

# LISTEC Schweisstechnik AG

St. Gallen, 01 January 2024

## About our data privacy policy

**LISTEC Schweisstechnik AG**, Gaiserwaldstrasse 15, 9015 St.Gallen, and our employees and representatives (hereinafter also referred to as “we” or “us”) collect and process personal data concerning you (such as customers, contractual partners), applicants in the context of an application procedure or other persons (“third parties”).

In this privacy policy, we describe what we do with your data when you visit **listec.ch**, use our services, obtain support from us, communicate with us or otherwise deal with us. We can also inform you separately about the processing of your data (such as in forms, contractual conditions or additional privacy policies).

We use the term “data” in this document synonymously with “personal data”. “Personal data” refers to data relating to specific or identifiable persons and “processing” means any handling of personal data, such as its use, collection, saving, amendment, disclosure and erasure.

If you provide us with data about other persons (such as employees or family members), we assume that you are authorised to do so and that this data is correct, and that you have also ensured that these persons have been informed about this disclosure (by informing them in advance of this privacy policy, for example).

# 1. Responsibility for the processing of your data

We take the protection of personal data very seriously. All personal data is recorded and processed with the utmost of care. If you have any questions or concerns, please do not hesitate to contact us. We are at your service.

## 1.1. Contact

The responsibility for the data processing described in this privacy policy lies with:

LISTEC Schweisstechnik AG  
Gaiserwaldstrasse 15  
9015 St.Gallen

## 1.2. Controller responsible for data protection

Rolf Affolter

[info@listec.ch](mailto:info@listec.ch)

## 1.3 Contact point in the case of questions or requests

If you have any questions or requests, please write to the above address. Alternatively, you can also send us an email to the address [info@listec.ch](mailto:info@listec.ch). We will process your enquiry and respond to you within 30 days in accordance with the regulations.

# 2. What data do we process?

We process various categories of personal data about you (including customers in our care). The most important categories are as follows:

- **Master data:** This includes basic data such as name details, contact details, personal data, photos, customer history, declarations of consent and information about third parties (for example, contact persons or employees).
- **Contract data:** This is data that arises in the context of the provision of our services and the conclusion of contracts, such as contractual

services, data relating to the provision of services, data from the inception to the conclusion of the contract, information on processing (such as invoicing) and financial data (such as information on financial circumstances for tariff classification).

- Order data and supplier and customer history: This is data that relates to the customer and supplier relationship and which arises within the context of our services, such as the details of the order as well as preferences and individual requests in the context of orders.
- Data of applicants: This is data that is collected as part of an application for a job at our organisation, such as professional background, training and further education, references and data from public sources (such as social media and the internet). This also includes information on criminal convictions and prohibitions on occupations/activities (in particular extracts from criminal records).
- Communication data: This is data that arises in connection with communication between us and third parties (by email, telephone, letter or other means of communication, for example), such as the content of emails or letters, your contact details and ancillary communications-related data.
- Registration data: This is data that we collect as part of a registration (such as login areas or newsletters) or that you provide to us (by email, for example).
- Technical data: This is data which is generated in the context of the use of our electronic services (our website, for example), such as the IP address, information about the operating system of your end device, and the region and the time of use. Technical data in itself does not allow any conclusions to be drawn about your identity.
- Other data: This includes, in particular: Data that arises in connection with official or judicial proceedings (such as files), photos, video or audio recordings that we produce or receive from third parties and on which you are recognisable (at events, for example), participation in events.

## 3. Where does this data originate from?

### 3.1 Directly from you

You provide us with much of the data we process (in connection with our services or communication with us, for example). You are not obliged to disclose your data, with exceptions in individual cases (such as legal obligations). However, if you wish to conclude contracts with us or use our services, for example, you must provide us with certain data.

## 3.2 Or, occasionally, also from third parties

We can also obtain data from publicly accessible sources (such as debt collection registers, the media or the internet, including social media) or from public authorities (such as municipalities, supervisory authorities), your employer or customer who has a business relationship with us or is otherwise involved with us and from other third parties (such as associations). This includes the following categories in particular: Master data, contract data and other data, but also all other data categories in accordance with Section 2 as well as data from correspondence and discussions with third parties.

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

- **Communication:** We process your data in order to be able to communicate with you (to respond to enquiries, process contracts and provide support, for example).
- **Inception, management and processing of contracts and orders:** We process personal data in connection with the conclusion or fulfilment of contracts with you as a customer, suppliers and service providers or other contractual partners. This also includes the enforcement of legal claims arising from contracts (debt collection, legal proceedings, etc.), accounting, the termination of contracts and public communications. We also process data as part of the job application process and to initiate the employment relationship.
- **Marketing purposes and for relationship management:** For marketing purposes and to maintain relationships, we process data to send our customers, other contractual partners and other interested parties personalised advertising (such as in printed form, by email or via other electronic channels) about our services and other news, for example. You can reject any such contact at any time or refuse or withdraw your consent to be contacted for advertising purposes by notifying us accordingly (Section 2).
- **Improvement of our services and operations:** To continuously improve our services (including our website), we analyse the way in which you navigate through our website or which services are used by which groups of people and in what way, for example.
- **Registration:** To be able to use certain offers and services (such as login areas, newsletters), you are required to register (directly with us or via our external service providers). We process data for this purpose.

- Compliance with laws, directives and recommendations from public authorities: We can process personal data in order to comply with the law and to fulfil any legal obligations (such as tax obligations or for health concepts). Data can also be processed during internal investigations and external investigations (by a law enforcement or supervisory authority or an authorised private body, for example).
- Risk management and corporate governance: We can process personal data in the context of risk management (to protect against criminal activities, for example) and corporate governance, including our business organisation (such as resource planning) and corporate development (such as the acquisition and sale of business units or companies).
- Other purposes: Other purposes include, for example, training and education purposes, administrative purposes (the management of master data or accounting, for example), the protection of our rights and the evaluation and improvement of internal processes. The protection of other legitimate interests is also one of the other purposes that cannot be listed exhaustively.

## 5. To whom do we disclose your data?

In connection with our contracts, the website, our services, our legal obligations or otherwise to safeguard our legitimate interests and the other purposes referred to in Section 4, we also transfer your personal data to third parties, in particular to the following categories of recipients:

- Service providers We work with service providers in Germany and abroad who process data (i) on our behalf, (ii) on our joint responsibility or (iii) on their own responsibility (e.g. IT services providers, banks, insurance companies). This can also include data concerning health.
- Contractual partners: This refers to persons and other contractual partners of ours with whom a transfer of your data occurs due to the contract (because we have concluded an order, for example). The recipients process the data under their own responsibility.
- Public authorities: We can disclose personal data to offices, courts and other public authorities (e.g. municipalities, supervisory authorities) in Switzerland and abroad if we are legally obliged or authorised to do so or if it appears necessary for the protection our interests. This can also include data concerning health. If you apply for a job with us, we are obliged to disclose your personal details to the relevant supervisory authority so that they can check your background (in particular criminal record). The recipients process the data under their own responsibility.

- Other persons: This refers to other cases in which the involvement of third parties arises due to the purposes set out in Section 4. Other recipients are, for example, third parties in the context of representative relationships (such as your lawyer or other persons designated by you) or persons involved in legal proceedings or proceedings at public authorities. As part of our corporate development, we can sell or acquire businesses, parts of businesses, assets or enterprises or enter into partnerships, which can also result in the disclosure of data (including from you as a supplier or representative, for example) to the persons involved in these transactions. In the course of the communication with our competitors, industry organisations, associations and other bodies, data can also be exchanged that concerns you.

All these categories of recipients can in turn involve third parties, so that your data can also become accessible to them. We are able to restrict the processing by certain third parties (such as IT providers), but not by other third parties (such as public authorities, banks, etc.).

## 6. Does your personal data also end up abroad?

We mainly process and store personal data in Switzerland and the European Economic Area (EEA), but in exceptional cases – through the sub-processors of our service providers, for example – in any country in the world.

If a recipient is located in a country without adequate statutory data protection, we contractually oblige the recipient to comply with the applicable data protection law (we use the revised standard contractual clauses of the European Commission, which are available here: [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 recognised set of rules to ensure data protection and we are not able to rely on an exemption clause. An exception can apply, in particular, in the case of legal proceedings abroad, but also in cases of overriding public interests or if the fulfilment of a contract requires such disclosure, if you have given your consent, or if the data in question has been made generally accessible by you and you have not objected to its processing.

## 7. How long do we process your data for?

We process your data for as long as required for our processing purposes, the statutory retention periods and our legitimate interests in the processing for documentation and evidence purposes, or for as long as

storage is technically necessary (in the case of backups or document management systems, for example). If there are no statutory, contractual obligations or technical reasons to the contrary, we will erase your data after 6 months of the retention or processing period as part of our normal processes.

## 8. What rights do you have?

You have specific rights in connection with our data processing. In accordance with applicable law, you can, in particular, request access to the processing of your personal data, have inaccurate personal data corrected, request the erasure of personal data, object to the data processing, request the disclosure of certain personal data in a commonplace electronic format or its transfer to other data controllers or withdraw your consent, insofar as our processing is based on your consent.

If you wish to exercise your rights towards us, please contact us; you will find our contact details in Section 1. In order for us to rule out misuse, we are required to confirm your personal identification (if necessary, with a copy of your ID, for example).

Please note that conditions, exceptions or restrictions apply to these rights (to protect third parties and/or trade secrets, for example). We reserve the right to block out copies for reasons of data protection or confidentiality or to only provide extracts.

## 9. How do we process data in connection with our website and other digital services?

When using our website (including newsletters and other digital offers), data is collected which is stored in records (in particular, technical data).

### 9.1 Cookies

We can also use cookies and similar technologies (such as pixel tags or fingerprints) in order to recognise website visitors, record their behaviour and identify preferences. A cookie is a small file which is transmitted between the server and your system and enables a specific device or browser to be recognised.

You can set your browser so that it automatically rejects, accepts or erases cookies. You can also deactivate or erase cookies in individual cases. You can find out how to manage cookies in the Help menu of your browser.

Neither the technical data we collect nor the cookies generally contain any personal data. However, personal data that we or third-party providers commissioned by us store about you (if you have a user account with us or these providers, for example) can be linked to the technical data or to the information stored in and obtained from cookies and therefore possibly to your person.

## 9.2 Social media plug-ins

We also occasionally use social media plug-ins, which are small software modules that establish a connection between your visit to our website and a third-party provider. The social media plug-in informs the third-party provider that you have visited our website and can transfer the third-party provider cookies that it has previously placed on your web browser. For further information on how these third-party providers use your personal data collected via their social media plug-ins, please refer to their respective data protection information.

## 9.3 Third-party applications and services

We also use our own tools and third-party services (which, in turn, may use cookies) on our website, in particular to improve the functionality or content of our website (the integration of fonts, videos or maps, for example), to compile statistics and to place adverts.

These include, for example:

### **Google Analytics**

Provider: Google Ireland Limited

Data protection information:

[support.google.com/analytics/answer/6004245](https://support.google.com/analytics/answer/6004245)

Information for Google accounts:

<https://policies.google.com/technologies/partner-sites?hl=de>

Some of the third-party providers we use may be located outside Switzerland. Information on the disclosure of data abroad is provided in Section 6.

## 10. How do we process your data on social networks?

We can operate pages and other online presences on social networks and other platforms which are operated by third parties and process data about you in this context. We receive data from you (when you communicate with us or comment on our content, for example) and from the platforms (such



as statistics). The providers of the platforms can analyse your use and process this data together with other data that they have about you. They also process this data for their own purposes (such as marketing and market research purposes or to manage their platforms), and act as their own data controllers for this purpose. For further information on processing by the platform operators, please refer to the data protection information of the respective platforms.

We will be happy to provide you with details of our activities on social networks on request.

We are authorised, but not obliged, to check content before or after it is published on our online presences, to erase content without notice and, if necessary, to report it to the provider of the platform in question.

## 11. Data security

We take appropriate organisational and technical measures to protect the confidentiality, integrity and availability of your personal data and to protect it against manipulation, loss, destruction or unauthorised processing.

## 12. Changes to our privacy policy

We reserve the right to change this privacy policy at any time. Changes are published on the websites and enter into force when they are published. The version published on this website is the current version.