

PRIVACY NOTICE

For the website accessible at <https://www.sdea.ch/>, including its subdomains <https://www.registration.sdea.ch> and <https://www.label.sdea.ch> (the **Website**), operated by the Swiss Datacenter Efficiency Association (**we, our or SDEA**)

1. Introduction

We recognise the importance of your privacy and of transparency in our processing of your personal data.

This privacy notice (**Privacy Notice**) informs you on the personal data we collect when you access and use our Website, and how we process it.

By accessing and using the Website, you expressly acknowledge that we may collect and process your personal data in accordance with this Privacy Notice.

2. Who is responsible for the processing of your personal data

The Swiss Datacenter Efficiency Association, c/o asut, Association Suisse des Télécommunications, Hirschengraben 8, 3011 Bern, Switzerland, is responsible for the processing of your personal data through the webpage. You will find our contact details below in Section 13.

3. How we collect your personal data

We collect the personal data that you provide to us.

We collect the personal data that you provide to us when you use the Website and/or services provided through the Website (the **Services**), for example when you communicate with us, subscribe to our newsletter or one of our events.

Some information is mandatory and some is optional.

It is mandatory that you complete the data fields identified by an asterisk. If one or more mandatory data fields are not completed, we will not be able to provide access to the Services. You are not required to complete the optional data fields in order to access the services provided through the Website.

Certain personal data are also collected in an automated manner.

We also automatically collect personal data, including by means of tools, web forms, cookies and other active elements, as further described in this privacy notice. You may define certain authorisations relating to the automatic collection of your personal data when you configure your device [or your internet browser] according to available functionalities. You may also define certain settings for the automated collection of your personal data through the cookies setting plugin available on the Website.

For more detailed information, please see the cookie section below (section 11).

4. How we process your personal data

We process your personal data by automated means for the purposes indicated in this Privacy Notice and in accordance with applicable law.

We process your personal data in accordance with applicable law, in particular Swiss data protection law and if applicable the UE General Data Protection Regulation (**GDPR**), using computers or computer tools, in line with the purposes set out in this Privacy Notice.

We do not take decisions exclusively on the basis of an automated processing which have legal effects on the data subject or affects him significantly (automated individual decision) and do not process your personal data to create a profile about you (profiling).

We may process your personal data to erase any information that allows us to identify you (anonymisation) and we may then use such anonymous data for purposes not contemplated by this Privacy Notice (including for data mining, benchmarking, analytics purposes, or developing and marketing

new services). You may object to the anonymisation of your personal data for this purpose at any time (see section 12 below for additional information on your rights).

We take the technical and organizational appropriate security measures to prevent unauthorised access, disclosure, modification, alteration or destruction of your personal data, as specified in Section 10 below.

5. On which legal ground do we process your personal data

We process your personal data only if we have a valid legal ground to do so.

We will only process your personal data if we have a valid legal ground for doing so. Depending on the processing in question, we will only process your personal data if:

- Data processing is necessary to fulfil our contractual obligations to you or to take pre-contractual measures at your request (**Contractual Necessity**);

This is the case in particular when processing your personal data is strictly required to provide you with the Website and related Services, as further specified in section 6 below.

- Data processing is necessary for the fulfilment of our legitimate interests, and only to the extent that your interests or fundamental rights and freedoms do not require us to refrain from processing (**Legitimate Interest**);

Our Legitimate Interests include in particular (i) ensuring that the Website and related Services are provided in an efficient and secure way (e.g. through internal analysis of the Website's stability and security, updates and troubleshooting, as well as support services); (ii) improving and developing the Website (including monitoring our performance or the use of the Website and our Services, and for statistical purposes); (iii) benefiting from cost-effective services (e.g. we may opt to use certain services offered by suppliers rather than undertaking the activity ourselves); and (iv) achieving our corporate goals.

- We have obtained your prior consent in a clear and unambiguous manner (**Consent**); or
- Data processing is necessary to comply with our legal or regulatory obligations (**Legal Obligation**);

Finally, we will process your personal data if we are required by law to do so, as further specified in section 6 below.

6. Purposes for which we process your personal data?

We process your personal data for legitimate and clearly identified purposes

Your personal data is collected and processed for the purpose of operating the Website and for the other legitimate purposes explicitly specified below, and is not further processed in a manner that is incompatible with those purposes at the time of collection, only to the extent relevant to achieve these purposes.

We process your personal data for the following purposes:

To operate the Website and provide the related Services

We mainly process your personal data to provide the Website and the Services, based on our Contractual Necessity to do so, including for interacting with you and providing you with requested information and Services, making the products.

In addition to the personal data which you provide when interacting with the Website (e.g. when you fill in forms), we automatically collect technical information about your interactions with the Website, such as IP address, the content that was accessed, date and time of access, information about your web browser, your preferences, or other information related to your interaction with the Website, including your navigation details on the Website. We process this data to establish a connection with your device over the Internet, to identify you when you use the Website, control the use of the Website and manage its stability and security, based on our Legitimate Interest to do so. Log files are automatically deleted or anonymized 30 days after their collection, unless we must retain them for a valid reason.

We may also collect personal data you provide when you signup to events we organize. We use the services of Eventbrite in this context. Eventbrite will have access to the information required to provide its services. Its privacy statements is applicable in this context and may be found [here](#).

To contact you and respond to your queries

You have the option of contacting us via the Website. In this context, we process the data which you provide to us (including your contact information and the subject-matter of the request). This data is used for the purpose of providing you with the requested information and services, based on our Contractual Necessity.

The retention period depends on the reason for your request and its context but; request are, as a rule, retained for no longer than 3 months, unless there is legal ground for retaining them longer (such as evidentiary purposes).

To send you our newsletter and other advertising information.

If you subscribe to our newsletter, we will collect your contact details (name and e-mail address) and use it to provide you with our newsletter, based on your Consent. You may unsubscribe from the newsletter service at any time, in which case your contact details will be deleted.

We also process the time of registration and your opt-in confirmation based on our Legal Obligation to demonstrate compliance. We also analyze your use of our newsletter, e.g. whether you have opened it or clicked on certain links, and process this data to optimize and improve our newsletter, based on our Legitimate Interest

We use the third party services of Infomaniak to provide our newsletter service. Infomaniak will have access to the information required by it to provide its services, such as your email address. Its privacy policy is applicable in connection with this. It is available [here](#).

Independently from your subscription to our newsletter, we may also contact you by email to inform you about our activities if you have previously subscribed for the use of our Services or registered to one of our events, unless you have objected to the corresponding use of your email address. You can object to the use of your email address for this purpose at any time by contacting us (see contact detail in section 13). The legal basis for the corresponding processing of your data is our Legitimate Interest to advertise certain activities relating our previous interactions with you.

For internal analysis and statistical purposes in order to improve our Website and Services

Unless you object to such processing, we may process your personal data, in particular data relating to your use of the Website and your habits and preferences (e.g. the content you accessed, date and time of access and your preferences), for internal analysis and statistical purposes, in order to better understand the needs of our users and to optimise their experience, and to improve the ergonomics and functionality of the Website and the Services in general. You may object to such processing activities at any time (see section 12 below for additional information on your rights).

We use analytics tools provided by known market providers, such as Wix Analytics. The privacy policy of those service providers is applicable in this context. You will find information on on Wix.com Ltd's privacy practices [here](#).

You will find additional information in Section 11 in relation to the use of cookies for this purpose, including on the duration for which information collected via cookies are stored. Data collected by other means is deleted or anonymized at the latest 7 days after their collection.

To comply with our other legal obligations or for other legitimate interest.

We may further process your personal data if we have a Legal Obligation to do so or for other Legitimate Interests. This will for instance be the case if we need to disclose certain information to public authorities or retain such information for tax or accounting purposes, or the establishment, exercise or defence of legal claims. The personal data that we process for this purpose are those that we collected for one the purposes indicated elsewhere in this section. We retain the personal data for the duration of the legal obligation imposed on us.

If we have obtained your consent

In addition to the above, we may process your personal data if we have obtained your prior unambiguous consent for specific purposes. Consent given can be withdrawn at any time, but this does not affect data processed prior to withdrawal.

7. The circumstances in which we disclose your personal data to third parties

We may disclose your personal data to third parties if this is necessary for the operation of the Website or to comply with a legal obligation.

We may disclose your personal data to third parties in connection with the operation of the Website, and to subcontractors such as IT service providers, cloud service providers, database providers, automated marketing solutions providers and consultants, including [Wix.com Ltd](#) (software development services provider), [Infomaniak](#) (hosting provider, newsletter service provider), [Eventbrite](#) (event manager), Microsoft Sharepoint (storage management) and [Google Analytics](#) (data analytics tool). Detailed information on these providers can be found in the previous section.

Our Website may also contain links to other websites. This Privacy Notice applies only to our actions and does not apply, in particular, to the practices of third-party companies, individuals, or any other websites that may be referenced on the Website. You should carefully review the privacy policies of any other websites you visit from the Website to learn more about their personal data processing practices. In such circumstances, the collection and use of your personal data is governed by the privacy policy of those other websites. We are not responsible for their privacy practices.

We may also disclose your personal data to third parties where we have a legal obligation to do so or a legitimate interest in doing so.

We may also disclose your personal data where we have a legitimate interest in doing so, for example (i) to respond to a request from a judicial authority or in accordance with a legal obligation; (ii) to bring or defend against a claim or lawsuit; or (iii) in the context of restructuring, in particular if we transfer our assets to another company.

8. International Transfers

Your personal data is stored in Switzerland or the European Union, but may in certain circumstances be disclosed in other countries.

We store your personal data on servers located in Switzerland or the European Union.

In principle, we do not transfer your personal data to other countries or make them available there. However, in certain circumstances, in particular in connection with the operations of our subcontractors, your personal data may be made available to recipients located abroad (e.g. Google and Microsoft are headquartered in the U.S and Wix.com Ltd in Israel, from which locations some data may be available). In such cases, we will ensure that suitable safeguards are in place, in accordance with applicable data protection laws, for instance by relying on standard contractual clauses adopted by the European Commission.

If you transmit information and data to us, you are expressly deemed to consent to such data transfers. You may request additional information in this regard and obtain a copy of the relevant safeguards upon request by sending a request to the contact address indicated in section 13 below.

9. How long we store your personal data?

Your personal data will not be stored longer than necessary.

We will erase or anonymise personal data as soon as it is no longer necessary for us to fulfil the purposes set out in section 6 of this Privacy Notice. This period varies, depending on the type of data concerned and the applicable legal requirements. More information on each type of processing can be found in section 6 above.

In view of the legal obligations incumbent upon us, certain information relating in particular to the contractual relationship must be retained for at least 10 years.

10. Security

We maintain physical, technical and procedural safeguards to keep secure your personal data.

We are committed to the security of your personal data, and have in place physical, administrative and technical measures designed to keep secure your personal data and to prevent unauthorized access to

it. We restrict access to your personal data to those persons who need to know it for the purpose described in this Privacy Notice. In addition, we use standard security protocols and mechanisms to exchange the transmission of sensitive data. When you enter sensitive information on our site, we encrypt it using Transport Layer Security (TLS) technology.

Although we take appropriate steps to protect your personal data, no website is completely secure. Therefore, we cannot guarantee that data you provide to us is safe and protected from all unauthorized third-party access and theft. We waive any liability in this respect.

The internet is a global environment. As a result, by sending information to us electronically, such data may be transferred internationally over the internet depending upon your location. Internet is not a secure environment and this Privacy Notice applies to your use and disclosure of your personal data once it is under our control only. Given the inherent nature of the internet, all internet transmissions are done at your own risk.

If we have reasonable reasons to believe that your personal data have been acquired by an unauthorized person, and applicable law requires notification, we will promptly notify you of the breach by email (if we have it) and/or by any other channel of communication (including by posting a notice on the Website).

11. Our use of cookies or other analytical tools

We use Cookies, other analytical tools and similar technologies in connection with the Website.

We use various types of cookies, other analytical tools or similar technologies (collectively, **Cookies**), some of which are capable of automatically processing data on your electronic device and/or of transferring personal data about you to us or third parties.

These technologies are generally used to monitor and analyse your interactions with the Website and/or to enable us to improve the Website and its functionalities, including customising the Website and related services, depending on your interactions. We may also use Cookies to measure and monitor the traffic and use of the Website and its performance.

Cookies are generally divided in four categories:

- A. Essential Cookies.** Some cookies are needed to make the website capable of being used, by providing basic features such as page browsing and accessing secure areas. The website cannot function properly without this type of Cookies.
- B. Functionality Cookies.** Some Cookies enable the website to remember choices persons make, for example, user name, and language or text size. These cookies are known as "functionality cookies" and help to improve a person's experience of the website by providing a more personalized service.
- C. Advertising Cookies.** These cookies are used to better understand customer interests and to display more relevant advertisements.
- D. Statistical / productivity Cookies.** Statistical/productivity Cookies, such as those linked to Google Analytics, help us understand how users interact with the website by anonymously collecting and reporting information.

Our use of cookies may vary depending on the section or functionalities of the Website you access.

You can manage Cookies through the settings of your web browser and/or electronic device, as well as through the interface available on the Website.

If you do not want Cookies to be stored on your electronic device, you can configure your internet browser or electronic device to refuse and/or restrict them. You may also set the use of Cookies on the Cookie management page of the Website. However, some Cookies are essential to the functioning of the Website, and it may operate differently if you refuse or completely restrict Cookies.

For more information, please visit the website <http://www.allaboutcookies.org>. You can also see the help section of your internet browser or electronic device for more specific instructions on how to manage Cookies.

The following Cookies are used:

Name	Owner	Purpose / Description	Duration and expiry	Type
------	-------	-----------------------	---------------------	------

XSRF-TOKEN	WIX	Used for security reasons	Session	Essential
hs	WIX	Used for security reasons	Session	Essential
svSession	WIX	Used in connection with user login	2 years	Essential
SSR-caching	WIX	Used to indicate the system from which the site was rendered	1 minute	Essential
_wixCIDX	WIX	Used for system monitoring/debugging	3 months	Essential
_wix_browser_sess	WIX	Used for system monitoring/debugging	session	Essential
consent-policy	WIX	Used for cookie banner parameters	12 months	Essential
smSession	WIX	Used to identify logged in site members	Session	Essential
TS*	WIX	Used for security and anti-fraud reasons	Session	Essential
bSession	WIX	Used for system effectiveness measurement	30 minutes	Essential
fedops.logger.sessionid	WIX	Used for stability/effectiveness measurement	12 months	Essential
wixLanguage	WIX	Used on multilingual websites to save user language preference	12 months	Functional

In addition, in relation to our use of Wix.com Ltd as our service provider for the Website, certain cookies are placed by Wix directly. You will find the list of those cookies [here](#) and its policy about cookies usage [here](#).

12. Your rights with regard to the processing of your personal data

You have the right to access your personal data we process and may request without limitation that they be removed, updated, or rectified.

Unless otherwise provided by law, you have the right to know whether we are processing your personal data. You may contact us to know the content of such personal data, to verify its accuracy, and to the extent permitted by law, to request that it be supplemented, updated, rectified or erased. You also have the right to ask us to cease any specific processing of personal data that may have been obtained or processed in breach of applicable law, and you have the right to object to any processing of personal data for legitimate reasons.

If you would like us to delete your personal data from our system, please send a request pursuant to the contact details below and your request will be accommodated unless we have a legal obligation to retain the record. Please note that any information that we have copied may remain in back-up storage for some period of time after your deletion request.

If you wish us to erase your personal data from our systems, you may send us a request to the contact details below, which we will comply with unless we need to retain your data for legal or other legitimate reasons.

Where we rely on your consent to process your personal data, we will seek your freely given and specific consent by providing you with informed and unambiguous indications relating to your personal data. You may revoke at any time such consent.

You may also have the right to request the portability of your personal data, i.e. the personal data you have provided to us will be returned to or transferred to the person of your choice, in a structured, commonly used and machine-readable format, without restrictions on our part, subject to our confidentiality obligations and within the limits of applicable law. You will find further details of your rights in sections 4 and 5 of this Privacy Notice in connection with each processing activity we perform.

The above does not restrict any other rights you might have pursuant to applicable data protection legislation under certain circumstances. In particular, if the GDPR applies to the processing of your personal data, the GDPR grants you certain rights as a data subject if the respective requirements are met:

- **Right of access** ([Art. 15 GDPR](#)) - you have the right to ask us for copies of your personal data.
- **Right to rectification** ([Art. 16 GDPR](#)) - you have the right to ask us to rectify personal data you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.
- **Right to erasure** ([Art. 17 GDPR](#)) - you have the right to ask us to erase your personal data in certain circumstances.
- **Right to restriction of processing** ([Art. 18 GDPR](#)) - you have the right to ask us to restrict the processing of your personal data in certain circumstances.
- **Right to data portability** ([Art. 20 GDPR](#)) - you have the right to ask that we transfer in a structured, commonly used and machine-readable format the personal data you gave us to another organisation, or to you, in certain circumstances.
- **Right to object to processing** ([Art. 21 GDPR](#)) - you have the right to object to the processing of your personal data which is based on our Legitimate Interests, in certain circumstances. In such case, we will no longer process the personal data unless we demonstrate compelling legitimate grounds for the processing, which override your interests, rights and freedoms or where the processing is necessary for the establishment, exercise or defence of legal claims.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

You have the right to lodge a complaint with the competent authority.
--

If you are not satisfied with the way in which we process your personal data, you may lodge a complaint with the competent data protection supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement, in addition to the rights described above.

Although this is not required, we recommend that you contact us first (see section 13) as we might be able to respond to your request directly

13. Contact Us

If you believe your personal data has been used in a way that is not consistent with this policy, or if you have any questions or queries regarding the collection or processing of your personal data, please contact us at communication@sdea.ch.

14. Changes to this Privacy Notice

This Privacy Notice may be subject to amendments, in particular with to adapt it to any new commercial or technological practice or change in law, in which we will inform you by any appropriate means, including by email and/or the Website (e.g. banners, pop-ups or other notification mechanisms). If you do not agree to the changes made, you must stop accessing and/or using the Website.

Last updated: December 2020