

## DATA PROTECTION DECLARATION

NIUTEC is aware that the security of your personal data is an important matter. NIUTEC takes the protection of your personal data very seriously. Personal data includes all information which enables you to be identified (hereinafter “personal data”).

This data protection declaration provides information on which data NIUTEC collects and how NIUTEC uses and protects the data collected. This applies to personal data processed by NIUTEC.

### 1. Definitions

“**Personal data**” means any information relating to an identified or identifiable natural person (hereinafter “data subject”); 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.

“**Data controller**” means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union law or Member State law, the controller or the specific criteria for its designation may be provided for under Union law or Member State law.

“**Processing**” means any operation or set of operations which is performed on personal data or sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

### 2. Data collection and use

#### 2.1 Use of the website

You can use the NIUTEC website without actively disclosing personal data. The active provision of personal data is not a condition for the use of the NIUTEC website unless it is required for the supply of a product or service on request. Nevertheless, in the course of the standard operation of the website, certain data is automatically or passively collected from you or about you in connection with your visit to the website. The servers can automatically collect information such as “website usage information”, as described below, or NIUTEC or NIUTEC's service providers can, like many companies, use cookies and other tracking technologies (such as pixels, beacons and tags) to collect, store and track information about your use of the website. This information is used to provide, improve and customise NIUTEC's pages. You can find more information about how NIUTEC uses cookies and other similar technologies under the cookie notice.

The following information is automatically stored in the log data when you visit and access the NIUTEC website:

- Internet protocol (IP) address
- Date
- Time
- Browser request
- General information on your operating system and browser

This data can be used to improve this website with regard to the content and practicality, to understand your use of the website and customise the content to you on the basis of this.

The data that is automatically or passively collected from you or about you is occasionally

used for statistical or other purposes (including for purposes of third-party cookie and/or related technology providers). Please see NIUTEC's cookie notice.

"Website usage information" includes, but is not limited to, the following:

1. Your browser type, device type, operator (if applicable), device addresses, operating system, operating system address, IP address, and the name of the domain from which you accessed a website.
2. Information about your region, continent, country, city, postal code, time zone and general location as well as
3. Information about your browsing behaviour on and through a website (also referred to as "clickstream" data), such as (a) the data and time of your visit to any of the websites, (b) the areas or pages of a website you visit, (c) the duration of your visit to a website, (d) the websites or pages you visited before visiting a website, (e) the websites or pages you visit after leaving a website, (f) social plugins you have interacted with on the NIUTEC website, and (g) other similar website usage data.

This data which is automatically or passively collected from or about you could possibly lead to the identification of your person, however this data is not used by NIUTEC for this purpose.

Furthermore, you can actively provide personal data for requesting and receiving information and products etc. by means of various forms. Such personal data is used to fulfil your request (e.g. making an enquiry or placing an order, subscribing to a newsletter, customer magazine, media releases, annual reports, customer surveys, etc.) and the processing is based on your consent.

Although NIUTEC might be able to combine this data provided by you with data automatically or passively collected from you, NIUTEC does not do this. In relation to the personal data you provide (e.g. for products or services you request or for other purposes authorised by you), NIUTEC relies on technical and organisational means to ensure compliance with applicable data security regulations.

## **2.2 Data from business partners**

In the course of our business activities, NIUTEC processes personal data of customers, suppliers and other business partners. This data includes:

- First and last name as well as contact details of the contact persons, position and title, associated company/position, industry, any cross-connections (e.g. shareholders or related persons), creditworthiness data, references and other background information;
- Communication with existing, former and potential business partners and third parties;
- Performance and billing data, bank details, insurance coverage;
- Documentation and other information related to the business relationship.

NIUTEC receives this data directly from business partners or from other persons involved in a business relationship. As far as permitted, NIUTEC also takes certain data from publicly accessible sources (e.g. commercial register, debt collection register, land register, internet) or receives data from companies within the NIUTEC group, from authorities and other third parties (e.g. credit agencies).

NIUTEC processes this personal data mainly to conclude and process the contracts with its business partners, to document, invoice and improve its services, to develop new products and services or to obtain services from its business partners. This includes processing to fulfil legal and contractual obligations domestically and abroad (e.g. compliance with export restrictions or sanctions) and to enforce or defend against legal claims. NIUTEC also processes the data of its business partners in order to communicate with them, answer queries

and to send them newsletters, information about the offers of companies of the NIUTEC group, customer surveys, invitations to events and similar information.

### **3. Processing of personal data/transfer of personal data**

The personal data collected under the section “data collection” remains with data processors or on servers that act for NIUTEC and for which NIUTEC is responsible. The personal data collected by NIUTEC will not be passed on in any form, either by NIUTEC or NIUTEC’s representatives, for NIUTEC’s own use by third parties, except when this is necessary for fulfilling the purpose for which it has been collected (e.g. to process an order), or when NIUTEC has received your prior consent or has a legal obligation to do so.

An exception applies in relation to data passively collected from you on NIUTEC’s website through third-party cookies and related technologies. Third party providers of such cookies/related technologies can use your personal data for their own purposes and transfer such data to other jurisdictions (see NIUTEC’s cookie notice).

Some of this data can be stored on computers or processed at sites located in other jurisdictions whose data protection laws may differ from the jurisdiction in which you live. In particular, you should expect your data to be transferred to all countries in which NIUTEC has branches and locations (<https://www.niutec.ch/kontakt/>), as well as to other countries in Europe and outside of Europe where NIUTEC’s contracted service providers and their subcontractors are located. If data is transferred to a country without adequate legal data protection, NIUTEC will ensure that adequate protection measures are in place (namely through the use of appropriate contracts on the basis of the standard contractual clauses of the European Commission or another set of regulations to ensure data protection) or rely on one of the legal exceptions such as your consent, the conclusion or execution of a contract, the establishment, exercise or enforcement of legal claims. You can obtain more information about the recipient countries and the measures implemented from the contact addresses mentioned in this data protection declaration.

### **4. Uses/legal basis**

NIUTEC uses the collected data for the purposes listed in this data protection declaration. In addition, NIUTEC processes the personal data of you and other persons as far as permitted and it seems appropriate to NIUTEC, also for the following purposes in which NIUTEC (and sometimes also third parties) has a legitimate interest corresponding to the purpose:

- Assertion of legal claims and defence in connection with legal disputes and official proceedings;
- Prevention and investigation of offences and other misconduct (e.g. conducting internal investigations, data analysis to combat fraud);
- Video surveillance and other measures to ensure operations, IT, building and facility security and to protect employees and other persons as well as facilities and assets (e.g. access controls, visitor lists, network and mail scanners);
- Purchase and sale of business units, companies or parts of companies and other transactions under company law and the associated transfer of personal data
- Risk management and prudent corporate governance and development;
- Compliance with laws, directives and recommendations of authorities and internal regulations of the NIUTEC group.

Insofar as NIUTEC requires a legal basis for the processing of personal data, NIUTEC relies on your consent (within the meaning of Art. 6 Clause 1 lit. a GDPR) or NIUTEC processes your personal data for the initiation or fulfilment of a contract (within the meaning of Art. 6 Clause 1 lit. b GDPR), to comply with legal requirements (within the meaning of Art. 6 Clause 1 lit. c GDPR) or to protect the legitimate interests of NIUTEC or third parties (within the meaning of Art. 6 Clause 1 lit. f GDPR). A legitimate interest lies in particular in fulfilling the

purposes described in this data protection declaration and being able to implement corresponding measures.

## **5. Security**

NIUTEC uses technical and organisational security measures to protect your personal data from manipulation, loss, destruction or access by unauthorised persons. All personal data provided by you to NIUTEC via the website is transmitted in encrypted form to prevent its possible misuse by third parties. NIUTEC's security measures are constantly revised and improved based on the state of the art.

## **6. Right of access, rectification, erasure or restriction of processing, right to object to processing, right to data portability**

Subject to the data protection laws applicable to you, you have the right to request from the controller (1) access to and (2) rectification or (3) erasure of your personal data or (4) restriction of the processing of your personal data, and you can object (5) to the processing of your personal data. In addition, you have (6) a right to data portability.

Simply send an email to the controller of your data [info@niutec.ch](mailto:info@niutec.ch) or contact the controller at the address provided in the "contact details" section. The data controller will process these requests in accordance with the applicable data protection law and can also refuse or restrict them in accordance with the legal regulations.

## **7. Right to revoke consent at any time**

You have the right to revoke your consent to the future processing of your personal data at any time. However, for the sake of clarity, this revocation does not affect the legality of the processing based on the consent given prior to the revocation.

Again: Simply send an email to [info@niutec.ch](mailto:info@niutec.ch).

Please note that exercising this right of revocation can conflict with contractual arrangements and can have consequences such as premature termination of the contract or cost implications. The controller will inform you about such consequences in advance, where this is not already contractually regulated.

## **8. Data storage**

NIUTEC stores personal data for as long as required by the purposes pursued with the processing, the legal retention periods and the legitimate interests of the processing for documentation and evidence purposes, or as long as storage is technically required. Documentation and evidence purposes include NIUTEC's interest in documenting processes, interactions and other facts in case of legal claims, discrepancies, for IT and infrastructure security purposes and as evidence of good corporate governance and compliance. Retention may technically be required if certain data cannot be separated from other data and therefore must be retained with it (e.g. in the case of backups or document management systems). In relation to data passively collected from you, please refer to the cookie notice at [www.niutec.ch](http://www.niutec.ch).

## **9. Right to lodge a complaint with a supervisory authority**

If you are a resident of the EU or Switzerland, you may have the right to lodge a complaint with a supervisory authority if you do not agree with the processing of your personal data.

## **10. Contact details and changes**

The data controller for the data processing described in this data protection declaration is the respective NIUTEC company on whose website the relevant processing of your personal data takes place, or which is your respective business partner in connection with the relevant processing.

If you have any problems or questions regarding your personal data, please contact NIUTEC using the contact details below:

NIUTEC AG  
Else Züblin-Str. 11  
8404 Winterthur  
[www.niutec.ch](http://www.niutec.ch)

The constant development of the internet requires an adjustment of this data protection declaration from time to time. NIUTEC reserves the right to make necessary changes.

## **11. Notice on cookies and embedded content**

This notice clarifies NIUTEC's guidelines in relation to data collected from users and/or visitors to NIUTEC's websites, applications and other services where this notice on cookies is posted, through cookies and locally shared objects.

Please also note NIUTEC's data protection declaration. This generally governs the collection, use, disclosure, transfer and storage of information collected from users and/or visitors of NIUTEC's website.

### **11.1 What are cookies?**

Cookies are used in such a way that NIUTEC can improve the efficiency of your individual use of the website. A cookie is a small data file that is placed on your web browser or computer when you access and/or use a website which stores text that can later be read back by NIUTEC's server or third parties.

Cookies are used to recognise your browser and can enable NIUTEC to recognise you as the same user who has visited NIUTEC's website in the past and to associate your visit to NIUTEC's website with other information about you, such as your website usage information (see the data protection declaration) or personal information collected through other means. Cookies can be "session cookies" (i.e. they exist only during a browser session) or "persistent" cookies (i.e. they remain in your browser until they expire or are expressly deleted). Depending on their function and purpose, NIUTEC divides cookies into two categories: Essential (indispensable) cookies analysis and marketing cookies.

### **11.2 What does NIUTEC use cookies for?**

NIUTEC uses cookies for the following reasons:

#### **11.2.1 Essential (indispensable) cookies**

These cookies are necessary for the functionality of the website and cannot be switched off in the systems. They are usually set only in response to actions taken by you that relate to a request for services, such as setting your privacy preferences, logging in or filling out forms. On NIUTEC's website, indispensable cookies are only set to save the user's cookie settings and to enable editors to access the backend.

#### **11.2.2 Analysis and marketing cookies**

These cookies allow NIUTEC to count visits and data traffic sources to measure and improve website performance. They help NIUTEC to learn which pages are most and least requested, and see how visitors navigate the site. All data collected through these cookies is aggregated and therefore anonymous. If you do not allow these cookies, NIUTEC will not know when you have visited NIUTEC's website and will not be able to monitor cookie performance.

#### **11.2.3 Google Analytics**

The NIUTEC website uses Google Analytics, an analysis service of Google Inc., USA.



Google Analytics uses cookies, which are text files stored on your computer to enable an analysis of your website usage. The data generated by the cookie about your use of this website (including your IP address) will be transmitted to and stored on a Google server in the United States.

Google uses this data to evaluate your website use, compile reports on website activity for website operators and provide other services relating to website and internet usage. Google may also disclose this data to third parties, provided that this is legally required, or if third parties process this data on behalf of Google.

You can prevent the collection of data by Google by adjusting your cookie settings for the NIUTEC website. An opt-out cookie will be set that prevents future collection of data when visiting this website.

You can also object to the collection and storage of the IP address and the data generated by cookies at any time with future effect. The corresponding browser plugin can be downloaded and installed at the following link: Opt out of Google Analytics

(<https://tools.google.com/dlpage/gaoptout>).

Further information on data use by Google, setting and objection options can be found in Google's privacy policy (<https://policies.google.com/privacy>).

### **11.3 Microsoft Clarity**

Microsoft Clarity is a free analytics tool that helps website operators to improve the performance of their website. It helps them understand visitor data and behavior patterns to increase usability and conversion rates. It provides insights into website usage, such as page views, dwell time, bounce rates and events triggered by visitors on the website. This allows website operators to improve the usability and usefulness of their website for visitors and see the results of their marketing campaigns.

## **12. Embedded external content**

### **12.1 Google Maps**

NIUTEC uses Google Maps, a service of Google, Inc., USA to display its branches and agencies. As long as you are on a page within the NIUTEC website on which a Google map is used, no data is transferred to Google. However, if you leave the NIUTEC website and open Google Maps outside of the NIUTEC website, Google Maps can collect and process personal data.

For more information, please contact Google Inc. (<https://policies.google.com/privacy?hl=de>)

### **12.2 YouTube**

NIUTEC uses YouTube, a service of Google, Inc., USA, to show its latest product videos. The videos can be played on the website directly. As long as you watch the videos on the NIUTEC website, no data will be transferred to Google. However, if you leave the NIUTEC website and open YouTube outside of the NIUTEC website, personal data can be collected and transferred to Google. If you are then logged into Google, your data will be directly assigned to your account. If you do not want your data to be assigned to your account, you must ensure that you log out of YouTube beforehand.

For more information on cookies and YouTube's data protection guidelines, please contact Google Inc. (<https://policies.google.com/privacy?hl=de>)

### **12.3 Newsletter**

NIUTEC uses Mailchimp (a service of The Rocket Science Group, LLC, USA) for various NIUTEC news (newsletter, media releases, etc.). With the registration and confirmation to receive NIUTEC news (double opt-in), the following personal data is processed: Name, first name, email, language, country, company.

The data is processed for the purpose of authenticating the subscriber upon registration and to send the subscriber NIU TEC news, to determine whether and when the subscriber has opened this and individual articles about this. It also enables us to divide recipients on the basis of different categories.

The processing of this data occurs exclusively on the basis of your consent. You can revoke this consent at any time, for example via the unsubscribe link in NIU TEC news. The data processing operations that have already taken place remain unaffected by the revocation. For more information on the processing of your data, please contact Mailchimp (<https://mailchimp.com/legal/terms/>). If you do not agree to the use of your data by Mailchimp or do not want any analysis, you must unsubscribe from NIU TEC news.

## 12.4 Cookie control

NIU TEC respects your right to privacy: You are free to deny certain types of cookies. You can change the settings at any time by clicking on the “cookie settings” link in the footer. In addition, you can also manage your cookie privacy settings in your browser. You can control and/or delete cookies according to your preferences. You can delete all cookies already on your device and set most browsers to prevent them from being set.

Instructions for disabling cookies (<https://support.google.com/accounts/answer/61416?co=GENIE.Platform%3DDesktop&hl=de>)

## 12.5 Used cookies

Technically necessary cookies set to store the user's cookie settings and enable access to the WordPress backend.

Name	PURPOSE	DURATION	TYPE	Provider
CookieLawInfoConsent	Stores the user's cookie consent settings.	1 year	HTTP	WordPress
cookieLawInfo-checkbox-advertisement	Advertisement option for cookie settings	1 year	HTTP	WordPress
cookieLawInfo-checkbox-analytics	Analytics option for cookie settings.	1 year	HTTP	WordPress
cookieLawInfo-checkbox-functional	Functional option for cookie settings.	1 year	HTTP	WordPress
cookieLawInfo-checkbox-necessary	Necessary option which is always enabled in the cookie settings.	1 year	HTTP	WordPress
cookieLawInfo-checkbox-others	Other option for cookie settings.	1 year	HTTP	WordPress
cookieLawInfo-checkbox-performance	Performance option for cookie settings.	1 year	HTTP	WordPress
wordpress_logged_in_{hash}	Enables login to the backend for developers and editors.	Per session	HTTP	WordPress

Name	PURPOSE	DURATION	TYPE	Provider
wordpress_sec_{hash}	Stores the authentication data of the current user.	Per session	HTTP	WordPress
wordpress_test_cookie	Checks if the cookies are enabled for the browser.	Per session	HTTP	WordPress
viewed_cookie_policy	Set when a cookie pop-up has been displayed.	Per session	HTTP	WordPress
wp-wpml_current_admin_language_{hash}	Saves the current language of the WordPress administration environment.	Per session	HTTP	WordPress
wp-wpml_current_language	Saves the current language.	Per session	HTTP	WordPress
wp-settings-1, wp-settings-time-1	Saves the settings for the admin view.	1 year	HTTP	WordPress

The following cookies are not technically necessary and are used for marketing and analysis purposes:

Name	PURPOSE	DURATION	TYPE	PROVIDER
_gat_gtag_UA_{hash}	Google Tag Manager	1 minute	HTTP	Google
_ga_{hash}	Google Analytics Session Cookie	2 years	HTTP	Google
_gid	Registers a unique ID. Used to generate statistical data which enables analysis of user behaviour on the website.	1 day	HTTP	Google
_ga	Registers a unique ID. Used to generate statistical data which enables analysis of user behaviour on the website.	2 years	HTTP	Google

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