

Privacy Policy e-Potek

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1. Privacy policy

e-Potek takes the private nature of the personal data of any person very seriously and is strongly committed to protecting your personal information. To ensure transparency, this privacy policy (“**Privacy Policy**”) describes how e-Potek, as the data controller, handles personal information e-Potek collects through its website (“**Website**”). Please read this Privacy Policy very carefully before using the Website. In this Privacy Policy, your information is sometimes referred to “personal data” or “personal information”. It is also sometimes collectively referred to handling, collecting, protecting or storing your personal information as “processing” such personal information. “We” and “Us” both refer to e-Potek throughout this Privacy Policy.

2. Acceptance of Privacy Policy

By accessing and using the Website and/or e-Potek’s services, you acknowledge and confirm you have reviewed and accepted the terms of this Privacy Policy and, to the extent your consent is necessary under applicable law, you consent to the collection, use and disclosure of your personal information as described further below by e-Potek or any third party recipient in accordance with the terms of this Privacy Policy. For avoidance of doubt, the signing of a specific agreement by which you require ePotek’s services shall also be construed as a valid and explicit consent to the collection and processing of your personal information in connection with the use of e-Potek’s services and Website.

If you disagree with the present Privacy Policy, you should immediately discontinue access or use of this Website and of e-Potek’s services.

3. Collection of data

e-Potek collects non-personally-identifying information of the sort that web browsers and servers typically make available, such as the operating system, the browser type, language preference, referring site, and the date and time of each request to the Website. e-Potek’s purpose in collecting non-personally identifying information is to better understand how a person uses the Website. These data can be collected with the help of analytics tools. Such technologies can tell e-Potek things like how a person arrived on the Website, if this person visited the Website before, how long this person stays on the Website, and which pages this person visits.

e-Potek also collects potentially personally-identifying information like Internet Protocol (IP) addresses. e-Potek does not use such information to identify any particular person, however, and does not disclose such information pursuant to this Privacy Policy.

The access and use of the Website and the provision of e-Potek’s services require e-Potek to gather personal data, i.e. all information relating to an identified or identifiable person. The amount and type of information, that e-Potek gathers, depends on the nature of the interaction. For example, e-Potek asks for registration of certain online products and/or services to provide with a username, an email address, your name, your company name, and your address. In each case, e-Potek collects such information only insofar as is necessary or appropriate to fulfill the purpose of the person's interaction with the Website, e.g. to provide the online products and/or services. You may choose to refuse to supply personal data to Us. e-Potek might not be in a position to serve you as effectively or offer you some or all of e-Potek’s services or products when you choose not to share certain personal information with Us.

4. How personal information is used

e-Potek's primary purpose in collecting personal information is to provide you with a secure, smooth, efficient and customized experience. In general, e-Potek uses personal information to create, develop, operate, deliver and improve its services, including but not limited to the following:

- to provide you with e-Potek's services and customer support that you may request;
- to process transactions and send you notices about your transactions;
- to verify your identity;
- to send administrative or account-related information to you;
- to better understand e-Potek's customers and end users and the way they interact with the Website and e-Potek's services;
- to implement the preferences you opt for;
- to customise, measure and improve e-Potek's services and layout of the Website;
- to enhance security, prevent fraud, monitor and verify identity or services access, combat spam or other malware or security risks;
- to deliver targeted marketing, services update notices and promotional offers based on your communication preferences;
- to communicate with you;
- to prevent and investigate potentially prohibited or illegal activities, and/or violations of e-Potek's GT&C;
- to resolve disputes and collect fees;
- to comply with legal obligations;
- for quality control and staff training.

e-Potek will not use your personal information for purposes other than those purposes it has disclosed to you, without your permission. From time to time, e-Potek may request your permission to allow Us to share your personal information with third parties. You may choose not to have your personal information shared with third parties where e-Potek relies on consent as the lawful basis for processing your personal information. You may also choose not to allow e-Potek to use your personal information for any purpose that is incompatible with the purposes for which e-Potek originally collected it or subsequently obtained your authorization. If you choose to limit the use of your personal information, some or all features of e-Potek's services may not be available to you.

5. Security of personal data

e-Potek understands how important your privacy is, which is why e-Potek maintains (and requires its service providers to maintain) appropriate physical, technical and administrative safeguards to protect the security and confidentiality of the personal information you entrust to Us.

We may process all or part of your personal and transactional information, including certain payment information, such as your encrypted bank account, in Switzerland and elsewhere in the world where e-Potek facilities or service providers are located. e-Potek protects your personal information by maintaining physical, electronic and procedural safeguards in compliance with the applicable laws and regulations.

For example, e-Potek uses computer safeguards such as firewalls and data encryption, all personal data is stored on secured database servers with restricted access and the Website server is physically located in Switzerland. For the persons outside Switzerland, please note that any personal data transferred to the Website will be transferred out of the person's country of origin or residence, and into Switzerland. You expressly consent to such transfer through the use of the Website. You also warrant that you have

the right to transfer such information outside the country where they are originated from and into Switzerland.

Other than to its employees and affiliated corporate entities or as described above, e-Potek discloses personal data only when required to do so by law, or when e-Potek believes in good faith that disclosure is reasonably necessary to protect the property or rights of e-Potek, third parties or the public at large. e-Potek takes all measures reasonably necessary to protect against the unauthorized access, use, alteration or destruction of personal data.

Despite e-Potek's measures to protect personal information, it cannot guarantee that loss, misuse, unauthorised acquisition or alteration of your data will not occur. Your attention is drawn to the fact that you play a vital role in protecting your information.

6. How do we treat electronic messages sent to and from e-Potek

All electronic messages sent to and from e-Potek are automatically retained in a distinct journaling system which preserves the evidential weight of the e-mails. They are protected by reasonable technical and organisational measures and may only be accessed in justified cases in line with applicable laws and regulations (e.g. court order, suspicion of criminal conduct, violation of regulatory obligations, material breach of employment contract) to specific persons in defined functions (e.g. Legal, Compliance, Risk). Every step of the process, as well as the search criteria used, are logged in an audit trail. All emails are disposed of after the applicable retention period has expired.

7. Direct Marketing

From time to time, e-Potek may use your personal data (including your name and contact details, online behavioural information, and account, transaction and financial information) to send you news, offers, promotions and joint marketing offers about e-Potek's products and services, in accordance with the level of consent you have expressed when registering with e-Potek.

Unless you have previously indicated that you do not wish to receive marketing materials from e-Potek, your consent to use and disclose your personal data for the above direct marketing purposes has been obtained in accordance with applicable laws under existing privacy notices, agreements, and/or e-Potek's GT&C, as part of your ongoing relationship with e-Potek.

Even if you have previously given e-Potek your express consent to use and disclose your personal data for the above direct marketing purposes, you may withdraw your consent at any time free of charge by contacting e-Potek as indicated in section 11 below. The withdrawal of your consent will be processed and will take effect as soon as reasonably possible.

8. Third party providers

e-Potek may transfer or disclose the personal data it collects to its affiliates or third party contractors, subcontractors for the purpose of the provision of e-Potek's services to you and for the purposes for which the information has been submitted and for the purposes listed in section 4 above. e-Potek may also transfer personal data to third party providers of data backup, security and storage services. All third party providers shall only use the personal information in connection with the services they perform for e-Potek and shall be bound by contracts offering the same degree of protection than what is specified in the present Privacy Policy.

It is e-Potek's policy to use only third party providers that are bound to maintain appropriate levels of security and confidentiality, to process personal information only as instructed by e-Potek and to

impose the same obligations on to their own sub-processors, in accordance with applicable laws and regulations.

9. Links to third party sites

This Privacy Policy only applies to information collected by e-Potek. This Privacy Policy does not apply to the practices of companies that e-Potek does not own or control. The Website contains links to third party websites. Any information a person provides to, or that is collected by, third-party sites may be subject to the privacy policies of those sites, if any. e-Potek encourages each person to read such privacy policies of any third-party sites that such person visits. It is the sole responsibility of such third parties to adhere to any applicable legal or other applicable restrictions on the disclosure of a person's personal data, and e-Potek and its affiliated corporate entities shall not be liable for wrongful use or disclosure of any person's personal data by any third party.

10. Cookies

A cookie is a small file, typically a string of information of letters and numbers, downloaded on to a device when a person accesses certain websites. Cookies are then sent back to originating website on each subsequent visit. Cookies are useful because they allow a website to recognize a person's device.

e-Potek uses cookies to help e-Potek identify and track your usage of the Website, and your Website access preferences. Any person who does not wish to have cookies placed on its computer should set its browsers to refuse cookies before using the Website, with the drawback that certain features of the Website may not function properly without the help of cookies.

Types of Cookies used by e-Potek

e-Potek uses several types of cookies. Some are essential, while others you can opt out of or block. Opting out or blocking some cookies may affect the functionality of the online products and/or services, and of the Website. The below explanations shall help each person to make informed choices about the information a person provides to e-Potek and third parties when a person visits the Website.

Why and how e-Potek uses cookies

There are broadly four reasons why a cookie might be stored on your device when visiting the Website:

- cookies that make the Website works properly for you and enable you to make use of the secure online products and/or services that e-Potek provides;
- cookies that collect data about your use of the Website which is then anonymized and used to help e-Potek improve online products and/or services;
- cookies that remember your preferences and make the Website easier for you to use;
- cookies that are placed by third party services e-Potek makes use of to enhance the information e-Potek presents online. e-Potek has no control over these third party cookies.

These cookies are placed on your device either by e-Potek or by the third parties whose services we use as part of the Website.

Some cookies are retained in your browser for only as long as you visit the Website, while others persist for a longer specified or unspecified period.

How to block cookies

You can restrict or block cookies which are set during your use of the Website by changing your browser's settings. For more detailed information, see <http://www.allaboutcookies.org/>. Some pages may not work if you completely disable cookies, but many third party cookies can be safely blocked.

Check information in your browser's help section for specific instructions on how to manage cookies.

Strictly necessary cookies

Some cookies e-Potek places on your browser ensure that the Website, the online products and/or services, deliver information and products and/or services securely and optimally to you. You must accept these cookies to be able to make use of e-Potek's online systems.

Functionality cookies

Some cookies enable Websites 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 a website by providing a more personalized service.

Performance cookies

e-Potek uses a number of tools that monitor your behavior on the Website to help e-Potek improve and customize the provided information and online products and/or services.

You can opt out of providing e-Potek with this information if you wish, with no impact on your experience of the Website.

Third party cookies

The Website, some online products and/or services use third party services or software. Many of these services may set cookies on your device.

You can block or remove cookies yourself by altering the settings of your browser. Blocking these cookies is unlikely to impact on your experience of the Website.

Cookies set across the Website

Strictly necessary cookies.

11. Your rights in relation to personal information

In accordance with applicable laws and regulations, you are entitled to access, review, update, rectify or have rectified your personal information held by e-Potek where it is inaccurate. You have a right to object to the processing of your personal information for direct marketing purposes at any time. You have a right to erasure in the cases provided by the applicable law and regulations. You may withdraw your consent to the processing of your personal information at any time by contacting e-Potek by email at digital@e-potek.ch.

Upon request, e-Potek will provide each person with a summary of the information e-Potek collects about such person.

If you have any questions or complaints about e-Potek's Privacy Policy and its collection, use and processing of data, please contact e-Potek by email at digital@e-potek.ch.

12. Children

e-Potek understands the importance of protecting children's privacy, especially in an online environment. The Website is not intentionally designed for or directed at children, and the use of e-Potek's services requires all users to be above the age of majority. e-Potek never knowingly collects or maintains personal information about individuals under the age of 18.

13. Amendments

e-Potek may update and amend this Privacy Policy from time to time, and in e-Potek 's sole discretion. If e-Potek does, then e-Potek will post the amended policy on the Website. In all cases, use of information e-Potek collects is subject to the Privacy Policy in effect at the time such information is collected. You are therefore encouraged to review this Privacy Policy periodically to be informed about how e-Potek is protecting your personal information.

14. Applicable law and jurisdiction

This Privacy Policy and all matters arising out of or relating to this Privacy Policy shall be governed by and construed in accordance with the laws of Switzerland, excluding its conflict of law provision.

All disputes arising out of or in connection with this Privacy Policy shall be submitted to the competent courts of the Republic and Canton of Geneva, Switzerland, an appeal to the Swiss federal court in Lausanne being reserved.

In case of discrepancy, the English version shall prevail.

Last update in May 2018