



## PRIVACY POLICY

### 1. General Note

In this privacy policy, we describe the data we collect from our contractual partners and what we do with these data. This is not an exhaustive description; other privacy policies, consents, or similar documents may govern specific matters.

The term "Personal Data" or "Data" in this privacy policy refers to all information relating to an identified or identifiable natural person. "Processing" means any handling of personal data, regardless of the means and procedures used, in particular the storage, disclosure, acquisition, deletion, archiving, modification, destruction, and use of personal data.

This privacy policy is designed to meet the requirements of the Swiss Data Protection Act and the Data Protection Ordinance in the versions that came into force on September 1, 2023.

### 2. Data Controller

The "Controller" for the data processing described in this privacy policy is Transitgas AG unless otherwise specified in individual cases. If you have data protection concerns, you can contact us at the following address:

Transitgas AG  
Franklinstrasse 27  
8050 Zurich  
communication@transitgas.ch

### 3. Collection and Processing of Personal Data

We process various categories of data about our contractual partners. The main categories include:

- **Personal information and contact details:** e.g., first name, last name, date of birth, address, telephone number, email address.
- **Contractual data:** This includes data related to the conclusion and fulfilment of contracts, such as contract details and the services to be provided or provided, data from the pre-contractual phase, and information necessary for contract processing. We typically collect these data from you, contractual partners and third parties involved in contract processing, as well as from third-party sources and publicly available sources. We generally retain these data for 10 years from the last contract activity, but at least until the end of the contract. This period

may be longer if required for evidentiary purposes or to comply with legal or contractual requirements or for technical reasons.

- **Other data:** We may also collect data from you in other situations, such as in connection with official or judicial proceedings, which may also relate to you.

#### **4. Purposes of Data Processing and Legal Bases**

We primarily use the personal data we collect to conclude and fulfil contracts with our business partners.

Additionally, we process your personal data for the following purposes:

- General communication with you.
- Protection of rights, assertion of legal claims, and defence in connection with legal disputes and administrative proceedings in Switzerland and abroad.
- Purchase and sale of business areas, companies, or parts of companies, and other corporate transactions involving the transfer of personal data, as well as measures for business control and compliance with legal and regulatory obligations and the internal regulations of Transitgas AG.

If you have given us consent to process your personal data for specific purposes, we will process your personal data in accordance with and based on that consent, to the extent that we cannot refer to another legal basis and require your consent. You can revoke your consent at any time, especially at the address given in Clause 2, but this does not affect data processing that has already occurred and was completed.

#### **5. Data Disclosure to Third Parties in Switzerland and Abroad**

In the course of our business activities and in accordance with the purposes of data processing as described in Clause 4, we may or must transmit data to third parties (if such transmission is permissible and deemed appropriate). This includes, in particular, the following categories of recipients (collectively "Recipients"):

- Service providers and processors (e.g., payment service providers, IT providers).
- Accountants, auditors, lawyers and other external consultants.
- Legal and regulatory authorities, upon request or for the purpose of reporting actual or suspected violations of applicable laws or regulations.
- Domestic and foreign authorities, courts, or other parties in actual or pending legal or enforcement proceedings, including for wage garnishment.
- Any relevant party for the purpose of preventing, investigating, detecting, or prosecuting crimes or enforcing criminal penalties, including the prevention of threats to public security.
- Acquirers or parties interested in the acquisition of all or parts of our business or assets.
- Companies that are part of the Fluxys Group.

- Other individuals: This refers to other cases where the involvement of third parties arises from the purposes described in Clause 4.

All these categories of recipients may themselves involve third parties, which may also have access to your data. We may limit the processing by certain third parties (e.g., IT providers), but not by others (e.g., authorities, banks, etc.).

Recipients are primarily located in Switzerland. In addition, recipients may be located in the European Economic Area ("EEA"). If a recipient is located outside the EEA and in a country without adequate legal data protection, we contractually oblige the recipient to comply with applicable data protection (using the current standard contractual clauses of the European Commission), unless the recipient is already subject to a legally recognised data protection framework and we cannot rely on an exemption. An exemption may apply, in particular, in foreign legal proceedings, as well as in cases of overriding public interests, if you have given consent, or if the information is publicly accessible data that you have not objected to being processed.

## **6. Duration of Personal Data Retention**

We process your data for as long as our processing purposes, legal retention periods, and our legitimate interests in processing for documentation and evidential purposes require, or as long as storage is technically necessary. If there are no legal or contractual obligations to the contrary, we will delete or anonymise your data after the storage or processing period has expired, in accordance with our standard procedures.

## **7. Data Security**

We take appropriate security measures to maintain the confidentiality, integrity and availability of your personal data, to protect them against unauthorised or unlawful processing, and to mitigate the risks of loss, accidental alteration, unintended disclosure or unauthorised access.

## **8. Your Rights**

To facilitate your control over the processing of your personal data, you have the following rights in connection with our data processing:

- The right to request information from us about whether and what data we process about you.
- The right to have data corrected if they are incorrect.
- The right to request the deletion of data.
- The right to request from us the disclosure of certain personal data in a conventional electronic format or their transfer to another controller; this only applies to data that you have disclosed to us and that we process automatically with your consent or for the purpose of concluding or fulfilling a contract with you.
- The right to withdraw consent, to the extent that our processing is based on your consent.
- The right to request additional information necessary for the exercise of your rights upon request.

If you wish to exercise these rights, you can contact us at the address provided in Clause 2. The exercise of these rights generally requires that you can clearly prove your identity, for example, by providing a copy of an ID card.

Please note that, under the applicable data protection law, there may be conditions, exceptions or restrictions to these rights. We reserve the right to assert or enforce such conditions, exceptions or restrictions, for example, to protect third parties or business secrets or if we are obliged to retain or process certain data or need the data to assert claims.

Additionally, you have the right to file a complaint with the Swiss Federal Data Protection and Information Commissioner (<http://www.edoeb.admin.ch>).

## **9. Changes**

This privacy policy is not part of a contract with you but serves solely for your information. We may unilaterally amend this privacy policy at any time without prior notice. The version published on this website is the current version.

Zurich, September 1, 2023