

Privacy policy of Brig Simplon Tourismus AG.

1. What is this privacy policy about?

In this privacy policy, Brig Simplon Tourismus AG (**BRIG SIMPLON**, **'we'** or **'us'**) explains how we collect, process and use personal data in various ways and for various purposes.

All information relating to an identified or identifiable person is personal data (**'personal data'** or **'data'**). 'Processing' of your personal data refers to any procedure and handling in connection with personal data (**'processing'**), such as acquisition, use and disclosure.

This privacy policy explains how we process such data when

- you visit our websites brig-simplon.ch, stockalperweg.ch, citycash.ch, goldwaschen-gondo.ch, cordon-bleu-brig.ch, or use our app [Simplon.app](#);
- you purchase our products or services;
- you are linked to us as part of a contract in any other way;
- you contact us by email, on social media, by SMS, using a contact form, etc.;
- you sign up for certain offers (e.g. competitions) and our newsletter;
- you associate with us as part of other data processing relating to our offers.

Please take the time to read this privacy policy to find out how and why BRIG SIMPLON processes your personal data, how BRIG SIMPLON protects your personal data and what rights you have in connection with this. If you have any questions or would like further information about how we process data, please do not hesitate to contact us (see section 2).

Additionally, we may inform you separately about other instances of data processing, including in general terms and conditions, terms of use or terms of participation relating to individual offers or services (such as competitions).

By sharing or disclosing data concerning other people, such as family members and points of contact, you affirm that you are authorised to do so and that the

data are accurate. Please ensure that the third parties in question are aware of this privacy policy (e.g. by referring them to this privacy policy).

This privacy policy is aligned with the requirements of the European General Data Protection Regulation (**GDPR**), the revised Swiss Federal Act on Data Protection (**nFADP**) and the revised cantonal Public Information, Data Protection and Archiving Act (**GIDA**). However, whether and to what extent these laws apply depends on the individual case at hand.

2. Who is responsible for processing your data?

The following company, as the 'controller', is responsible for data processing under this privacy policy, i.e. it bears primary responsibility under the data protection regulations unless indicated otherwise on a case-by-case basis:

Brig Simplon Tourismus AG
Bahnhofstrasse 2
3900 Brig, Switzerland
datenschutz@brig-simplon.ch

Insofar as the services of other providers (e.g. day passes for trails or ski passes from mountain railways) are presented on our website or elsewhere (e.g. by the tourism office), BRIG SIMPLON and the contractual partner in question are jointly responsible for the personal data processed for the purposes of this brokerage, which are detailed in this privacy policy. BRIG SIMPLON brokers the services in accordance with the brokerage contract with your contractual partner. However, please note that your contractual partner for the brokered service (e.g. the lessor of your holiday home, hotel or mountain railway) may process your personal data for other purposes in line with its own privacy policy. We are not responsible for this further processing.

If you have questions about data protection, please do not hesitate to contact the address below so we can process your enquiry as quickly as possible:

datenschutz@brig-simplon.ch

Our representative in the European Economic Area (**EEA**) (where necessary) is:

Advovox Rechtsanwalts GmbH
Sven Krüger
Romain-Rolland-Strasse 24

12107 Berlin, Germany
gdpr@advovox.de
www.advovox.de

If you are in the EEA, you can also contact our EEA representative if you have any concerns relating to data protection.

3. What personal data do we process?

We primarily process the personal data we receive from you or our customers or their business partners and other related parties as part of our business relationships with you and them, or which we collect from users of our website, app and other applications.

You are not generally obliged to share your personal data with us. Many of the data described in this section are disclosed to us by you yourself (e.g. via forms, when you communicate with us, in connection with contracts, when you use the website, etc.). You are under no obligation to do so, individual cases notwithstanding (e.g. mandatory protection schemes designed to counter the pandemic). If you wish to enter into contracts with us or make use of our services, you must also provide us with data – especially master data and contractual data – in line with your contractual obligation under the relevant contract. Where permitted, we also retrieve certain data from public sources (e.g. debt collection registers, land registers, commercial registers, the press and the internet) or authorities and other third parties.

In particular, we process the following personal data:

- **Master data** that we need for the purposes of our business relationships or for marketing and advertising purposes and that relate directly to your identity and characteristics, such as your title, name and surname, sex and date of birth, address, contact information such as email address and phone number(s), nationality and other information from identification documents, including information for specific services, such as your shoe size for the gold rush adventure
- Information relating to your **occupation** or activity (e.g. if we are given your name by a business partner and point of contact)
- **Contractual data**, i.e. information about contracts and services rendered or due, as well as data from pre-contractual measures, information about the conclusion of the contract itself (e.g. the conclusion date and subject matter) as well as the information required or used to execute the contract, information about the nature, term and

conditions of the contract, data relating to the termination of the contract, information about payments, payment methods, invoices and payment information (e.g. bank details if you make a payment on our website or card information)

- **Communication data**, i.e. information about you in correspondence with you (such as the content of a message you send to us and potentially message metadata including the time it was sent)
- **Behavioural and preference data**, such as information about your participation in a competition, prize draw or other event or about your use of our websites or Wi-Fi networks, your review after a booking including the text from your review, points awarded, recommendations and the popularity of routes in the app. This also includes information about how you use electronic notifications (e.g. whether and when you opened an email or clicked on a link, especially in connection with newsletters)
- **Video and audio recordings** of you if, for example, you participate in an event or enter an area of our premises that we monitor using CCTV for security reasons
- **Technical personal data**, especially in connection with your use of one of our websites, our app or our Wi-Fi networks (e.g. your IP address, information about your device and its settings, cookies (see section 5), the date and time of your visit, the pages you visited, the content and features you used or your general location, such as when you use the Simplon.app to log a summit)
- **Other data**, such as interests and other sociodemographic data (especially for marketing purposes) or information, if you share it with us voluntarily

4. For what purposes do we process your personal data?

First and foremost, we use the personal data we collect to **enter into and perform contracts with our customers and business partners**, as well as to comply with our **legal obligations** in Switzerland and abroad, which are recognised by the applicable data protection regulations in each case (especially statutory retention obligations). If you have subscribed to our newsletter, we will use your email address to send it.

Furthermore, where admissible and appropriate, we process your personal data for the following purposes in which we (and sometimes also third parties) have a **legitimate interest** that is consistent with the purpose:

Brig Simplon Tourismus AG

Bahnhofstrasse 2
3900 Brig, Switzerland

+41 27 921 60 30
info@brig-simplon.ch
www.brig-simplon.ch

- For **market research, improving and developing our products**, services and websites, apps and other platforms on which we are present, e.g. to carry out statistical analyses on the use of our websites, as well as education and advanced training for our employees
- For **communication purposes and customer relations**, i.e. in order to contact you and stay in contact with you. This also entails responding to enquiries and contacting you if we have any queries, such as by email
- For **advertising and marketing** in order to make you aware of specific offerings that match your personal interests and preferences, e.g. through the newsletter and personalised advertising - unless we are reliant on your consent and you have not objected to the use of your personal data for this purpose - regarding products, offers and services from us or third parties (especially our business partners), including invitations to events
- **Enforcement of legal claims** or defence against legal claims, e.g. in judicial or official proceedings
- **Compliance with legal requirements and legal obligations**, unless they are already recognised as legal grounds under the relevant data protection regulations, instructions and recommendations issued by authorities and other compliance measures
- **Security and prevention purposes**, especially in order to ensure the operation of our websites, including theft, fraud and misuse prevention and for the purposes of keeping evidence
- We may also process data for **other purposes**. This includes corporate governance, including business organisation and corporate development, other internal processes and administrative purposes (such as master data administration, bookkeeping and archiving).

If you **consent** to our processing of your personal data for certain purposes (e.g. if you consent to receive an email to rate your contractual partner or receive newsletters), we will process your personal data on the basis of that consent. Consent can be withdrawn in writing at any time, although this has no effect on data processed up to that point.

5. What online tracking and online advertising tools do we use?

Our websites use various tools that enable us or third parties we have engaged to recognise you when you use the websites and even track you across multiple visits in some cases.

5.1 How and why do we use cookies and similar technology?

For our websites, we use third-party services in order to measure and improve the **user-friendliness of our website and online advertising campaigns**. To do so, we may incorporate third-party components, which may in turn use cookies, in our websites. If we track you or use similar technology, our purpose is essentially to differentiate you from other users when you access the website (via your system) in order to ensure the functionality of the website and perform statistical evaluations. Our aim is not to draw any conclusions as to your identity. The tools we use are designed in such a way that you are recognised as an individual user whenever you open a page, e.g. with our server (or the servers of third parties) assigning you or your browser a certain identification number (known as a 'cookie').

Cookies are files that are automatically stored on your device by your browser when you visit our websites. Cookies contain a unique ID with which we are able to tell individual visitors apart from others, but are not normally able to identify you. Depending on the purpose, cookies contain other information, such as about pages you have visited and the time you have spent visiting a page. We use session cookies, which are erased when you close your browser, as well as persistent cookies, which are stored for a given period of time after you close your browser and enable us to recognise you on later visits.

We use the following types of cookies and similar technology:

- **Necessary:** Necessary cookies help make a website usable by enabling basic functions like page navigation and access to secure areas of the website. The website cannot function properly without these cookies.
- **Preferences:** Preference cookies enable a website to remember information that changes the way the website behaves or looks, like your preferred language or the region that you are in.
- **Statistics:** Statistic cookies help website owners to understand how visitors interact with websites by collecting and reporting information anonymously.

- **Marketing:** Marketing cookies are used to track visitors across websites. The intention is to display ads that are relevant and engaging for the individual user and thereby more valuable for publishers and third party advertisers.
- **Unclassified:** Unclassified cookies are cookies that we are in the process of classifying, together with the providers of individual cookies.

We use cookies for the following purposes in particular:

- Personalisation of content
- To show personalised adverts and offers
- To show adverts on third-party websites and measure our success, i.e. whether or not you react to the adverts (remarketing)
- To save settings between your visits
- To determine whether and how we can improve our websites
- To collect statistical data about the number of visitors and their user habits, as well as to improve the speed and performance of the websites
- We may process your contact information in order to show you adverts on platforms of third-party providers.

Furthermore, we may use similar technology, such as pixel tags, to store data in the browser. Pixel tags are small, usually invisible images or code that are downloaded from a server and send certain information to the operator of the server, such as whether and when the website was visited. Fingerprints are information relating to your device configuration or browser that is collected when you visit our website and enables us to differentiate between your device and others.

5.2. How can cookies and similar technology be deactivated?

When you visit our websites, you can activate or deactivate certain categories of cookies. You can configure your browser to block certain cookies or similar types of technology or erase existing cookies and other browser data. You can even add software to your browser ('plugins') to prevent tracking by certain third parties. For more information, please refer to the help section of your browser (usually under 'Data protection'). Please note that if you block cookies and similar types of technology, our websites might no longer function properly.

5.3 Cookies of partners and third parties on our websites

We use third-party services to gauge and improve the user-friendliness of our website and online advertising campaigns. Third-party providers can also be based outside of Switzerland and the EU/EEA, provided that sufficient guarantees are in place to protect your personal data. For instance, we use analytics services to help us optimise our websites. For this purpose, the third-party providers of these services may record your use of the website and merge their records with other information from other websites. This way, they can record user behaviour across multiple websites and devices in order to provide us with statistical analyses on this basis. The providers can also use the information for their own purposes, such as personalised advertising on their own or other websites. If a user is registered with the provider, the provider will be able to associate the usage data with the person in question.

Google and Facebook are two of the most important third-party providers. You will find more information about them as well as HubSpot below. Other third-party providers normally process personal and other data in a similar way.

- **Google Analytics**, an analytics service provided by Google LLC (1600 Amphitheatre Parkway, Mountain View, CA, USA) and Google Ireland Ltd. (Google Building Gordon House, Barrow St, Dublin 4, Ireland; both are referred to as 'Google', in which regard Google Ireland Ltd. is responsible for the processing of personal data). Google uses cookies and similar technology to collect certain information about the behaviour of individual users on/in the website and the device used to access it (tablet, PC, smartphone, etc.). Google collects information about user behaviour on the website and on the device used to access it and provides us with evaluations on the basis of that information, although it also processes certain data for its own purposes. You can find more information about data protection in connection with Google Analytics [here](#). You can deactivate Google Analytics by installing a [browser add-on](#).
- **Meta pixel**, an analytics tool provided by Meta Platforms Ireland Ltd. (4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland). This tool enables us to control adverts on Meta and partners of Meta and only show them to users who are likely to have an interest in the adverts. We can also evaluate the effectiveness of such adverts for statistical purposes and market research. We and Meta are jointly responsible for exchanging the data Meta receives as a result, for displaying personalised adverts, for improving the delivery of adverts and for the personalisation of content. The data are stored on servers in the EU/EEA and in the USA. Users can address requests for information and other enquiries to Meta directly. You can find more information about data protection at Meta and ways to change your browser settings [here](#).

- **HubSpot Germany GmbH**, Am Postbahnhof 17, 10243 Berlin, Germany. HubSpot is an integrated software solution that covers various aspects of online marketing. We use HubSpot as CRM integration on our website in order to optimise communication processes with you. This enables us to guarantee an uninterrupted communication and advice service. For more information about data protection at Hubspot, please refer to the [Data Processing Agreement of Hubspot](#) and the [privacy policy of Hubspot](#).

6. What is profiling?

We may process some of your personal data automatically in order to evaluate certain personal aspects (this is known as profiling). In particular, we use profiling to inform and advise you about specific products or evaluate your behaviour on our websites (e.g. in order to identify security risks or risks of misuse or perform statistical evaluations). For this reason, we use evaluation tools that allow for customised communication and advertising, including market and opinion research.

7. How do we process data in connection with social media?

On our websites, you have the option to use a social media plugin (such as Facebook, Instagram and LinkedIn) to embed features from those providers in our websites. These plugins are deactivated by default. As soon as you activate them (e.g. by clicking on the button), the corresponding providers can detect that you are on our website. If you have an account with the social media provider, the provider can associate this information with you and track your use of websites.

We and the providers in question are usually jointly responsible for exchanging the data collected by the providers via plugins or similar tools (but not for the processing of the data by the provider).

If you communicate with us or comment on or share content on social media and our social media profiles (e.g. on Facebook or Instagram), we collect data that we mainly use to communicate with you, for marketing purposes and for statistical evaluations. Please note that when you visit our social media channels, the provider of the platform itself collects and uses data too (e.g. relating to user behaviour), potentially together with other data in its possession (e.g. for marketing purposes or to personalise the content of the platform). For more information about data processing by the operators of social networks, please refer to the privacy policies of the social networks in question.

Please note that we are not responsible for the processing of your personal data in connection with other websites, even if you access them by clicking on a link on our website (e.g. in order to book the ErlebnisCard or Brigerbad Thermal Spa).

8. To whom do we disclose your personal data?

In connection with our processing, especially the services we offer and broker, we share your personal data with the following categories of recipient:

- **Service providers**, especially IT service providers, but also consulting firms, analytics service providers, collection agencies, marketing firms, etc. Insofar as service providers process personal data in the capacity of a processor, they are obliged to only process personal data in line with our instructions and implement data security measures.
- Our **customers** and **other business partners**, such as if they book an ErlebnisCard or for whom contracts are brokered on our websites (including the hotel, for example, if they book a hotel room)
- Media and the public, including visitors to websites and users of social media
- Industry organisations and other bodies
- Authorities, especially when guest reports are filed (e.g. for the purposes of visitor's taxes), courts in connection with proceedings and legal obligations to provide information and assistance, as well as other parties in potential or actual proceedings or negotiations, in which regard the recipients can also be based abroad
- Data may also be disclosed to **other recipients**, such as buyers of companies and assets or collection agencies.

In individual cases, we might also disclose personal data to other third parties for their own purposes, e.g. if you have given us your consent or if we are legally obliged or entitled to disclose the data.

9. Do we disclose personal data abroad?

Recipients of data are not based exclusively in Switzerland. This applies to certain IT service providers in particular. These may also be based outside of the European Economic Area and Switzerland, i.e. anywhere in the world (especially the USA).

Not all of these countries currently guarantee a legal of data protection that is consistent with Swiss law. We negate the lack of protection with contracts, especially the standard contractual clauses issued by the European Commission and recognised by the Swiss Federal Data Protection and Information Commissioner. For more information and to see a copy of these clauses, visit https://www.edoeb.admin.ch/edoeb/en/home/datenschutz/arbeit_wirtschaft/datenuebermittlung_ausland.html.

In certain cases, we may transfer data without such contracts in accordance with the data protection regulations, e.g. if you have consented to the disclosure or if the disclosure is necessary for the performance of a contract, the determination, exercise or enforcement of legal claims or for important reasons of public interest.

Please note that data transfers over the internet are often routed through third countries. Therefore, your data can end up abroad in this case if the sender and recipient are in the same country.

10. How long do we process personal data?

We retain and process your personal data for as long as necessary for the purpose of the processing (in the case of contracts, this is normally for the term of the contractual relationship), as long as we have a legitimate interest in retaining the data (for example, to enforce legal claims, for archiving purposes and/or to ensure IT security) and as long as the data are subject to a statutory retention obligation (for instance, some data are subject to a ten-year retention period). Unless we have legal or contractual obligations to the contrary, we destroy or anonymise data as part of our standard processes after the end of the retention or processing period.

With regard to cookies, you will find more information about the duration of storage by clicking on the links to the various cookies in [Cookie Settings](#).

11. What are the legal grounds for data processing?

Depending on the case, data processing is only permissible if it is explicitly permitted by an applicable law. This does not apply under the Swiss Federal Act on Data Protection, but it does under the GDPR, for example, where this regulation applies. In this case, we process your personal data on the following legal grounds:

- Your consent (point (a) of Article 6 (1) and point (a) of Article 9 (2) GDPR)

- Where processing is necessary for the performance of a contract or to take steps prior to entering into a contract (e.g. examining a request to enter into a contract; point (b) of Article 6 (1) GDPR)
- Where processing is necessary to exercise or defend against legal claims or civil proceedings (point (f) of Article 6 (1) and point (f) of Article 9 (2) GDPR)
- Where processing is necessary for compliance with national or international legal regulations (points (c) and (f) of Article 6 (1) and point (g) of Article 9 (2) GDPR)
- Where processing is necessary due to a legitimate interest in data processing, especially the interests described in section 4 (point (f) of Article 6 (1) GDPR)

12. How do we protect your data?

We have implemented appropriate security measures to safeguard the confidentiality, integrity and availability of your personal data, protect them against unauthorised or unlawful processing and minimise the risks of loss, unintended modification, unwanted disclosure or unauthorised access. However, security risks cannot be ruled out entirely; residual risks are unavoidable.

13. What rights do you have?

Under the applicable data protection legislation, you have certain rights enabling you to demand further information about our processing of data and intervene in it. You have the following rights in particular: The right of access, to rectification, to erasure, to receive certain personal data in a commonly used electronic format or have them transmitted to another controller (data portability), to withdraw consent with future effect (provided that our processing is based on your consent) and to restrict our processing of data.

Under the applicable data protection legislation, you also have the right to object to the processing of your data, especially for direct marketing purposes.

You are normally required to provide evidence of your identity in order to exercise these rights. If you wish to exercise these rights, please contact us in writing in accordance with section 2. Furthermore, you are free to lodge a complaint about our processing of your data with the relevant supervisory

authority. In Switzerland, the supervisory authority is the Federal Data Protection and Information Commissioner.

14. Amendments

We are entitled to amend this privacy policy at any time without giving you prior notice. The current version published on our website is the valid version.

In the event of any conflict or difference in interpretation between the different language versions of this document, the German version shall prevail.

Privacy policy version date: August 2023