

PRIVACY POLICY

www.swiss-merchant.ch

(pursuant to Swiss Legislative Decree 196/03 and EU Regulation 2016/679)

For information about your personal data which has been collected, and the purposes and subjects with whom the data is shared, please contact the Data Controller.

In accordance with Swiss Legislative Decree No. 196/2003, "Swiss Merchant Investments SA" informs you that every care is taken to protect the confidentiality and privacy of visitors to its website.

As a general policy, no personal information is automatically collected about visitors to the site unless explicitly stated.

Personal data will be collected only and exclusively if intentionally indicated by the visitor him/herself.

"DATA CONTROLLER", "DATA PROCESSOR" AND "PERSONS IN CHARGE OF THE PROCESSING"

With regards to privacy, the consultation of this website by the user does not involve the assumption of personal data information.

For such purposes, the Data Controller of the personal data you provide is "Swiss Merchant Investments SA", located at 1 Vicolo Concordia, Breganzona, Switzerland 6932, in the person of its pro tempore legal representative Mr. Massimiliano Marchese.

Within the company itself, the data collected are processed by employees who act as "Persons in charge", following the specific instructions and information given to them.

The Data Controller's email address: info@swiss-merchant.ch

Method and place of processing of collected data

The Data Controller adopts appropriate security measures to prevent unauthorised access, disclosure, modification or destruction of the Data.

Processing related to the web services of the site www.swiss-merchant.ch take place at the executive offices of the Data Controller, located at 1 Vicolo Concordia, Breganzona, Switzerland.

The processing is carried out by means of computer and/or online instruments, with organisational methods and processes strictly related to the indicated purposes. In addition to the Data Controller, in some cases, other subjects involved in the organisation

of the website (administrative, commercial, marketing and legal staff, system administrators) or external subjects (such as third party technical service providers, postal couriers, hosting providers, IT companies, communication agencies, etc.) appointed as Data Processors by the Data Controller, may have access to the data if necessary. The updated list of Data Processors can always be requested from the Data Controller.

No data from the web service is communicated or disseminated (art. 90 GDPR). The personal data provided by users who request, via the email address indicated on the site, information material or information of any kind, are used only to perform the service or provision requested and are communicated to third parties only where necessary for that purpose (art. 3 GDPR).

Like all websites, this site also makes use of log files in which information collected automatically during visits by users is stored. The information collected may be as follows:

- Internet address used for the connection (IP)
- Type of browser and device parameters used to connect to the site
- Name of the Internet Service Provider (ISP)
- Date and time of visit
- Referral and exit webpage
- Possible number of clicks

The aforementioned information is processed automatically and collected in an exclusively aggregate form in order to verify the correct functioning of the site and for security reasons. This information will be processed in accordance with the legitimate interests of the Data Controller.

For security purposes (spam filters, firewalls, virus detection), automatically recorded data may also include personal data such as the IP address, which could be used, in accordance with applicable laws, to block attempts to damage the site itself or to cause damage to other users, or otherwise harmful or criminal activities. These data are never used for the identification or profiling of the user. They are only for the purpose of protecting the site and its users, and such information will be treated according to the legitimate interests of the Data Controller.

Privacy Policy for site visitors

This Privacy Policy aims to describe the management of this site, with reference to the processing of personal data of users/visitors who consult it. This information is also provided pursuant to art. 13 of Swiss Legislative Decree 196/03 - Code for the protection of personal data - to those who connect to the website of "Swiss Merchant Investments SA" and use its web services from the address. (www.swiss-merchant.ch)

The site is owned and operated by "Swiss Merchant Investments SA" which guarantees that legislation on the protection of personal data is followed (Swiss Legislative Decree 196/03).

As indicated above, the sending of any personal data is optional, explicit and voluntary, occurs through the sending of electronic mail to the addresses indicated on this site and involves the subsequent acquisition of the sender's address, which is necessary to respond to requests, as well as any other personal data included in the message.

What is meant by personal data and processing of personal data

The processing of personal data is any operation or set of operations, including those carried out without the aid of electronic devices, concerning the collection, recording, organisation, storage, consultation, processing, modification, selection, extraction, comparison, use, interconnection, blocking, communication, dissemination, erasure, and destruction of data, even if not registered in a database.

Types of Data Collected

The Data Controller does not provide a list of the types of personal data collected because no personal data is collected on the site itself other than that which the user provides of his/her own free will through requests by specific e-mail.

Full details of each type of data collected are provided in the dedicated sections of this privacy policy or by means of specific informational texts displayed prior to the collection of the data itself.

Personal data can be freely provided by the user or, in the case of usage data, automatically collected during navigation on the website.

Unless otherwise specified, all requested data are mandatory. If you refuse to disclose them, it may be impossible for this site to provide the service. In cases where this site states some data is optional, users are free to refrain from giving such data, which will have no consequence on the availability of the service or its functionality.

Users who may have doubts about which data are mandatory are encouraged to contact the Data Controller.

Any use of cookies - or other tracking tools - by this site or the Data Controllers of third party services used by this application, unless otherwise specified, is for the purpose of providing the service requested by the user, in addition to the other purposes described in this document and in the Cookie Policy, if available.

The user assumes responsibility for the personal data of third parties obtained, published or shared through this site and guarantees having the right to communicate or share them, releasing the Data Controller from any liability to third parties.

Data provided

In addition to automatically collected data, we also process data that you voluntarily provide.

The website owned by "Swiss Merchant Investments SA" is a purely static site and therefore does not collect personal data, unless voluntarily provided by users.

The following is an illustrative but not exhaustive list:

Your contact details, including company name and VAT number, or for natural persons, first name, surname and tax code, address, e-mail address, fax, website and date of birth, telephone number or mobile phone number for natural persons, should there be a need to ask you questions or for any requests for information;

What all these data have in common is that they have been provided by you. This information will be used for the purposes described in this policy. You have the right to rectify your personal data at any time or to prevent its processing.

Legal basis of processing

The Data Controller processes personal data relating to the user if one of the following conditions exists:

1 - the user has given consent for one or more specific purposes. Note: in some jurisdictions, the Data Controller may be authorised to process personal data without the user's consent or based on another of the legal provisions specified below, until the user objects ("opts out") of such processing. However, this does not apply where the processing of personal data is governed by European Union personal data protection legislation;

2 - the processing is necessary for the execution of a contract with the user and/or the execution of pre-contractual measures;

3 - the processing is necessary to fulfil a legal obligation to which the Data Controller is subject;

4 - the processing is necessary for the performance of a task carried out in the public interest or for the exercise of public authority vested in the Data Controller;

5 - the processing is necessary for the pursuit of the legitimate interest of the Data Controller or third parties.

6 - however, it is always possible to ask the Data Controller to clarify the concrete legal basis of each processing operation and, in particular, to specify whether the processing is based on the law, provided for by a contract, or necessary to conclude a contract.

Possible Data Transfer

The data are processed at the executive offices of the Data Controller and in any other place where the parties involved in the processing are located. For more information, please contact the Data Controller.

Your personal data may be transferred to a country other than the one in which you are located. To obtain further information on the location of the processing, the user may refer to the section on details of the processing of personal data.

The user has the right to obtain information on the legal basis for the transfer of data outside the European Union or to an international organisation under public international law or formed by two or more countries, such as the UN, as well as on the security measures adopted by the Data Controller to protect the data.

The user can verify whether one of the transfers just described takes place by examining the section of this document relating to details on the processing of personal data, or request information from the Data Controller by contacting it using the contact details given at the beginning.

Processing and storage methods

Personal data is processed using paper, computer, online, and automated tools including profiling (art. 22 GDPR). Profiling can be done using individual or identification data (e.g. personal data), or aggregate data derived from individual personal data. This all occurs in compliance with the guarantees of confidentiality and security measures provided for by current legislation, with processes strictly related to the purposes of processing.

Specific security measures are observed to prevent the loss of data, illicit or incorrect use of data, and unauthorised access to data.

The period of data retention is related to the purpose of the current processing. The Controller will not retain personal information longer than the period necessary to fulfil the purposes for which such information is processed, including securing our processing in accordance with regulatory and legal obligations, managing disputes and for the determination, practice or defence of legal claims in those countries in which we conduct business.

Therefore:

1 - Personal data collected for purposes related to the execution of a contract between the Data Controller and the user will be retained until the execution of such contract is completed.

2 - Personal data collected for purposes attributable to the legitimate interest of the Data Controller will be retained until such interest is satisfied. The user may obtain further information regarding the legitimate interest pursued by the Data Controller in the relevant sections of this document or by contacting the Controller.

3 - When the processing is based on the user's consent, the Data Controller may keep the personal data for a longer period until such consent is revoked. In addition, the Data Controller may be required to retain personal data for a longer period in compliance with a legal obligation or by order of an authority.

At the end of the retention period the personal data will be deleted. Therefore, at the end of this period, the right of access, cancellation, rectification and the right to data portability can no longer be exercised.

User Rights

"Swiss Merchant Investments SA" reminds the interested party that, pursuant to art. 7 of the Privacy Code, Swiss Legislative Decree 196/03 and Regulation 2016/679, it is possible, at any time, to obtain confirmation of the existence or otherwise of the data and to know its content and origin as well as the rationale on which the processing is based, to verify its accuracy or request its supplementation, updating, or rectification.

Pursuant to the same article, the interested party has the right to request the cancellation, transformation into anonymous form, or blocking of data processed in violation of the law, and to oppose in any case, for legitimate reasons, their processing.

In order to exercise your rights, you must send a request to the Controller's e-mail address.

If you provide us with personal data via our websites or other channels, this is done on an entirely voluntary basis.

Users may exercise certain rights with reference to the data processed by the Data Controller.

In particular, the user has the right to:

1 - withdraw consent at any time. The user may withdraw the previously expressed consent to the processing of his/her personal data.

2 - oppose the processing of his/her data. The user may object to the processing of his/her data when it is done on a legal basis other than consent. Further details on the right to object are given in the section below.

3 - access his/her own data. The user has the right to obtain information on the data processed by the Data Controller and on certain aspects of the processing, and to receive a copy of the data processed.

4 - verify and request rectification. The user may verify the correctness of the data and request that it be updated or corrected.

5 - request the limitation of the processing. When certain conditions are met, the user may request the restriction of the processing of his/her data. In this case, the Data Controller will not process the data for any purpose other than its storage.

6 - request the deletion or removal of his/her personal data. When certain conditions are met, the user may request the deletion of his/her data by the Data Controller.

7 - receive his/her data or have them transferred to another Data Controller. The user has the right to be given his/her data in a structured, commonly used, and machine-readable format and, where technically feasible, to have it transferred without posing a problem to another Data Controller. This provision is applicable when the data is processed by automated means and the processing is based on the user's consent, a contract to which the user is a party or contractual measures related thereto.

8 - file a complaint. The user may file a complaint with the competent data protection supervisory authority or take legal action.

Details of the right to object

When personal data are processed in the public interest, in the exercise of public powers vested in the Data Controller, or to pursue a legitimate interest of the Data Controller, users have the right to object to the processing for reasons related to their particular situation.

Users are reminded that if their data are processed for direct marketing purposes, they may object to the processing without providing any reason. To find out whether the Data Controller processes data for direct marketing purposes, users may refer to the respective sections of this document.

How to exercise your rights

In order to exercise their rights, users may address a request to the contact details of the Data Controller given in this document. Requests are filed free of charge and processed by the Data Controller as soon as possible, in any case within one month.

Processing of personal data

The processing of personal data is generally only permitted with the consent of the persons concerned, which must be free, informed, expressed in a specific form, and

documented in writing. The interested party is free to provide the personal data requested from time to time. Their failed, partial or incorrect consent could make it impossible to provide the services requested (art. 7 GDPR).

The acquisition of consent to the processing of personal data is necessary for all the above processing related and/or necessary to comply with legal obligations and European Union legislation.

You may withdraw at any time the consent previously given to receive any commercial communications, both by the Data Controller and by third party companies, by contacting the Data Controller by e-mail.

Information disclosure

One of our core principles is our commitment to process your data with care and confidentiality. We will never sell your data to third parties. Your data may be disclosed to third parties only in the event that it is required by law and under the condition that it is permitted by the laws in force.

Right to object and cancel your registration

Pursuant to the same article, you have the right to request the deletion, transformation into anonymous form or blocking of data processed in violation of the law, and to oppose in any case, for legitimate reasons, their processing (art. 21 GDPR).

Information security and data integrity

We have taken appropriate technical and organisational measures to protect personal data against accidental or unlawful destruction, loss, alteration, unauthorised use, disclosure or access, especially where the processing involves the transmission of data over a network, and against all other forms of unlawful processing and misuse.

Further information on processing

Defence in court

The user's personal data may be used by the Data Controller in legal proceedings or in the preparatory stages of any such proceedings to defend against abuse of this site or related services by the user.

The user declares he/she is aware that the Data Controller may be obliged to disclose the data by order of public authorities.

Specific information

Upon the user's request, and in addition to the information contained in this privacy policy, this website may provide the user with additional and contextual information regarding specific services or the collection and processing of personal data.

System logs and maintenance

For operational and maintenance purposes, this website and any third party services used by it may collect system logs, i.e. files that record interactions and which may also contain personal data, such as the user's IP address.

Information not contained in this policy

Further information in relation to the processing of personal data may be requested at any time from the Data Controller using the contact details.

Response to "Do Not Track" requests

This application does not support "Do Not Track" requests.

To find out whether any third party services used support them, the user is invited to consult their respective privacy policies.

Protection of children's personal data

The protection of children's personal data is extremely important. "Swiss Merchant Investments SA" is aware of its obligation to protect the privacy of minors, and refuses to collect any data from minors under the age of 16. We encourage parents and other guardians to surf the Internet and send e-mails together with their children and to use the Internet responsibly.

If a child under 16 years of age attempts to provide information about his/her own data from the beginning, he/she must seek the consent of a parent. The data sent by the child, or which in any case concerns him/her, collected during his/her visit (e.g. by means of Cookies) may be used as described above.

If a child under 16 years of age attempts to submit data via a form, the form will be rejected, stating that we do not accept such requests from children under 16 years of age. This is why we ask that parents and other guardians check and monitor minors' use of the Internet, for their own safety (art. 8 GDPR).

Changes to this privacy policy

The Data Controller reserves the right to make changes to this Privacy Policy at any time by informing the users on this page and, if possible, on this website, as well as, if

technically and legally feasible, by sending a notification to the users through one of the contact details held by the Data Controller. Therefore, please check this page regularly, referring to the last modification date indicated at the bottom.

"Swiss Merchant Investments SA" is committed to the fundamental principles of data protection and regards the protection of personal data as a natural duty. We therefore frequently review our data protection policies to ensure that they are error-free, clearly visible on our website, and include all the necessary information, and that they are strictly adhered to and in accordance with the principles of data protection law. This information on the protection of personal data may undergo changes over time in order to keep it in line with the evolution and new opportunities of the Internet and to ensure its compliance with current regulations. Without your express consent, we will never enforce restrictive provisions of the rights granted to you in this policy. Relevant changes to this policy will be announced on our website at the same time as we publish the updated version of the Privacy Policy.

If the changes affect processing, the legal basis of which is consent, the Data Controller will collect the user's consent again, if necessary.

Definitions and legal references

Personal Data (or Data)

Personal data is any information that, directly or indirectly, even in connection with any other information, including a personal identification number, makes a natural person identified or identifiable.

Usage Data

This is the information automatically collected through this website (including by third party applications integrated into this site), including: IP addresses or domain names of computers used by the user that connects to this website, URI (Uniform Resource Identifier) addresses, the time of the request, the method used to forward the request to the server, the size of the file obtained in response, the numerical code indicating the status of the response from the server (successful, error, etc.) the country of origin, the characteristics of the browser and the operating system used by the visitor, the temporal information of the visit (e.g. the time spent on each page) and the details of the series of activities conducted within the site, with particular reference to the sequence of pages consulted, the parameters relating to the operating system, and the user's computer environment.

User

The individual who accesses and consults this site which, unless otherwise specified, is also the Data Subject.

Interested Party

The natural person to whom the personal data relates.

Data Processor (or Processor)

The natural person, legal entity, public administration and any other entity that processes personal data on behalf of the Data Controller, according to what is set out in this Privacy Policy.

Data Controller (or Controller)

The natural or legal person, public authority, service or other body which, individually or jointly with others, determines the purposes and means of the processing of personal data and the instruments adopted, including the security measures relating to the functionality and use of this site. The Data Controller, unless otherwise specified, is the Data Controller of this site.

This Website (www.swiss-merchant.ch)

The hardware or software tool by which users' personal data are collected and processed.

Service

The service provided by this site as defined in the relevant terms (if any) on this site/portal/application.

European Union (or EU)

Unless otherwise specified, any reference in this document to the European Union shall be deemed to extend to all current member states of the European Union and the European Economic Area.

Legal references

This privacy policy is prepared on the basis of multiple legislative orders, including Articles 13 and 14 of EU Regulation 2016/679.

Unless otherwise specified, this privacy policy applies exclusively to this website.