharing» option and the “Signals” option. Although we can assume that the information we share with Google is not personal data for Google, it may be possible that Google may be able to conclude the identity of visitors based on the data collected, create personal profiles and link this data with the Google accounts of these individuals for its purposes. If you have registered with the service provider, the service provider will also know your identity. In this case, the processing of your data by the service provider will be conducted under its data protection regulations. The service provider only provides us with data on the use of the respective website (but not any personal information of you).

## **5 Transfer of Data to Third Parties**

In the context of our business activities and in line with the purposes of the data processing set out in Section 3, we may transfer data to third parties, insofar as such a transfer is permitted and we deem it appropriate, for them to process data for us or, as the case may be their purposes. In particular, the following categories of recipients may be concerned:

- our service providers (such as banks or insurance, for instance), including processors (such as IT providers);
- dealers, suppliers, subcontractors, and other business partners;
- clients;
- domestic and foreign authorities or courts;
- the media;
- the public, including users of our websites and social media;
- competitors, industry organizations, associations, organizations, and other bodies;
- acquirers or parties interested in the acquisition of business units;
- other parties in potential or pending legal proceedings;

together "**Recipients**".

If we pass on data to third parties, we comply with the relevant legal requirements and, in particular, conclude data processing agreements or similar agreements with the respective Recipients to protect your data.

## **6 Transfer of Data Abroad**

We may share data with persons, authorities, organizations, companies, or other entities abroad. In particular, we may transfer personal data to all countries in which our service providers process personal data.

If a Recipient is located in a country without adequate statutory data protection, we require the Recipient contractually 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?](https://eur-lex.europa.eu/eli/dec_impl/2021/914/oj?)), unless the Recipient is already subject to a legally recognized set of rules to ensure data protection and we cannot rely on an exemption provision. 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 to it, 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 retain your data for 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 an agreement) and beyond that under the statutory retention and documentation obligations. In this context, we may retain personal data for the period during which claims may be asserted against our company and to the extent that we are otherwise required to do so by law or legitimate business interests so require (for example, for evidence and documentation purposes). As soon as your 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 (for example, system records, and 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 data from unauthorized access and misuse.

These include the following measures: Training, IT and network security solutions, access controls and restrictions

We already take the protection of personal data into account during the design or choice of hardware, software, or processes using appropriate technical and organizational measures. Furthermore, we ensure data protection-friendly default settings.

## **9 Obligation to Provide Personal Data**

In the course of our business relationship, you must provide those personal data that are necessary for the start and performance of a business relationship and the fulfillment of the

associated contractual obligations (you generally do not have a statutory obligation to provide us with data). Without this data, we will generally not be able to enter into or perform an agreement with you (or the entity or person you represent). Also, our websites cannot be used if certain traffic-securing information (such as IP address) is not disclosed.

## 10 Your Rights

Following and as far as provided by applicable law (as is the case where the GDPR is applicable), you have the following rights:

- the right to request **information** from us as to whether and what data we process about you;
- the right to have us **correct** data if it is inaccurate;
- the right to request that we **delete** data;
- the right to request that we **provide** certain personal data in a commonly used electronic format or **transfer** it to another controller;
- the right to **withdraw** consent, insofar as our processing is based on your consent;
- the right to obtain, on request, **further information** necessary for the exercise of these rights.

Please note, however, that we reserve the right to assert the restrictions provided for by law on our part, for example, if we are required to retain or process certain data, have an overriding interest in doing so (to the extent that we are entitled to rely on this) or if we need 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 withdrawing your consent in Section 3. Please note that exercising these rights may conflict with contractual arrangements and may have consequences such as early termination of the agreement or costs. We will inform you in advance if this is not already specified in the agreement.

The exercise of such rights usually requires that you prove your identity (for example, using a copy of your identity card, where your identity is otherwise not clear or cannot be verified). To exercise your rights, you may contact us at the address provided in Section 1.

Every data subject also has the right to enforce their claims in court or to file 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>).

## 11 Amendments to this Privacy Policy

We may amend this Privacy Policy at any time without prior notice. The current version published on our website shall apply. If this Privacy Policy is part of an agreement with you, we will notify you by e-mail or other appropriate means in case of an amendment.