

## Data Protection Policy

### Version control

Version	Date	Author	Comment
1	1.10.2022	Thorsten Hau	<b>First version</b>
2	28.11.2022	Naira Orlando	<b>Updated data recipients</b>

### 1. Introduction

This document provides information regarding processing of personal information by fidentity. The definitions from the T&C apply. fidentity processes personal data in Switzerland. Switzerland is considered to have adequate data protection. See the EC decision.

### 2. Responsible

fidentity is a controller of data processing.

Address: fidentity AG, Waldeggstrasse 30, 3097 Liebefeld, Schweiz.

Data Protection Officer: Dr. Thorsten Hau

All requests should be directed to [info@fidentity.ch](mailto:info@fidentity.ch) or sent via post to the address above.

### 3. Processed data

fidentity processes personal data collected from users during use of fidentity Services.

This comprises:

- All data that is displayed on the identity document used during Identification. This includes gender, names and birthdate.
- Image and video of the identity document
- Data contained on the document chip in case of eMRTD
- Image and video of the user from which biometric data is derived
- Data derived from the identification process.
- An identification number assigned to the transaction.
- Technical data such as data about the mobile device, IP-addresses or session IDs.
- The document(s) to be signed.
- Possibly other data similar to the above.

#### **4. Processing purposes and legal basis**

Personal data will be processed in compliance with the provisions of the EU General Data Protection Regulation (GDPR) and the Swiss data protection act (FADP).

The purposes of data processing by fidentity are:

- To perform a contract (Art. 6 Para. 1 lit. (b) GDPR)
- Personal data will be processed to provide the Services. The above-mentioned data categories will be collected and processed.
- Support services: This includes in particular general customer service.
- Statutory or legal obligations (Art. 6 Para. 1 (c) GDPR) or for reasons of public interest (Art. 6 Para. 1 (e) GDPR)

In particular according to the EU Regulation on electronic identification and trust services for electronic transactions ("eIDAS Regulation") as well as the Austrian Signature and Trust Services Act (Signatur- und Vertrauensdienstegesetz, "SVG").

Additionally, Anti money laundering regulation is applicable if user uses the Services in the context of a contract with a financial service provider.

#### **5. Data recipients and cross border processing**

Your data might be forwarded to the following recipients:

Supervisory authorities, certification authorities, accredited conformity assessment bodies.

Trust Service providers (TSP): Data required to sign your documents is forwarded to Swisscom trust services to perform the Services.

Service providers: Lambda-IT GmbH, Waldeggstrasse 30, 3097 Liebefeld perform technical services and might access your personal data during trouble shooting.

Hosting is provided by Begasoft AG Laupenstrasse 17, 3008 Bern.

Manual review performed by Finform AG, Viktoriastrasse 72, 3013 Bern.

Business partner who made the Services available to the user. In this context, the business partner acts as a controller and instructs fidentity with regards to the processing and transfer of data.

#### **6. Duration of archiving of personal data**

We store and process your personal data for as long as it is required for the purpose for which it was collected or is legally required or permitted. Details are laid out in the fidentity practice statement.

## 7. **User rights**

You may exercise the following rights:

- You have the right to request access to your personal data.
- You have the right to have your personal data rectified or completed
- You have the right to have your personal data erased
  - Unless applicable laws and regulations require fidentity to store your personal data
  - If the personal data is no longer necessary for the purposes pursued
  - If you have validly objected to the processing
  - If it has been unlawfully processed

You may ask fidentity to restrict the processing

- If you dispute the accuracy of the data
- In the event of unlawful processing
- If you request data not be erased but instead be continued to be retained for the purpose of asserting legal rights.

Any further processing of this personal data shall only occur with your consent or for the purpose of asserting, exercising or defending legal claims or to protect the rights of another natural person or legal entity.

- You have the right to receive the personal data provided by you.
- You have the right, to object to processing of your personal data unless this right is outweighed by the interests of fidentity.

## 8. **Automated decision-making**

The Services employ automated methods to verify your identity before informing you of the outcome of the verification. This outcome may, where applicable, lead to automated decision-making by fidentity or the business partner. Following verification of identity, the partner will (as per your consent) be informed of the outcome so that they can make an automated decision based on the outcome. In individual cases human intervention in the identity verification process is possible. With regard to the automated decision-making, you have the right to human intervention on the part of the controller; to express your point of view and to contest the decision.

## 9. **Contact points**

You may assert your rights by contacting the following contact points:

Email: [info@fidentity.ch](mailto:info@fidentity.ch)

Post: fidentity AG, Waldeggstrasse 30, 3097 Liebefeld.

You also have the right to file a complaint with the competent supervisory authority, in particular in the member state of your usual place of residence or the location of the alleged breach.