

Emergee sagl

Privacy Policy according to legislative decree 196/2003 and article 13 of the European Regulation 679/2016 (GDPR)

Emergee sagl, sole member (VAT n. CHE-314.200.340), in person of the acting legal representative, based in Via Valdani 1 - 6830 Chiasso (Switzerland), as a controllers, informs you that, in accordance with the legislative decree 196/2003 and of the European Regulation 979/2016 (cd. GDPR) which governs and regulates the protection of personal data and their free movement, your personal data will be treated in accordance with the abovementioned regulations, based on the principles of fairness, lawfulness, proportionality of interests and transparency as well as to the protection of your privacy and of your rights, for purposes, with the arrangements and for the terms as described below.

-1- Finality, modality and legal basis of the treatment of data

The present privacy policy must be applied just for the online activities of the website and is valid for the visitors/users of the website www.emergee.ch This privacy policy is not applicable for the information collected through different channels from the website. The purpose of the privacy information is to give maximum transparency to all the information that the website collects and how to use them.

Your personal data will be used just for the finality closely related ,needed for the fulfillment of the bonds with our society, in particular:

The processing of personal data is made by means of the operations indicated in the Decree No. 196/2003 and in the article 4 n. 2) GDPR and precisely: collection, registration, organization, conservation, consultation, elaboration, modification, selection, extraction, comparison, utilisation, interconnection, block, communication, cancellation and destruction.

The processing of personal data it will be made with data medium by the owner, the supervisor and by the persons authorised with every precautionary measure, that guarantees safety and confidentiality. The data won't be subject of profiling and neither of automated decision-making.

The data will be kept by the owner of the data and by his responsible of processing data designated by him.

Anyhow, your personal data will be kept and used inside the borders of the European Economic Area and they will be transferred out of the border just with your explicit consent.

In case of conferreal of you, of comments or personal data for the request of information or specific services requested by the user (by way of information and not of limitation request of commercial information, registration to our portal, registration to our newsletter), such data are provided voluntarily by the user at the time of the request for delivery of the service. By entering a comment or other information the user expressly accepts the present privacy policy. The website could process some of personal data in accordance to the legitimate interest of the owner of the treatment as required in the Decree No. 196/2003 and in the article 6. of the European regulations 679/2016.

The received data will be used exclusively for the delivery of the service requested and only for the time necessary for the providing service.

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The information that the users of the website will consider to make public through the services and the instruments made available to them, are provided by the user consciously and voluntarily, by exempting the present website from any responsibility and violations of the laws. Is the responsibility of the user to verify the permission for the input of personal data owned by others or of contents protected by national or international standards.

The data collected from the website during its operation are used exclusively for the purposes above indicated and kept for the time strictly necessary to carry out the specified activities. Anyway the data collected from the website will not be transmitted, for any reasons, to third parties, unless it is a legitimate request from part of the judicial authority and only in cases required by law.

-2- Nature of data collection and the consequence of a failure conferment

Like all the website also this website makes use of log files which are stored the information collected in a automate manner during the visits of the users. The information collected may be the following :

- Internet protocol address (IP);
- Browser type and parameters of the device used for connecting to the website;
- Name of the internet service provider (ISP);
- Date and time of visit;
- Web page of the visitor's provenance (referral) and output;
- Eventually the number of click.

This information are treated in a automated form and collected in a aggregate form only in order to check the proper functioning of the website, for safety reasons and for the legitimate interests of the owner provided by the current legislation.

For safety (filtres antispam, firewall, virus detection), the data automatically registered may also include personal information like Ip address, which could be used in accordance with the laws in force, in order to block attempts of damage to the website or to cause damage to other users, or anyway harmful activities or constituting a crime. These data are never used for the identification or the profiling of the users, but only for the purpose of protection of the website and its users and by legitimate interests of the owner to the treatment of the data.

By use or consultation of this website visitors and users expressly approve the present privacy policy and agree to the treatment of their personal data in relation to the mode and to the finality described below, including the possible diffusion to third parties if necessary for the delivery of a service. The conferment of the data and so the consent to the collection and treatment of data is optional, however refuse the consent may involve the impossibility to provide certain services and the experience of surfing in the website could be compromised; The consent to the use of your data for marketing and advertising purposes (sending of e-mails and communications with special offers), is optional and requires from your part, in addition to the conferment of your personal data even explicit request by means of a function of opt-in on this website.

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-3- Timing and terms

The owner, the responsible and the authorized entities to the treatment will treat personal data for the time necessary to fulfil the purposes above, and anyway for not more than 10 years from the termination of the relationship provided and made it necessary by the regulations in force.

In regard to the provision of data of you to receive commercial information, newsletter and periodical information, the data will be treated until your request to unsubscribe.

-4- Communication and diffusion of data

Your personal data for the purpose of executing of the contract from the services from you required and for the purposes mentioned above, may be communicated:

- to all natural and legal persons (by way of example and not exhaustive studies of legal counsel, administrative, fiscal, auditing firm, couriers and freight forwarders, data processing center, it consultants, suppliers) in the case of the communication is necessary for the purposes above indicated;
- to banks for the management of accountability and payments;
- to factory society or credit debts recovery;
- to our collaborator and employees especially appointed and in the scope of their tasks;
- to SMTP providers to sending the newsletters.

The D.P.O., if mentioned from the owner on mandatory and voluntary base, as well as the name and the number of the people responsible may be subject to variation, so it is recommended to consult our internet website- where you can find all the updated information- to the page dedicated to the following link: www.emergee.ch, or by contacting the following contact details : +41912246238, info@emergee.ch.

-5- Right of the person concerned

By calling the number +41912246238 or writing to info@emergee.ch will able to exercise in any moment your rights towards the owner of the treatment in accordance to European Regulation 679/2016, that for your convenience we have reproduced.

The person interested has the right to obtain the confirmation of the existence and of the fact that is or not in progress the treatment of personal data concerning him, even if not yet registred, as well as their communication in a intelligible form.

The person interested has the right to obtain the indication:

- of the origin of the personal data (with particular regard in the case of they are not collected from the person interested, and in case of transferring data in another country, of the existence of adequate safeguards under the Article 46 of the Regulation);
- of the finality and modality of treatment;
- of the logic applied in the case of treatment made it with electronic instruments;
- of the identification details of the owner, of the responsible and of the representative;
- of the subjects or categories of subjects to whom the personal data can be communicated

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or that can be informed in quality of representative designated in the territory of the State, of responsible, or authorized entities;

- of the categories of personal data of which is carrying out the treatment;
- of the retention period of the data or of the criteria used to determinate this period;
- of the existence of the automated decision-making with particular regard to the profiling, and logic from them applied;
- of the right to obtain a copy of the personal data being processed;

The person interested has the right to obtain:

- the updating, the rectification that means when interested to the integration of the data;
- the cancellation, the transformation in anonymous form or the block of the data treated in violation of the law, including those whose preservation is not necessary in relation to the purposes for which the data were collected or subsequently processed;
- the attestation that the operations referred to the letters A and B have brought to the notice, even as regards their content, of those to whom the data were communicated or widespread, except if the fulfilment it turns out to be impossible or involves the use of means that are disproportionate to the right protected;
- the portability of the data to other entities for which will have to do explicit request to the following contacts : +41912246238, info@emerges.ch.
- the cancellation of the data in our archives, according to the article 17 part 1 from a) to f) of the Regulation (cd right to be forgotten), by contacting +41912246238, info@emerges.ch.
- to limit the data treatment according to the article 18 part 1, letter from a) to d) of the Regulation

The person interested has the right to oppose, in all or in part to the treatment of the data:

- for legitimate reasons and connected to its particular situation, although the treatment is relevant to the purpose of collection;
- to the treatment of personal data concerning him for the purpose of sending advertising material or direct sale or for market researches or commercial communication;
- to the treatment of data according to the article 6, part 1 letter e) and f) including the profiling of the basis of these provisions.

If the treatment of data is based on the consent of the person concerned, he has the right to revoke this consent at any time by making explicit request to the contact +41912246238, info@emerges.ch. The person interested has the right to propose a complaint to the supervisory authorities. The exercise of the above mentioned rights can be exercised with request addressed to the owner or to the manager transmitted by phone, by e-mail to the address above indicated or even by registered letter A/R.

Privacy Policy under the New Federal Law Pursuant to Art. 6 and Art. 19 DPA

emergee sagl (P. IVA CHE-314.200.340), in the person of its Legal Representative pro tempore, with registered office in Via Valdani 1 - 6830 Chiasso (Ticino), as Data Controller, hereby informs you that, in compliance with the new Federal Data Protection Law (LPD) which regulates and governs the protection of personal data and their free circulation your personal data will be processed in accordance with the aforementioned Federal Law, based on the principles of correctness, lawfulness, proportionality of interests and transparency, as well as the protection of your privacy and rights, for the purposes, in the manner and under the terms set out below.

-1- Purpose, methods, and legal bases of data processing

This privacy policy applies exclusively to the online activities of this website and is valid for visitors/users of the site. It does not apply to information collected through channels other than this website www.emergee.ch. The purpose of this privacy statement is to provide maximum transparency regarding the information the site collects and how it uses it.

Your personal data will be processed exclusively for purposes that are strictly connected, instrumental and necessary to the fulfilment of the obligations inherent to the relationship with our Company; in particular:

The processing of personal data is carried out by means of the operations of collection, registration, organisation, storage, consultation, processing, modification, selection, extraction, comparison, use, interconnection, blocking, communication, cancellation, and destruction.

The processing of personal data will be carried out by the data controller, the person(s) in charge and the authorised persons (appointees) with the observance of all precautionary measures to ensure their security and confidentiality. The data will not be subject to profiling.

The data will be stored at the data controller and at the data processors designated by the data controller. In any event, your personal data will be stored and processed within the borders of the Helvetica Confederation and will only be transferred outside these borders with your express consent.

In the event that you provide comments and/or personal data for the purpose of requesting information and/or specific services requested by you (e.g. requesting commercial information, subscribing to our portal, subscribing to our newsletter), such data shall be deemed to have been voluntarily provided by you at the time of the request for the provision of the service. By entering a comment or other information, the user expressly accepts this privacy policy. The data received will be used exclusively for the provision of the service requested and only for the time necessary for the provision of the service.

The information that users of the site decide to make public through the services and tools made available to them, is provided by the user knowingly and voluntarily, exempting this site from any liability for any violation of the law. It is up to the user to verify that he/she has the permissions to enter personal data of third parties or content protected by national and international regulations.

The data collected by the site during its operation are used exclusively for the above-mentioned purposes and stored for the time strictly necessary to carry out the specified activities. In any case, the data collected by the site will never be provided to third parties, for any reason whatsoever, unless it is a legitimate request by a judicial authority and only in the cases provided for by law.

-2- Nature of data collection and consequences of failure to provide data.

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

- internet protocol (IP) address
- browser type and parameters of the device used to connect to the site;
- name of the internet service provider (ISP);
- date and time of visit;
- the visitor's web page of origin (referral) and exit;
- possibly the number of clicks.
- Your email address should you decide to subscribe to our newsletter, for which your explicit consent will still be required.

The aforementioned information is processed automatically and collected in an exclusively aggregate form for the purpose of verifying the proper functioning of the site, for security reasons and for the legitimate interests of the owner as provided for by current legislation. For security purposes (anti-spam filters, firewalls, virus detection), the automatically recorded data may possibly also include personal data such as the IP address, which could be used, in accordance with the laws in force on the subject, in order to block attempts to damage the site itself or to cause damage to other users, or in any case harmful or criminal activities. This data is never used for user identification or profiling, but only for the purpose of protecting the site and its users and the legitimate interests of the Data Controller in the processing of data. By using or consulting this site, visitors and users explicitly approve this privacy policy and consent to the processing of their personal data in the manner and for the purposes described below, including the possible disclosure to third parties if necessary for the provision of a service. The provision of data and therefore consent to the collection and processing of data is optional, however, denying consent may make it impossible to provide certain services and the site navigation experience may be compromised.

Consent to the use of your data for marketing and/or advertising purposes (sending of e-mails and/or communications with newsletter advertising offers) is optional and requires on your part, in addition to the provision of your personal data, also an explicit request through the opt-in function on this website.

-3- Timing and terms

The Data Controller, the data processors and the persons authorised to process data (appointees) will process personal data for the time necessary to fulfil the purposes set out above and, in any case, for no longer than 10 years from the termination of the relationship where this is provided for or made necessary by the regulations in force. With regard to the provision of data by you for receiving commercial information, newsletters and periodical information, the data will be processed until you request to unsubscribe.

-4- Communication and dissemination of data

Your personal data, for the purposes of the execution of the contract or the services requested by you and for the purposes indicated above,

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may be communicated

- to all natural and legal persons (by way of example but not limited to legal, administrative and tax consultancy firms, auditing firms, couriers and forwarding agents, data processing center's, IT consultants, suppliers, etc.) in cases where communication is necessary for the purposes illustrated above;
- to banking institutions for the management of collections and payments;
- to factoring or debt collection companies;
- to our specially appointed collaborators and employees within the scope of their duties.
- to SMTP providers for sending the Newsletters

-5- Rights of the data subject

By calling +41912246238 or writing to info@emergee.ch you may exercise your rights at any time in relation to the data controller (Data Controller) in accordance with the Federal Data Protection Law LPD, which we reproduce here for your convenience.

You have the right to obtain confirmation as to whether or not personal data concerning you is being processed, even if it has not yet been recorded, as well as its communication in intelligible form. The data subject has the right to be informed:

- the origin of the personal data (with particular regard to the case where the data are not collected from the data subject and, in the case of transfer of data to a third country, the existence of appropriate safeguards, the purposes and methods of processing
- of the logic applied in the event of processing carried out with the aid of electronic instruments
- of the identification details of the data controller, data processors and the designated representative
- of the entities or categories of entity to whom or which the personal data may be communicated or who or which may get to know said data in their capacity as designated representative(s) in the State's territory, data processor(s) or authorised entity(ies)
- the categories of personal data being processed;
- the retention period of the data or the criteria used to determine this period;
- the existence of automated decision-making processes, with particular regard to profiling, and the logic applied to them;
- the right to obtain a copy of the personal data undergoing processing;

The data subject also has the right to obtain:

- the origin of the personal data (with regard to the case where the data are not collected from the data subject and, in the case of transfer of data to a third country, the existence of appropriate safeguards, the purposes and methods of processing
- of the logic applied in the event of processing carried out with the aid of electronic instruments
- of the identification details of the data controller, data processors and the designated representative
- of the entities or categories of entity to whom or which the personal data may be communicated or who or which may get to know said data in their capacity as designated representative(s) in the State's territory, data processor(s) or authorised entity(ies)
- the categories of personal data being processed;
- the retention period of the data or the criteria used to determine this period;
- the existence of automated decision-making processes, about profiling, and the logic applied to them;
- the right to obtain a copy of the personal data undergoing processing;

The data subject also has the right to obtain:

- updating, rectification or, where interested therein, integration of the data;
- the cancellation, transformation into anonymous form or blocking of data processed unlawfully, including data whose retention is unnecessary for the purposes for which the data were collected or subsequently processed
- certification to the effect that the operations as per letters a) and b) have been notified, as also related to their contents, to the entities to whom or which the data were communicated or disseminated, unless this requirement proves impossible or involves a manifestly disproportionate effort compared with the right that is to be protected
- the portability of the data to other parties, for which an explicit request must be made to the following addresses +41912246238, info@emergee.ch
- the deletion of the data in our archives (so-called right to be forgotten), by notification to +41912246238, info@emergee.ch
- to restrict the processing of data in accordance with the Federal Data Protection Law (LPD)

The data subject has the right to object, in whole or in part, to the processing of data:

- for legitimate reasons relating to his or her situation, even if the processing is relevant to the purpose of collection
- the processing of personal data concerning him/her for the purposes of sending advertising material or direct sales or for carrying out market research or commercial communication;
- the processing of data including profiling based on such provisions.

Where the processing of data is based on the data subject's consent, the data subject shall have the right to withdraw such consent at any time by making an explicit request to the following addresses +41912246238, info@emergee.ch.

Moreover, the data subject has the right to lodge a complaint with the Supervisory Authority.

The aforementioned rights may be exercised by making a request to the Data Controller or the Data Processor by telephone, by e-mail to the above-mentioned addresses or by registered letter with acknowledgement of receipt.

Consent of the Data Subject

In requesting the express manifestation of your consent to the processing of your data (which, however, we will consider as given orally in the event of failure to return this undersigned letter) we will consider you, as of now, informed of the processing carried out by us, pursuant to and for the purposes of the Federal Data Protection Law LPD.

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