

Data Protection Notice

Schilthornbahn AG handles customer data in a trustworthy manner

Schilthornbahn AG (Lengwald 301, 3824 Stechelberg, Switzerland), an Institute of Swiss Public Law (CHE-101.367.136) represented by Christoph Egger (CEO), operates the websites **schilthorn.ch**, **shop.schilthorn.ch**, **schilthornbahn20xx.ch**, **alpenruh-muerren.ch** and **blumental-muerren.ch** (hereinafter referred to as "websites") and is therefore responsible for the collection, processing and use of your personal data and the compliance of the said data processing with Swiss law.

Your trust is important to us, which is why we take the issue of data protection seriously and ensure the appropriate level of security. We of course abide by the statutory provisions of the Federal Act on Data Protection (FADP), the Ordinance to the Federal Act on Data Protection (OFADP), the Telecommunications Act (TCA) and, if applicable, other data protection provisions, in particular the General Data Protection Regulation of the European Union (hereinafter GDPR).

Please take note of the information below so that you know which data we collect from you and for what purposes it is used.

Protecting your personality and your privacy is very important to us at Schilthornbahn AG. We guarantee that your personal data will be processed in accordance with the applicable provisions of data protection law. Schilthornbahn AG is committed to the following principles for the trustworthy handling of your data:

You decide how your personal data is processed.

Within the legal framework, you can refuse to allow your data to be processed at any time, revoke your consent or have your data deleted. You always have the option of travelling anonymously, i.e. without having your personal data recorded.

We offer you added value when processing your data.

Schilthornbahn AG uses your personal data to offer you added value along the mobility chain (e.g. tailor-made offers and information, support or compensation in the event of disruption). Your data will therefore only be used for the development, provision, optimisation and evaluation of our services or for the maintenance of the customer relationship.

Your data will not be sold.

Your data will only be disclosed to selected third parties listed in this data protection declaration and only for the explicitly stated purposes. If we commission third parties with data processing, they are obliged to comply with our data protection standards.

We guarantee security and protection for your data.

Schilthornbahn AG guarantees the careful handling of customer data and the security and protection of your data. We take the necessary organisational and technical precautions to ensure this.

Below you will find detailed information on how we handle your data.

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1. Legal information

Important legal information

Please read the following conditions carefully before continuing. Persons who access the Schilthornbahn AG websites signify their agreement to the following conditions.

Copyright and trademark rights

The entire content of the websites is copyright protected. All rights are owned by Schilthornbahn AG or third parties. The elements contained on the websites are freely accessible for browsing purposes only. Duplication of this material, or parts thereof, in any written or electronic form is permitted only with a specific mention of Schilthornbahn AG. Reproduction, transfer, amendment, linking or use of the websites for public or commercial purposes is prohibited without the prior written consent of Schilthornbahn AG.

The various names and logos appearing on the websites are generally registered and protected trademarks. No part of the websites is designed in such a way as to grant a licence or right to utilise a picture, registered mark or logo. Downloading or copying the websites or parts thereof, confers no rights whatsoever in respect of the software or elements of the websites. Schilthornbahn AG reserves all rights in respect to all elements of the websites with the exception of rights belonging to third parties.

No warranty

Although Schilthornbahn AG has taken all possible care to safeguard the reliability of the information contained on the websites at the time of its publication, neither Schilthornbahn AG nor its contracting partners can give any explicit or implicit assurance or warranty (including to third parties) in respect of the accuracy, reliability or completeness of the information. Opinions and other information contained on the websites may be changed at any time without prior notice.

Schilthornbahn AG accepts no responsibility and gives no guarantee to the effect that the functions on the websites will not be interrupted or that the websites or the relevant server is free from viruses or other harmful contents.

Limitation of liability

If there is a contractual relationship between Schilthornbahn AG and the user of the websites or another service of Schilthornbahn AG, Schilthornbahn AG is only liable for damages caused by gross negligence or intent. Schilthornbahn AG excludes any liability for damage caused by an auxiliary person. Schilthornbahn AG is not liable for loss of profit, loss of data or other direct, indirect or consequential damages resulting from access to elements of the websites or their use or the inability to access or use them or from links to other websites or from technical disruptions.

Links to other websites

The websites contain links to websites operated by third parties which might be of interest to you. When activating these links, you might leave the websites or summaries of third-party websites may be displayed within the context of the websites. Schilthornbahn AG has not carried out any checks whatsoever on the websites of third parties accessible via links on the websites and is in no way responsible for their content or effective operation. This applies regardless of whether when activating the link, you leave the websites or the display appears within the context of the websites, as well as if

in the latter case the information provider of an external website is not immediately obvious. Establishing the link or consulting websites operated by third parties is at the sole risk and peril of the user.

2. Scope and purpose of the collection, processing and use of personal data

Why do we collect personal data?

We are aware of the importance of handling your data carefully and correctly. All data processing is carried out for specific purposes only. These may arise, for instance, from technical necessity, contractual requirements, legal regulations, overriding interest, i.e. for legitimate reasons, or from your express consent. We collect, store and process personal data insofar as this is necessary, for instance for the administration of the customer relationship, the sale of our products and the provision of our services, the processing of orders and contracts, sales and invoicing, the response to questions and concerns, to provide information about our products and services and to market them, to provide support in technical matters and to evaluate and further develop services and products. For more detailed information on which data is processed for which purposes, please read the following sections.

- **a. when you visit the websites**

When you visit our websites, our servers make a temporary record of each access and store it in a log file. The following data is collected and stored, without any action on your part, until it is automatically deleted by us after 12 months at the latest:

- the IP address of the accessing computer
- the time and date of access
- the name and URL of the file called up
- the website from which access is made
- the operating system of your computer and the browser used
- the country from which access is made and the language settings of your browser
- the name of your Internet access provider

The said data is collected and processed for the purpose of allowing you to use our website (establishing a connection), ensuring system security and stability in the long term and allowing our Internet offering to be optimised, as well as for internal statistical purposes. This is our legitimate interest in the processing of data within the meaning of Art. 6 para. 1 lit. f GDPR. The IP address in particular is used in order to determine the country of residence of the visitor to the website and set the language of the website accordingly. The IP address is also analysed in the event of attacks on the network infrastructure of Schilthornbahn AG for statistical purposes.

When you visit our websites, we also use what are known as pixels and cookies to display advertising that is personalised for you and to use web analysis services. Further details of this can be found in Sections 10, 11 and 12 of this data protection notice.

- **b. when you use our contact form**

You have the option of using a contact form to get in touch with us. Doing so requires that you enter the following personal data:

- Title
- First name and surname
- Address (street, number, town/city, postcode)
- Telephone number
- E-mail address

We will mark the mandatory fields as such: failure to provide this information could hinder the provision of our services. The provision of other information is optional and has no impact on the use of our websites.

We only use this data in order to answer your queries in an optimum manner and in a way that is tailored to you. After your request has been processed, the data is deleted after 12 months. The processing of your contact request constitutes our legitimate interest within the meaning of Art. 6 para. 1 lit. f GDPR. You can object to this data processing at any time (for contact details, see further below, Section 15).

- **c. when you register for our newsletter**

You have the option of subscribing to our newsletter through our websites. Registration is required in order to do so. The following data must be provided as part of the registration process:

- Title
- First name and surname
- E-mail address
- Mobile phone number

The above data is necessary for data processing purposes. We process this data solely in order to personalise the information and offers sent to you and to better align ourselves to your interests.

By registering, you consent to the data provided being processed for the regular dispatch of the newsletter to the address you provided, for the statistical analysis of user behaviour and optimisation of the newsletter. Your consent constitutes our legal basis for the processing of your e-mail address in line with Art. 6 para. 1 lit. a GDPR. We are authorised to commission third parties with the technical processing of advertising measures and to transfer your data for this purpose (see under Section 3). At the end of each newsletter is a link which you can use to unsubscribe from the newsletter at any time. Once you have unsubscribed, your personal data will be deleted. Further processing shall take place only in anonymised form for the purpose of optimising our newsletter.

We expressly refer to the data analysis for newsletter distribution (see Section 13).

- **d. when you book, place orders or make reservations with third parties**

On our websites there are a number of options to make bookings or reservations or request informational material or other services. The corresponding services are in each case provided by third parties. Different data is collected depending on the service to be provided. This might be, for instance, the following data:

- Title and/or company
- First name and surname
- Address (street, number, postcode, town/city, country)
- Other contact details (e-mail address, telephone number)
- Credit card details, where required

We will mark the mandatory fields as such: failure to provide this information could hinder the provision of our services. The provision of other information is optional and has no impact on the use of our websites. The data you provide is generally collected by the relevant provider directly or for certain offers shared with the relevant provider by us. For further data processing, the data protection provisions of the relevant provider shall apply in these cases. The legal basis for the processing of the aforementioned data lies in the performance of a contract in line with Art. 6 para. 1 lit. b GDPR.

- **e. when you express interest in a job**

We process personal data for recruitment purposes, insofar as it is required to assess the applicant's suitability for a position or for the subsequent conclusion of an employment contract. The required personal data is obtained specifically from the requested information, for instance in connection with

a job advertisement. We also process personal data which is voluntarily disclosed or published by interested persons, in particular as part of cover letters, CVs and other documents, as well as online profiles.

We use third-party services to advertise jobs with e-recruitment and to establish and manage contacts.

3. What data is processed for market research purposes?

We conduct market research in order to improve the quality of our services and offers. We may therefore analyse your personal customer data using technical means or your contact data for customer surveys (e.g. online surveys).

4. Use of your data for advertising purposes

- **a. Creation of pseudonymised usage profiles**

In order to provide you with personalised services and information on our websites (on-site targeting), we use and analyse the data that we collect about you when you visit the websites. For the corresponding data processing, what are known as cookies may be used where necessary (see also under Section 6). The analysis of your user behaviour may be used to create what is known as a usage profile. The usage data is combined only with pseudonymous data, and never with data that has not been pseudonymised. To allow personalised marketing in social networks, we incorporate so-called remarketing pixels from Facebook and X into the websites. If you have an account with one of the aforementioned social networks and are logged in at the time of your visit to our websites, this pixel links the visit to our websites with your account. Log out of your account prior to visiting our websites if you would like to prevent this link from being made. Further advertising settings can be adjusted in your user profile in the relevant social networks.

The creation of pseudonymised user profiles for advertising and analysis purposes is based on a legitimate interest in line with Art. 6 para. 1 lit. f GDPR. This applies to all data processing operations listed in Section 2. The legitimate interest lies in direct marketing and analysis of the use of our websites.

- **b. Re-Targeting**

We use retargeting technologies on these websites. These technologies analyse your user behaviour on our websites in order to subsequently offer you advertising that is tailored specifically to you on partner websites. Your user behaviour is collected in a pseudonymised form.

Most retargeting technologies work with cookies (see Section 10 below).

These websites use Google AdWords Remarketing and Doubleclick by Google, services offered by Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA ("Google"), in order to place advertisements based on the use of websites visited previously. To do so, Google uses the DoubleClick cookie, which allows your browser to be recognised when visiting other websites. The information collected by the cookie about visits to these websites (including your IP address) is transferred to a Google server in the United States and stored there (more information about the transfer of personal data to the United States can be found further below under Section 14).

Google will use this information to analyse your use of the websites with respect to the advertisements placed, in order to compile reports about website activity and advertisements for the website operator and to provide further services that are linked to usage of the website and the Internet in general. Google will also transfer this information to third parties in certain cases, where this is required by law

or if the said third parties process this data on Google's behalf. Google will under no circumstances associate your IP address with other data from Google, however.

In order to manage usage-based advertising services, we also use Google Tag Manager. The Tag Manager tool itself is a cookieless domain and does not collect any personal data. Instead, the tool ensures the activation of other tags that may for their part collect certain data (for more details, see above). If you have opted for deactivation this at a domain or cookie level, this deactivation will continue to apply for all tracking tags that are implemented with Google Tag Manager.

You may choose to prevent retargeting at any time by rejecting or disabling the relevant cookies in the menu bar of your web browser (see Section 10 below). In addition, you can disable any of the other tools listed herein on the Digital Advertising Alliance website under optout.aboutads.info

5. Where is the data stored?

Your data is generally stored in databases within Switzerland. However, in some cases listed in this data protection notice, the data is also transferred to third parties that are based outside Switzerland. If the country in question does not have an adequate level of data protection, we ensure that your data is adequately protected at these companies either through contractual arrangements with these companies or by ensuring that these companies are certified under the CH/EU-US Data Privacy Framework.

6. Transfer of data to third parties

We share your personal data only if you have expressly consented to this, if there is a legal obligation to do so or if this is required in order to enforce our rights, in particular in order to enforce claims resulting from the relationship between you and Schilthornbahn AG.

We also transfer your data to third parties where this is required in conjunction with use of the websites in order to provide you with the services requested or to analyse your user behaviour. If this is required for the purposes specified in the preceding sentence, your data may also be transferred to third parties abroad. If the websites contain links to websites of third parties, Schilthornbahn AG will no longer have any influence on the collection, processing, storage or use of personal data by third parties once you click on such links and assumes no responsibility in this regard.

7. Transfer of personal data abroad

Schilthornbahn AG is entitled to also transfer your personal data to third-party companies (commissioned service providers) abroad, where this is required for the data processing described in this data protection notice. The said third-party companies are obliged to protect your data to the same extent as we are. If the level of data protection in a country does not correspond to the level of data protection in Switzerland or the European Union, we ensure by contractual means that the protection of your personal data corresponds to that in Switzerland or the European Union at all times.

8. What does "shared responsibility in public transport" mean?

Schilthornbahn AG is responsible for the processing of your data. As a public transport company, we are obliged by law to provide transport services with other transport companies and associations ("National Direct Transport", Art. 16 and 17 Passenger Transport Act). For this purpose, data that originates from contacting you or from your purchased services, for instance, is shared at national level within the so-called National Direct Transport (NDV), an association of over 240 transport companies (TU) and public transport networks.

The data is stored in the central NOVA database, which is managed by SBB on behalf of the NDV and for which we are responsible together with the other service providers and associations of the NDV. NOVA is a technical platform for the distribution of public transport services. It contains all the key elements for the sale of public transport services, such as the customer database. The scope of access to the common databases by the individual transport service providers and associations is governed by a joint agreement. The transfer of the data and its processing by the transport service providers and associations that takes place with the central storage is limited to the following purposes:

Provision of the transport service

To ensure that your journey runs smoothly, your travel and purchase data is transferred within the NDV.

Contract performance

We process this data in order to draft, manage and perform the contractual relationship.

Customer relations – management and support

We process your data for the purposes of communicating with you, in particular to answer enquiries and assert your rights, to identify you across public transport networks in the event of concerns or difficulties and to provide you with the best possible support, as well as to process any claims for compensation.

Ticket inspection and revenue protection

Customer and travelcard data is required and processed for the purposes of securing revenue (checking the validity of tickets or discount passes, collection, countering misuse). Incidents of trips without a valid ticket or with a ticket which is only partially valid may be recorded via the national fare evader register.

Distribution of revenue

The office of Alliance SwissPass, managed by ch-integral, fulfils the statutory mandate defined in the Federal Passenger Transport Act to collect travel data for the correct distribution of revenue. The office acts as the mandate holder for the distribution of revenue in the NDV on behalf of the companies that are members of the NDV.

Identification as part of the authentication of the SwissPass login (SSO)

For services that you purchase using the SwissPass login, the data is then stored in the central customer database (NOVA). In order to enable you to use single sign-on (SSO) (one login for all applications that offer the use of their services with the SwissPass login), the aforementioned login, card, customer and service data are also exchanged between the central SwissPass login infrastructure and us as part of the authentication process.

Joint marketing and market research activities.

In addition, the data collected when purchasing public transport services may also be processed for marketing purposes in some cases. If your consent has been obtained and your data has been processed or you have been contacted for this purpose, this will only be carried out by the transport company or the association from which you purchased the corresponding public transport service. The other transport service providers and associations associated with the NDV will only process your data or contact you in exceptional circumstances and under strict conditions, and only if an analysis of the data shows that a particular public transport service would be beneficial for you as a customer. Contact and processing by SBB is an exception to this rule. SBB undertakes the marketing for NDV services (such as GA and Half-Fare travelcards) on behalf of NDV and may contact you at regular intervals in connection with these services. We also process your data for market research, to improve our services and for product development.

Further development of public transport systems with anonymised data

We analyse your data anonymously in order to further develop the overall public transport system in line with requirements.

9. Data security

We take appropriate technical and organisational security measures to protect any of your personal data that we have stored from manipulation, partial or complete loss and unauthorised access by third parties. Our security measures are constantly being improved in line with technological developments. You should always treat your payment information as confidential and close the browser window once you have ended your communication with us, particularly if you are on a shared computer.

We also take data privacy within our organisation very seriously. Our employees and the service providers commissioned by us are obliged to maintain confidentiality and comply with our data protection provisions.

10. Cookies

Cookies help in many ways to make your visit to our websites simpler, more pleasant and more meaningful. Cookies are information files that your web browser automatically stores on your computer's hard drive when you visit our websites. Cookies neither damage your computer's hard drive nor do they transfer the user's personal data to us.

We use cookies, for example, in order to personalise the information, offers and advertisements that you see and to better align ourselves to your individual interests. Their use does not mean that we receive new personal data about you as an online visitor. Most Internet browsers accept cookies automatically. It is possible, however, to configure your browser so that no cookies are stored on your computer or so that a message will always appear when you receive a new cookie.

Disabling cookies may prevent you from being able to use all of the features on our websites.

11. Tracking tools

On our websites we use various tracking tools. These tracking tools are used to monitor your surfing behaviour on our websites. This is for the purposes of needs-based design and the continuous optimisation of our websites. In connection with this, pseudonymised usage profiles are created and small text files that are saved on your computer ("cookies") are used.

12. Social media plugins

You can use the following social plugins on our websites:

- Facebook; Facebook Inc. (1601 S. California Ave, Palo Alto, CA 94304, USA)
- LinkedIn; LinkedIn Ireland Unlimited Company (Wilton Place, Dublin 2, Ireland)
- YouTube, YouTube LLC (901 Cherry Ave., San Bruno, CA 94066, USA)

Social plugins are used to personalise our websites. They are labelled with the logo of the respective provider. The plugins are deactivated on our websites by default and therefore do not send any data to the social networks. By clicking on certain areas of our websites, e.g. integrated PowerBI reports, you can activate the social media plugins (so-called 2-click solution).

If the plugins are activated, your browser establishes a direct connection with the servers of the respective social network as soon as you visit our website. The content of the plugin is transmitted directly from the social network to your browser, which integrates it into the website.

By integrating the plugins, the respective provider receives the information that your browser has accessed the corresponding page of our website, even if you do not have an account with this social network or are not currently logged in to it. This information (including your IP address) is transmitted directly from your browser to a server of the provider (usually in the USA) and stored there. We therefore have no influence on the extent of the data that the provider collects with the plugin.

If you are logged in to the social network, it can assign your visit to our website directly to your user account. If you interact with the plugins, the corresponding information is also transmitted directly to a server of the provider and stored there. The information may also be published on the social network and may be displayed to other users of the social network.

The provider of the social network may use this information for the purposes of advertising, market research and customising the respective offer. For this purpose, usage, interest and relationship profiles may be created, for example to analyse your use of our website with regard to the advertisements displayed to you on the social network, to inform other users about your activities on our website and to provide other services associated with the use of the social network.

The purpose and extent of the data collection and the further processing and use of the data by the providers of the social networks as well as your rights in this regard and setting options to protect your privacy can be found directly in the data protection information of the respective provider.

If you do not want the social network provider to assign the data collected via our website to your user account, you must log out of the social network before activating the plugins.

Our legitimate interest forms the legal basis for the data processing activities as described.

13. Analysis of newsletter use

To send our newsletter, we use e-mail marketing services of third parties. Our newsletter may therefore contain a web beacon (tracking pixel) or similar technical tools. A web beacon is an invisible graphic image, 1x1 pixel in size, that is associated with the user ID for the relevant newsletter subscriber. The use of these services allows us to analyse whether or not the e-mails containing our newsletter have been opened. In addition, the click behaviour of recipients of our newsletter can also be collected

and analysed. We use this data for statistical purposes and in order to optimise the newsletter with regard to content and structure. This allows us to better align the information and offers in our newsletter to the individual interests of the recipient in question. The tracking pixel is deleted if you delete the newsletter. To prevent tracking pixels in our newsletter, please set your mail programme so that no HTML is displayed in messages.

14. Note about data transfer to the US

For the sake of completeness, we would like to point out to users residing or based in Switzerland that in the US there are monitoring measures taken by the US authorities that generally allow the storage of all personal data relating to all persons whose data has been transferred from Switzerland to the US. This happens without differentiation, limitation or exception on the basis of the aim pursued and without objective criteria that makes it possible to limit access to the data by US authorities and its later use to very specific, strictly limited purposes that may justify the intervention associated with both access to this data and use thereof. We would also like to point out that there are no judicial remedies in place in the US for affected persons from Switzerland that would make it possible to receive access to the data relating to them and to have this corrected or deleted, as well as no effective legal protection against general access rights by US authorities. We refer the persons affected explicitly to this legal and factual situation so that they can make an appropriately informed decision on whether or not to consent to their data being used.

For users residing in EU Member States, please note that, from the point of view of the European Union, the US does not have sufficient data protection levels due, inter alia, to the issues mentioned in this section. To the extent that we have explained in this data protection notice that recipients of data (such as Google, Facebook and X are located in the US, we will either based on a contract or by securing certification of these companies under the CH/EU-US Data Privacy Framework ensure that your data is protected at an appropriate level by our partners.

15. Right to information, correction, erasure and restriction of processing; Right to data portability

You have the right to receive information about the personal data that we store about you free of charge upon request. You can request that your personal data be corrected, supplemented, blocked or deleted. Blocking takes the place of erasure if there are legal obstacles to erasure (e.g. statutory retention obligations).

In addition, you have the right to correct inaccurate data and the right to delete your personal data, as far as there is no statutory storage obligation or another legal basis for the processing in line with Art. 6 GDPR that allows us to continue processing the data. In accordance with Articles 18 and 21 of the GDPR, you also have the right to demand restrictions on data processing and to object to data processing. You also have the right to reclaim from us the data you have given us (right to data portability). On request, we will also pass the data on to a third party of your choice. You have the right to receive the data in a common file format.

You can reach us for the aforementioned purposes via the e-mail address info@schilthorn.ch. We may, at our sole discretion, require proof of identity to process your requests. You can also notify us of what should happen to your data after your death by giving us appropriate instructions.

16. Data storage

We only store personal information for as long as it is necessary,

- to use the above tracking advertising and analysis services within the scope of our legitimate interest;
- to carry out services that you requested or to which you have given your consent (for example, to the newsletter pursuant to Section 9) to the extent specified above;
- to comply with legal obligations.

Contract data is kept longer by us, as this is required by statutory storage requirements. Retention requirements that oblige us to keep data arise from accounting and tax regulations. According to these regulations, business communications, closed contracts and accounting documents must be kept for up to 10 years or up to 5 years in the case of users residing in France. As far as we no longer need this data to carry out the services for you, the data will be blocked. This means that the data may then only be used for accounting and for tax purposes.

17. Right to complain to a data protection supervisory authority

If you reside in a member state of the EU, you have the right to file a complaint to a data protection supervisory authority at any time.

Stechelberg, 29th February 2024