

Data protection statement

This data protection declaration serves to inform the users of the website of the Ombudsman's Office of the Swiss Travel Industry and provides information on the purpose for which personal data may be collected and used.

Responsible

The person responsible for processing personal data is the **Ombudsman of the Swiss Travel Industry, Etzelstrasse 42, 8038 Zurich, Switzerland.**

If you have any questions about data protection, please write to us at the above address or send an e-mail to info@ombudsman-touristik.ch with the subject "Data protection."

The protection of your privacy and the security of your personal data is important to us. Our ombudsman service is aware of the sensitivity of using personal data. The data you provide will be handled with the utmost care.

By contacting the Ombudsman's Office of the Swiss Travel Industry, you agree to your personal data being processed in accordance with this privacy policy.

1 What data do we process?

We process the personal data that we receive from you or your representative in the context of an enquiry, a complaint or a request for mediation. This includes information provided verbally, as well as that which arises from documents you submit to the ombudsman service.

We only process the personal data relating to the data subject and journey that is necessary to fulfil the above purposes. Specifically, depending on the personal situation of the data subject and the claims to which the data subject is entitled, this may include the following personal data:

- Salutation, first and last name, date of birth, number of co-booked children and adults, first and last name and date of birth of fellow travellers:
- ID/passport details and national insurance number
- Home address with street, postcode and country of residence
- Contact details such as mobile phone number and e-mail address
- Payment data such as full bank details
- Booking data on the trip such as start and duration of the trip, place of the trip as well as on the individual travel services booked
- Details of any deposits and other payments already made.

Furthermore, we process data relating to you that we receive from the travel agency or tour operator selected by you, to which your entry relates, in the context of contacting/brokerage with the travel agency or tour operator.

If data processing is transparent and recognisable, we refrain from obtaining the consent of the data subject as far as permissible in favour of an economical and user-friendly data flow.

The legal basis for the processing of personal data is the provisions of the Swiss Data Protection Act. According to these provisions, personal data may be processed insofar as this is necessary for the fulfilment of the travel contract between a data subject and his or her

travel provider or agent for the booked trip. This also applies to processing in connection with pre-contractual measures requested or otherwise enquired about by a data subject.

The contact form offered by us on the website for requesting processing is read and used exclusively by our office.

2 For what purpose do we process your data?

We process your data in order to carry out our tasks in accordance with the regulations of the ombudsman's office, i.e. in order to check our competence and, if necessary, to answer your enquiry and, if the conditions are right, to carry out a mediation procedure with the company or companies involved in the Swiss travel industry.

3. access to your data / disclosure of your data

The staff at the ombudsman's office in Zurich have access to your data. They are sworn to secrecy.

During our mediation activities in accordance with the regulations of our foundation, data relating to you may be transferred to the companies involved in the Swiss travel industry and are then no longer subject to this data protection declaration at these companies.

Service providers called in by us may have access to your data for a short period of time for the purpose of maintaining, checking and servicing our data processing systems or in connection with the technical and administrative maintenance of the ombudsman's office. These service providers are sworn to secrecy by us. Personal data will only be transferred to third countries (states outside the European Union and the European Economic Area - EEA) or to an international organisation in exceptional cases if clarifications with bodies abroad become necessary.

If you submit your enquiry, complaint or request for mediation to us by telephone, in writing, by e-mail or electronically (by e-mail or via the upload function available on the homepage via the Internet), your data will be processed and stored by an external service provider who acts as an order processor for us in accordance with our instructions.

The transmission of information via the Internet involves security risks. We cannot accept any responsibility for the security and confidentiality of data during electronic transmission.

Important note: Please note that the proceedings before the ombudsman's office are confidential and that we do not disclose any information on individual cases to third parties that would allow conclusions to be drawn about the names of parties to the proceedings.

Data processing for the fulfilment of legal obligations

In addition, we process personal data to comply with legal obligations (e.g. regulatory requirements, obligations under commercial and tax law to keep records and to provide evidence).

4. recipients of personal data

Personal data will only be passed on or otherwise transferred to third parties if this is necessary for the purpose of contract processing or billing, or if prior consent has been given, or if there is a legal basis for the transfer.

For the operation of our website and our technical infrastructure, we work with external service providers who act as order processors for us and only process personal data in accordance with our instructions. Service providers who support us are software (SaaS) providers, IT service providers, in particular service providers for software and hardware maintenance, hosting providers and e-mail service providers.

In addition, data may be passed on to third parties commissioned to advise the Swiss Travel Industry Ombudsman Service, such as consulting firms or law firms, tax advisors, auditors or comparable consulting service providers, as well as, if applicable, to the supervisory authority responsible for us (Foundation Supervisory Authority, Federal Department of Home Affairs). These are regularly not active as processors. However, they are subject to legal or contractually agreed confidentiality obligations.

5 Cookies

We may use so-called cookies to provide website-specific services. Cookies are small text files that are stored on a visitor's computer and contain data about the respective user to enable the user to access various functions.

Websites may use both session cookies and persistent cookies. A session cookie is temporarily stored on the computer used while navigating through the website. A session cookie is deleted as soon as the Internet browser is closed or as soon as the session has expired after a certain time. A persistent cookie remains on the computer until it is deleted.

We use necessary cookies that are required to enable the provision of the services owed by us or to ensure the functionality of our services. Our interest then lies in ensuring the provision of the functions of our services. For the use of other, non-essential cookies, we obtain consent where appropriate.

We may work with third parties on some of our offers and therefore cookies from partner companies may also be stored when you visit such a website (third-party cookies).

6 Log files, plug-ins and services

Each time our websites are accessed, usage data is transmitted by the respective internet browser and stored in log files, the so-called server log files. The data records stored in this process contain the following data:

- the page from which the page was requested (so-called referrer URL)
- the name and URL of the requested page
- the date and time of the request
- the description of the type, language and version of the web browser used
- the IP address of the requesting computer
- the amount of data transferred
- the operating system
- whether the request was successful (access status/ttp status code)
- the GMT time zone difference

This data cannot be assigned to specific persons. This data is not merged with other data sources. We reserve the right to check this data retrospectively if we become aware of

concrete indications of illegal use. We have an interest in the prosecution, prevention and punishment of unlawful use of our offer.

Our website uses Google Analytics, a service provided by Google Ireland Ltd, Google Building Gordon House, Barrow St, Dublin 4, Ireland and Google LLC, 1600 Amphitheatre Parkway Mountain View, CA 94043, USA; both together "Google", whereby Google Ireland Ltd is responsible for the processing of personal data. Google uses cookies, which are stored on your device and allow an analysis of the website by them. The information generated by the cookie about your use of the website will be transmitted to and stored by Google on servers in the United States. We have added the code "anonymize IP" to Google Analytics. This ensures that all data is collected anonymously. Only in exceptional cases will the full IP address be transferred to a Google server in the USA and shortened there. Google evaluates the collected data on our behalf so that we can form a picture of the visits and user behaviour on our website. This enables us to improve our services and the website content as well as its design. You can prevent cookies from being stored by adjusting the settings in your browser accordingly (see our comments on cookies). You can deactivate Google Analytics by downloading and installing the Google browser add-on.

We use the web analytics software Matomo (<https://matomo.org>) on our website, a service provided by InnoCraft Ltd, 150 Willis Street, 6011 Wellington, New Zealand, ("Matomo"). Matomo can be used to create and evaluate pseudonymised usage profiles. Cookies can be used for this purpose (cf. on the cookie term above). The cookies enable, among other things, the recognition of the internet browser. The data collected with Matomo technology (including your pseudonymised IP address) is processed on our servers. The information generated by the cookie in the pseudonymous user profile is not used to personally identify the visitor to this website and is not merged with personal data about the bearer of the pseudonym. Matomo is used for statistical analysis of user behaviour for optimisation and marketing purposes. This is also our legitimate interest. You can prevent the storage of cookies and thus the analysis by Matomo by means of settings in your browser.

We use the Google Tag Manager on our website. This collects data on user behaviour on our website and forwards it to our analysis tools. Google Tag Manager does not have access to the data, it only collects the data. Since the Google Tag Manager does not process any personal data, please refer to the explanations on the respective tracking services and the usage guidelines of Google Tag Manager.

We use so-called web fonts on our website for the uniform display of fonts, which are provided by Google. When you call up one of our pages, your browser loads the required web fonts into your browser cache in order to display texts and fonts correctly. The browser you use establishes a connection to Google's servers. This informs Google that our website has been accessed via your IP address. If your browser does not support web fonts, a standard font will be used by your computer. Google Web Fonts are used in the interest of a uniform and appealing presentation of our online offers. For more information on Google Web Fonts, see the Google Web Fonts FAQs: <https://developers.google.com/fonts/faq>.

The US Privacy User Signal Mechanism is used on a website to give users the opportunity to give or withhold consent for the processing of their personal data. This mechanism can be implemented in various ways, such as an opt-in or opt-out system that allows the user to choose which data may or may not be processed.

Global Site Tag (gtag.js) is a tag management system developed by Google. It is used to track and manage data such as traffic, sales, conversions and more through a single line of code. It allows businesses to implement tracking tags for various purposes, such as Google Ads, Google Analytics and more.

7. duration of data storage

In principle, we delete personal data as soon as it is no longer required for the above-mentioned purposes, unless temporary storage is still necessary. For example, we store personal data on the basis of legal obligations to provide proof and to retain data, which result, among other things, from the Swiss Code of Obligations (OR), the Business Records Ordinance (GebüV), the Value Added Tax Act (MWSTG) and the Criminal Code (STGB) (obligations to retain business records). Accordingly, the storage periods are up to ten full years. In addition, we retain personal data for the period during which claims can be asserted against our company (statutory limitation period).

8. data subject rights

Within the framework of the applicable legal provisions, data subjects have the right at any time to obtain free information about their personal data stored by us, its origin and recipients and the purpose of the data processing and, if applicable, the right to have this data corrected or deleted.

For this purpose, as well as for further questions about personal data, you can contact us at any time using the contact details provided in this data protection declaration.

Data subjects may also have a right to restrict the processing of their data and a right to receive the data they have provided in a structured, commonly used and machine-readable format.

If you have given us consent to process personal data for specific purposes, you may withdraw your consent at any time with future effect. If we process your data to protect legitimate interests, you may object to this processing on grounds relating to your particular situation. If we cannot demonstrate compelling legitimate grounds for further processing that override your interests, rights and freedoms, we will no longer process your data.

In addition, data subjects have the option of contacting a data protection supervisory authority (FDPIC).

Zurich, 05 July 2023