

1. Privacy policy of the AMAG Group

Version as of 1 June 2019

In this data protection declaration, we, the AMAG Group (AMAG Group Ltd, AMAG Automobil- und Motoren AG, AMAG Import Ltd, AMAG Leasing AG, AMAG First Ltd, AMAG (Vaduz) AG, AMAG Services AG, AMAG Parking Ltd and AMAG Corporate Services Ltd collectively, hereinafter: “AMAG”, “we” or “us”), explain how we collect and otherwise process personal data. This data protection declaration is not exhaustive; other data protection declarations, general terms and conditions or conditions of participation of the AMAG Group, contracts, and similar documents may govern specific matters. Personal data is understood to be all information that relates to a specific or identifiable person.

If you provide us with the personal data of other persons (e.g. family members or colleagues), please ensure that these persons are aware of this data protection declaration and only share their personal data with us if you are permitted to do so, the persons concerned agree to it, and the personal data is correct.

2. Responsible person/representative

AMAG Group Ltd (Data Protection, Alte Steinhauserstrasse 12, CH-6330 Cham) is responsible for the data processing described here unless otherwise stated in individual cases. If you have any data protection concerns, you can inform us of them at the above contact address for all AMAG Group companies. However, if possible, please state which AMAG Group company you are referring to and, in the case of requests for information and deletion, enclose a copy of your identity document. You can also send your concerns to us by e-mail to privacy@amag.ch

Our representative in the EEA in accordance with Article 27 of the GDPR is: AMAG (Vaduz) AG, Austrasse 37, LI-9490 Vaduz.

3. Collection and processing of personal data

We primarily process the personal data that we receive from our customers and other business partners in the course of our business relationship with them and other persons involved in the business relationship, or that we collect from the users of our business partners' services when they use our websites, apps and other applications.

Where permitted, we also take certain data from publicly accessible sources (e.g. debt enforcement registers, land registers, commercial registers, the press and the Internet) or receive such data from other companies within the AMAG Group, public authorities and other third parties (such as credit agencies or address dealers). In addition to the data about you that you give us directly, the categories of personal data that we receive about you from third parties include, in particular, information from public registers, information that we receive in connection with official and legal proceedings, the information in connection with your professional functions and activities (so that we can conclude and process transactions with your employer with your help), information about you from correspondence and meetings with third parties, creditworthiness information (insofar as we process transactions with you personally), information about you which people close to you (family, advisors, legal representatives, etc.) give us so that we can conclude or process contracts with you or involving you (e.g. references, your address for deliveries or powers of attorney), information on compliance with legal requirements such as anti-money-laundering and export restrictions, information from banks, insurance companies, sales and other contractual partners of ours on the use or provision of services by you (e.g. payments made or purchases

made), information on the use of our services by you (e.g. payments made or purchases made), information on the use of our services by you (e.g. payments made or purchases made), personal data from the media and the Internet (where this is appropriate in a specific case, e.g. as part of an application, press review, marketing/sales, etc.), your addresses and, where applicable, interests and other socio-demographic data (for marketing) or data in connection with the use of websites (e.g. IP address, MAC address of the smartphone or computer you use, details of your device and settings, cookies, date and time of visit, pages and content accessed, functions used, referral website and location details).

4. Purposes of data processing and legal basis

We use the personal data we collect primarily to conclude and process our contracts with our customers and business partners, in particular in the context of vehicle trading, repairs, the financing and leasing of vehicles, and the purchase of products and provision of services by our suppliers and their subcontractors, as well as to comply with our legal obligations in Switzerland and abroad. If you work for such a customer or business partner, your personal data may also be affected in this capacity.

In addition, we also process personal data from you and other persons, to the extent permitted and deemed appropriate, for the following purposes in which we (and sometimes third parties) have a legitimate interest corresponding to the goal:

- Offering and further developing our offers, services and websites, apps, and other platforms on which we are present
- Communicating with third parties and processing their enquiries (e.g. applications, media enquiries)
- Testing and optimisation of procedures for needs analysis for direct customer contact as well as the collection of personal data from publicly accessible sources for customer acquisition
- Advertising and marketing (including the organisation of events), insofar as you have not objected to the use of your data (if we send you advertising as an existing customer of ours, you can object to this at any time, and we will then put you on a blocking list against further advertising mailings)
- Market and opinion research, media monitoring
- Assertion of legal claims and defense in connection with legal disputes and official proceedings
- Prevention and investigation of criminal offences and other misconduct (e.g. conducting internal investigations, data analysis to combat fraud)
- Ensuring the continuation of our operations, in particular IT, our websites, apps and other platforms
- Video surveillance to maintain house rights and other measures for IT, building and facility security and the protection of our employees and other persons as well as assets

belonging to or entrusted to us (such as access controls, visitor lists, network and mail scanners, telephone records)

- The purchase and sale of business divisions, companies or parts of companies, and other transactions under company law, and the associated transfer of personal data, as well as measures for business management and, insofar as necessary, for compliance with legal and regulatory obligations and internal regulations of the AMAG Group

Insofar as you consented to us processing your personal data for specific purposes (e.g. when you register to receive newsletters or we carry out a background check), we process your personal data within the scope of and based on this consent, insofar as we have no other legal basis and/or we require such a legal basis. Consent given can be revoked at any time, but this does not affect data processing that has already taken place.

5. Cookies/tracking and other technologies in connection with the use of our website

We typically use cookies and similar technologies on our websites and apps to identify your browser or device. A cookie is a small file sent to your computer or automatically stored on your computer or mobile device by the web browser you are using when you visit our website or install the app. This allows us to recognise you when you return to this website or use our app, even if we do not know who you are. In addition to cookies that are only used during a session and deleted after you visited the website (session cookies), cookies can also be used to store user settings and other information for a certain period up to a maximum of two years (permanent cookies). However, you can set your browser to reject cookies, save them for one session only or otherwise delete them prematurely. Most browsers accept cookies by default. We use persistent cookies to remember user preferences (e.g. language or auto login), to better understand how you use our services and content, and to show you offers and advertising tailored to you. Corresponding functions can also be used by our contractual partners, who, in this context learn, for example, which users of our website also visit their website. However, under no circumstances do we tell them who the users are, insofar as we should know this at all. Certain cookies are set by us, while others are set by contractual partners with whom we work. If you block cookies, certain functionalities (such as language selection, shopping cart, or ordering processes) may no longer work.

We include visible and invisible image elements in some of our newsletters and other marketing emails, where permitted, which we retrieve from our servers to determine if and when you open the e-mail so that we can measure and better understand how you use our offers to tailor them to you. You can block this in your e-mail program (most e-mail programs already do this by default).

By using our websites, apps and agreeing to receive newsletters and other marketing e-mails, you consent to the use of these techniques. If you do not want to receive these e-mails, you must set your browser or e-mail program accordingly, uninstall the app (if this cannot be adjusted via the settings) or unsubscribe from the newsletter.

We sometimes use Google Analytics or similar services on our websites. These are third-party services that may be located abroad (in the case of Google Analytics, Google LLC in the USA, google.com). The services of these third parties enable us to measure and evaluate the use of the website (on a non-personal basis). This information, which is also non-personal, may also be used by certain contractual partners of AMAG (e.g. Volkswagen). Permanent cookies set by these service providers are also used for this purpose. These service providers do not

receive any personal data from us (and do not retain any IP addresses), but they can track your use of the website and combine this information with data from other websites that you have visited and which are also tracked by these service providers, and use these findings for their own purposes (e.g. controlling advertising). If you have registered with these service providers yourself, these service providers also know you. The processing of your personal data by these service providers is then carried out under the service providers' responsibility in accordance with their data protection regulations. The service providers only tell us how our respective website is used, and no information about you personally is provided. We also use plug-ins from social networks such as Facebook, Twitter, YouTube, Google+, Pinterest and Instagram on our websites. This is always visible to you (typically via corresponding icons). We have configured these elements so that they are deactivated by default. If you activate them (by clicking on them), the respective social network operators can register that you are on our website (in particular also the specific pages you visit on our websites) and can use this information for their purposes. These operators are then responsible for processing your personal data in accordance with their data protection regulations. We do not receive any information about you from them.

This website also uses Adobe Analytics, a web analytics service provided by Adobe Systems Software Ireland Limited (adobe.com). Adobe Analytics uses cookies, which are text files placed on your computer, to help the website analyse how users use the site. Without collecting any personal data, this involves analysing, for example, the time and duration spent on the website or the click paths through the website. On our behalf, Adobe will process this information to evaluate the use of the website by users, compile reports on website activity and provide other services relating to website activity and internet usage. In some cases, the information may also be used in an aggregated and anonymous form by certain contractual partners of AMAG (e.g. Volkswagen). If the data generated by the cookie about the use of the website is transmitted to a server of Adobe, the settings ensure that the IP address is anonymised before geolocation and replaced by a generic IP address before storage. The IP address transmitted by your browser as part of Adobe Analytics is not merged with other Adobe data. The duration of the storage of these cookies is limited to 24 hours. You can prevent the storage of cookies by changing your browser settings accordingly. However, we would like to point out that in this case, you may not be able to use all the functions of this website to their full extent.

6. Data transfer and data transmission within Switzerland and/or abroad

In order to provide our services, we rely on the transfer of personal data within and outside the Group. We therefore also disclose personal data to third parties in the course of our business activities, insofar as this is permitted by the purpose pursuant to section 4 and appears appropriate to us, either because the relevant third parties process the data for us or because they wish to use the data for their own purposes. This applies in particular to the following bodies:

- Our service providers (both those within the AMAG Group as far as legally permissible and those outside the Group, e.g. banks and insurance companies), including order processors (e.g. IT providers)
- Dealers, service partners, suppliers, subcontractors and other business partners
- Customers
- Domestic and foreign authorities, official agencies, and courts
- The media

- The public, including visitors to websites and social media
- Competitors, industry bodies, associations, organisations and other bodies
- Acquirers or parties interested in acquiring divisions, companies or other parts of the AMAG Group
- Other parties in potential or actual legal proceedings
- Other companies and shareholders of the AMAG Group
- All joint recipients

Insofar as it is necessary for the provision of our services, and taking into account the intended purpose, personal data will be transferred to the bodies designated above, both within and outside Switzerland and the EU. In particular, you must expect your data to be transferred to all countries in which the AMAG Group is represented by Group companies, branches or other offices (Switzerland and Liechtenstein) as well as to other countries in Europe and the USA where our service providers (e.g. Microsoft, SAP, Amazon and Salesforce) are located. If we transfer data to a country without adequate legal data protection, we ensure an adequate level of protection as provided for by law by using appropriate contracts and/or measures (namely on the basis of the standard contractual clauses of the European Commission, which can be accessed [here](#), [here](#) and [here](#)) or binding corporate rules, or we rely on the legal exceptions of consent, the performance of contracts, the establishment, exercise or enforcement of legal claims, overriding public interests and the publication of personal data, or because it is necessary to protect the integrity of the data subjects. However, we reserve the right to black out copies for reasons of data protection law or confidentiality or to release only excerpts.

7. Duration of the storage of personal data

We process and store your personal data for as long as it is necessary for the fulfilment of our contractual and legal obligations or for the purposes pursued with the processing for the **duration of the entire business relationship (from the initiation and processing to the termination of a contract and the warranty period, as well as a subsequent support phase), and** beyond this in accordance with the statutory retention and documentation obligations. In this context, personal data may be retained for the time during which claims can be asserted against us and insofar as we are otherwise legally obliged to retain such data, or justified business interests require us to retain the data (e.g. for evidence and documentation purposes). As soon as your personal data is no longer necessary for the purposes mentioned above, it will be deleted or anonymised as a matter of principle and as far as possible. For operational data (e.g. system logs or logs), shorter retention periods apply in some cases.

8. Data security

We take appropriate technical and organisational security measures to protect your personal data from unauthorised access and misuse, such as issuing instructions and conducting training, IT and network security solutions, access controls and restrictions, pseudonymisation, and controls.

9. Obligation to provide personal data

In the context of our business relationship, you must provide personal data to the extent that it is necessary for the establishment and performance of a business relationship and the fulfilment of the related contractual obligations (you do not usually have a legal obligation to

provide us with data). Without this data, we will generally not enter into or perform a contract with you (or the entity or person you represent). Our websites can only be used if certain information is disclosed to secure traffic (e.g. IP address).

10. Profiling and automated decision-making

We process your personal data, partly automatically, to evaluate certain personal aspects (profiling). In particular, we use profiling to inform and advise you about products in a targeted manner. To do this, we use evaluation tools that enable us to provide needs-based communication and advertising, including market and opinion research.

We generally do not use automatic decision-making for the establishment and implementation of the business relationship or for other purposes (as regulated, for example, in Article 22 of the GDPR). Should we use such measures in individual cases, we will inform you separately about this, as this is required by law, and tell you about the associated rights.

11. Rights of the data subject

You have the right to information, rectification, erasure, the right to restriction of data processing, the right to object to our data processing, and the right to the release of specific personal data for transfer to another body (data portability) within the framework of the data protection law applicable to you and the extent provided for therein (e.g. the GDPR). Please note, however, that we reserve the right to enforce the restrictions provided for by law, for example, if we are obliged to retain or process specific data, have an overriding interest in doing so (insofar as we are entitled to rely on this) or require it for the assertion of claims. In principle, a request for information is free of charge. A fee may be charged in the case of a large amount of work or excessive or notorious requests for information, provided there is no interest worthy of protection. We will inform you in advance of any costs that will be incurred. Please note that the exercise of these rights may conflict with contractual agreements and may have consequences such as the premature termination of the contract or additional costs. We will inform you in advance if this is not already contractually agreed upon.

The exercise of these rights requires that you prove your identity (e.g. using a copy of your identity card, where your identity is otherwise not clear or cannot be verified). To exercise your rights, you can contact us at the address given in section 2.

Every data subject also has the right to enforce their claims in court or lodge a complaint with the competent data protection authority. The competent data protection authority in Switzerland is the Federal Data Protection and Information Commissioner (edoeb.admin.ch). In Liechtenstein, the competent authority is the Liechtenstein Data Protection Commission (datenschutzkommission.li).

12. Changes

We may amend this privacy policy at any time without prior notice. The current version published on our website will apply. Insofar as the data protection declaration is part of an agreement with you, we will inform you of any changes in the event of an update if this is possible without disproportionate effort.