

Privacy Statement

We are very pleased about your interest in our company. Data protection has a very high priority for us. In principle, using our website is possible without providing any personal data. However, if a data subject wishes to make use of our company's special services via our website, personal data processing may be required. If the processing of personal data is required and there is no legal basis for such processing, we generally seek the consent of the data subject.

Personal data such as the name, address, e-mail address or telephone number of a data subject is always processed in accordance with the General Data Protection Regulation and in accordance with the country-specific data protection provisions applicable to proaxia consulting group ag. The present privacy statement describes how proaxia consulting group ag handles information that can be used, directly or indirectly, to identify individuals.

Insofar as personal data (for example name, address or e-mail addresses) is collected on our websites, this always takes place on a voluntary basis. This data will not be disclosed to third parties without your explicit consent.

As a controller, proaxia consulting group ag has implemented numerous technical and organisational measures to ensure the most complete protection possible for personal data processed via this website. Nevertheless, by definition, security gaps may occur when data is transmitted via the Internet, so absolute protection cannot be guaranteed. For this reason, every data subject is free to submit their personal data to us in alternative ways, for example by telephone.

1. Definitions

The privacy statement of proaxia consulting group ag is based on the terminology used by the European legislator in its adoption of the General Data Protection Regulation (GDPR).

2. Name and address of the controller

The following is the 'controller' within the meaning of the General Data Protection Regulation, other data protection laws in the Member States of the European Union and other provisions serving as data protection guidelines:

proxia consulting group ag
Industriestrasse 176
8957 Spreitenbach
Switzerland
tel.: +41 (0) 56 418 2080
e-mail: Datenschutz@proxia-consulting.com
website: www.proaxia-consulting.com

3. Cookies

The proaxia consulting group ag website uses cookies. These are small text files that your browser stores on your device. They are not harmful.

Many websites and servers use cookies. Many cookies contain a so-called cookie ID. A cookie ID is a unique identifier of the cookie. It consists of a string through which websites and servers can be matched with the specific Internet browser in which the cookie was stored. This allows visited websites and servers to

distinguish the browser of the data subject from other Internet browsers that contain other cookies. A particular web browser can be recognised and identified by the unique cookie ID.

We use cookies to make our offer user-friendly. Some cookies remain stored on your device until you delete them. They allow us to recognise your browser on your next visit.

If you do not want this, you can set up your browser in such a way that it will inform you whenever cookies are placed and you can allow cookies only in individual cases.

Disabling cookies may limit the functionality of our website.

4. Google Analytics web tracking – opt-out link

This website uses Google Analytics, a web analytics service provided by Google Inc. ("Google"). Google Analytics uses so-called 'cookies' – text files that are stored on your computer and that allow an analysis of the use of the website by you. The information generated by the cookie about your use of this website is usually transmitted to a Google server in the USA and stored there. However, if IP anonymisation is activated on this website, your IP address will be truncated beforehand by Google within member states of the European Union or in other contracting states of the Agreement on the European Economic Area. Only in exceptional cases will the full IP address be sent to a Google server in the USA and truncated only once there. On behalf of the operator of this website, Google will use this information to evaluate your use of the website, to compile reports on website activity and to provide other services related to website activity and Internet usage to the website operator. Google will not merge the IP address provided by your browser as part of Google Analytics with any other data. You can prevent the storage of cookies by a corresponding setting of your browser software; however, please note that if you do this, you may not be able to use all the features of this website to the fullest extent possible. In addition, you may prevent Google from collecting data generated by the cookie and related to your use of the website (including your IP address) and from processing this data by downloading and installing the available browser plug-in using the following link: <https://tools.google.com/dlpage/gaoptout?hl=en>

You can prevent the collection by Google Analytics by clicking on the following link. An opt-out cookie will be placed which will prevent any future collection of your data when visiting this website:

[Opt out of Google Website Tracking](#)

For more information about Terms of Use and Privacy, see

<https://support.google.com/analytics/answer/6004245?hl=en>

or

<https://policies.google.com/?hl=en>

5. Newsletter and email notifications –distributor

Automated newsletters and email notifications are sent using the distributor ActiveCampaign, LLC, Chicago, IL, USA. For ActiveCampaign's privacy policy see [here](#). The distributor is used on the basis of our legitimate interests pursuant to Article 6(1)(f) GDPR and a data processing agreement pursuant to the first sentence of Article 28(3) GDPR.

The distributor may use recipients' data in pseudonymized form, i.e. without information identifying individual users, in order to optimize or enhance its own services, e.g. to make technical improvements to distribution and presentation of the newsletters or for statistical purposes. However, the distributor does not use the data of our newsletter recipients to contact them itself or to disclose these data to third parties.

6. Newsletter and email notifications – performance measurement

Our automated newsletter and email notifications contain a “web beacon”, i.e. a pixel-sized file that is retrieved from our server, or, if we use a distributor, from its server, when the newsletter is opened. When this file is retrieved, the servers first collect technical information such as information about your browser and system, your IP address, and the time of the request.

This information is used to enhance the service technically by using the technical data or to refine the target groups and their reading behavior by using information about the places where the recall takes place (as they can be determined by using the IP address) or the times of access. Other statistical information collected includes information about whether the newsletters were opened, when they were opened and which links were clicked. For technical reasons, it is possible to identify individual newsletter recipients using this information. However, neither we nor our distributor, if used, aim to monitor individual users. The purpose of these evaluations is simply to learn more about our users’ reading habits and to adapt our content accordingly and to send out different contents tailored to our users’ interests.

7. Collection of general data and information

Our website collects a series of general data and information each time the website is accessed by a data subject or an automated system. This general data and information is stored in the log files of the server. What may be stored are: (1) the browser types and versions used, (2) the operating system used by the accessing system, (3) the Internet page from which an accessing system accesses our website (so-called referrers), (4) the sub-websites, which are accessed via an accessing system on our website, (5) the date and time of website access, (6) an Internet Protocol address (IP address), (7) the Internet service provider of the accessing system and (8) other similar data and information used in emergency response in the event of attacks on our information technology systems.

In using this general data and information, proaxia consulting group ag does not draw any conclusions about the data subject. Instead, this information is required to (1) correctly deliver the contents of our website, (2) to optimise the content of our website and the way it is advertised, (3) to ensure the continued functioning of our information technology systems and the technology of our website, and (4) to provide law enforcement authorities with the information necessary for law enforcement in the event of a cyberattack. This anonymously collected data and information is therefore evaluated by proaxia consulting group ag for statistical purposes and for further purposes of increasing data protection and data security in our company in order to ultimately ensure the best possible level of protection for the personal data we process. The anonymous data of the server log files is stored separately from all personal data provided by a data subject.

8. Contact via the website

Due to legal regulations, our website contains information that enables quick electronic contact with our company as well as direct communication with us, which also includes a general address of the so-called electronic mail (e-mail address). If a data subject contacts the data controller by e-mail or through a contact form, the personal data provided by the data subject will be automatically stored. Such personal data, voluntarily transmitted by a data subject to the controller, is stored for the purpose of processing or contacting the data subject. This personal data is not disclosed to any third parties.

9. Routine deletion and blocking of personal data

The controller shall process and store the personal data of the data subject only for the period necessary to achieve the purpose of the storage or, as the case may be, as provided for by the European directive or regulation authority or by any other legislator in laws or regulations which the controller is bound by.

If the storage purpose ceases to exist or if a storage period, as prescribed by the European directive and regulation authority or any other relevant legislator, expires, the personal data will be routinely blocked or deleted in accordance with the statutory provisions.

10. Rights of the data subject

a) Right of confirmation

Each data subject shall have the right, as granted by the European legislator, to require the controller to confirm whether their personal data is being processed. If a data subject wishes to exercise this right of confirmation, they can contact an employee of the controller at any time.

b) Right of access

Each data subject shall have the right, as granted by the European legislator, at any time, to obtain from the data controller free information regarding the personal data stored about them by the controller and to receive a copy of such information. Furthermore, the European legislator grants the data subject access to the following information:

the purposes of the processing; the categories of personal data concerned; the recipients or categories of recipient to whom the personal data has been or will be disclosed, in particular recipients in third countries or international organisations; where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period; the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing; the existence of the right to lodge a complaint with a supervisory authority; where the personal data are not collected from the data subject, any available information as to their source; the existence of automated decision-making, including profiling, referred to in Article 22 (1) and (4) of the GDPR and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject. In addition, the data subject has a right of access to information as to whether personal data has been transmitted to a third country or to an international organisation. Where this is the case, the data subject shall have the right to be informed of the appropriate safeguards relating to the transfer.

If a data subject wishes to exercise this right of access, they can contact an employee of the controller at any time.

c) Right to rectification

Each data subject shall have the right, as granted by the European legislator, to demand the immediate correction of inaccurate personal data concerning them. Furthermore, taking into account the purposes of the processing, the data subject shall have the right to request that incomplete personal data be completed, including by means of providing a supplementary declaration.

If an affected person wishes to exercise this right to rectification, they can contact an employee of the controller at any time.

d) Right to erasure (right to be forgotten)

Each data subject shall have the right, as granted by the European legislator, to require the controller to immediately erase the personal data concerning them, provided that one of the following reasons is satisfied and the processing is not required:

The personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed.

The data subject objects to the processing pursuant to Article 21 (1) of the GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21 (2) of the GDPR.

The personal data has been processed unlawfully.

The personal data has to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject.

The personal data has been collected in relation to the offer of information society services referred to in Article 8 (1) of the GDPR.

If one of the above-mentioned reasons applies and a data subject wishes to request the erasure of personal data stored by proaxia consulting group ag, they can contact an employee of the controller at any time. The employee of proaxia consulting group ag shall promptly ensure that the erasure request is complied with immediately.

If the personal data has been made public by proaxia consulting group ag and if our company as the controller is obliged to erase personal data pursuant to Art. 17 (1) GDPR, proaxia consulting group ag will take measures (including those of technical nature) that are deemed appropriate in view of the available technology and the implementation costs, to inform other data controllers who are processing the published personal data that the data subject has requested all other data controllers to erase any links to such personal data or copies or replications of such personal data, as far as processing is not required. The employee of proaxia consulting group ag will arrange the necessary measures in individual cases.

e) Right of restriction of processing

Each data subject shall have the right, as granted by the European legislator, to require the controller to restrict processing where one of the following applies:

- The accuracy of the personal data is contested by the data subject, for a period enabling the Controller to verify the accuracy of the personal data.
- The processing is unlawful and the data subject opposes the erasure of the personal data and requests instead that its use be restricted.
- The controller no longer needs the personal data for the purposes of processing but they are required by the data subject for the purposes of asserting, exercising or defending legal claims.
- The data subject has objected to processing pursuant to Article 21 (1) of the GDPR pending the verification whether the legitimate grounds of the controller override those of the data subject.

If one of the above-mentioned conditions are met and a data subject requests the restriction of personal data stored by proaxia consulting group ag, they can contact an employee of the controller at any time. The employee of proaxia consulting group ag shall arrange for the processing to be restricted.

f) Right to data portability

Each data subject shall have the right, as granted by the European legislator, to receive the personal data concerning them, which was provided to a controller, in a structured, commonly used and machine-readable format. They shall have the right to transmit this data to another controller without hindrance from the controller to which the personal data has been provided as long as the processing is based on consent pursuant to point (a) of Article 6 (1) of the GDPR or point (a) of Article 9 (2) of the GDPR or on a

contract pursuant to point (b) of Article 6(1) of the GDPR, and the processing is carried out by automated means, as long as the processing is not necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Furthermore, in exercising their right to data portability pursuant to Article 20 (1) of the GDPR, the data subject shall have the right to have their personal data transmitted directly from one controller to another, where technically feasible and where it does not adversely affect the rights and freedoms of others. In order to assert the right to data portability, the data subject can contact an employee of proaxia consulting group ag at any time.

g) Right to objection

Each data subject shall have the right, as granted by the European legislator, to object, on grounds relating to their particular situation, at any time, to the processing of their personal data which is based on point (e) or (f) of Article 6 (1) of the GDPR. This also applies to profiling based on these provisions.

proaxia consulting group ag shall no longer process the personal data in the event of the objection, unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or such processing is conducted for the purposes of asserting, exercising or defending legal claims.

If proaxia consulting group ag processes personal data for direct marketing purposes, the data subject shall have the right to object at any time to the processing of their personal data for such marketing. This applies to profiling since it is related to such direct marketing. If the data subject objects to proaxia consulting group ag processing for direct marketing purposes, proaxia consulting group ag will no longer process the personal data for these purposes.

In addition, the data subject shall have the right, on grounds relating to their particular situation, to object to the processing of their personal data concerning by proaxia consulting group ag for scientific or historical research purposes or statistical purposes pursuant to Article 89 (1) of the GDPR, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

To exercise the right to object, the data subject can directly contact any employee of proaxia consulting group ag. In addition, the data subject is free in the context of the use of information society services, and notwithstanding Directive 2002/58/EC, to use their right to object by automated means using technical specifications.

h) Automated decisions in individual cases including profiling

Each data subject shall have the right, as granted by the European legislator, not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning them or similarly significantly affects them, as long as the decision (1) is not necessary for entering into, or performance of, a contract between the data subject and a data controller, or (2) is not authorised by Union or Member State law by which the controller is bound and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, or (3) is not based on the data subject's explicit consent.

If the decision (1) is necessary for entering into, or performance of, a contract between the data subject and a data controller, or (2) it is based on the data subject's explicit consent, proaxia consulting group ag shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate

interests, at least the right to obtain human intervention on the part of the controller, to express their point of view and to contest the decision.

If the data subject wishes to exercise their rights concerning automated individual decision-making, they can contact an employee of the controller at any time.

i) Right to revoke data protection consent

Each data subject shall have the right, as granted by the European legislator, to withdraw their consent to the processing of their personal data at any time.

If the data subject wishes to exercise their right to withdraw their consent, they can contact an employee of the controller at any time.

11. Legal basis for processing

Art. 6 I letter a GDPR serves our company as the legal basis for processing operations where we obtain consent for a particular processing purpose.

- If the processing of personal data is necessary to fulfil a contract to which the data subject is a party, as is the case, for example, in processing operations necessary for the supply of goods or the provision of any other service or consideration, the processing is based on Art. 6 I letter b GDPR.
- The same applies to processing operations that are required to carry out pre-contractual measures, such as in cases of inquiries about our products or services.
- If our company is subject to a legal obligation which requires the processing of personal data, such as the fulfilment of tax obligations, the processing is based on Art. 6 I letter c GDPR.
- In rare cases, the processing of personal data may be required to protect the vital interests of the data subject or another natural person. This would be the case, for example, if a visitor to our premises were injured and their name, age, health insurance or other vital information would have to be passed on to a doctor, hospital or other third party. Then the processing would be based on Art. 6 I letter d GDPR.
- Finally, processing operations could be based on Art. 6 I letter f GDPR. Processing operations that are not covered by any of the above legal bases are based on this legal basis, if the processing is necessary to safeguard the legitimate interests of our company or a third party, unless the interests, fundamental rights and fundamental freedoms of the data subject prevail. We are allowed to conduct such processing operations because they have been specifically mentioned by the European legislator. In that regard, it is considered that a legitimate interest could be assumed if the data subject is a customer of the controller (recital 47, sentence 2, GDPR).

12. Authorised interests in the processing pursued by the controller or a third party

If the processing of personal data is based on Article 6 I letter f GDPR, what is deemed our legitimate interest is conducting our business in a way that is beneficial to all our employees and our shareholders.

13. Duration for which the personal data is stored

The criterion for the duration of the storage of personal data is the respective statutory retention period. After the deadline, the corresponding data will be routinely erased, if it is no longer required to fulfil or initiate a contract.

14. Legal or contractual rules regarding the provision of personal data; data necessary for contract conclusion; obligation of the data subject to provide the personal data; possible consequences of non-provision

We would like to inform you that the provision of personal information is in part required by law (such as tax regulations) or may result from contractual arrangements (such as details of the contractor). Occasionally, for a contract to be concluded, a data subject may have to provide us with personal data that must subsequently be processed by us. For example, the data subject is required to provide us with personal information when our company enters into a contract with them. Failure to provide the personal data would mean that the contract with the data subject could not be concluded.

Prior to any personal data being provided by the data subject, the data subject must contact one of our employees. Our employee will inform the individual on a case-by-case basis whether the provision of the personal data is required by law or for contractual purposes or for the conclusion of the contract, whether there is an obligation to provide the personal data and the consequences of the non-provision of the personal data.

15. Existence of automated decision-making

As a responsible company, we refrain from automatic decision-making or profiling.