

Privacy policy

Data protection is of a particularly high priority for AMIRO GmbH. The use of the Internet pages of the AMIRO GmbH is possible without any indication of personal data. However, if a data subject wants to use special services of our enterprise via our website, processing of personal data could become necessary. If processing of personal data is necessary and there is no legal basis for such processing, we will generally obtain the consent of the data subject.

The processing of personal data, such as the name, address, e-mail address, or telephone number of a data subject shall always be in line with the General Data Protection Regulation, and in accordance with the country-specific data protection regulations applicable to the AMIRO GmbH. By means of this data protection declaration, our enterprise would like to inform the public about the type, scope and purpose of the personal data collected, used, and processed by us. Furthermore, data subjects are informed of their rights by means of this data protection declaration.

As the controller, the AMIRO GmbH has implemented numerous technical and organisational measures to ensure the most complete protection of personal data processed through this website. Nevertheless, Internet-based data transmissions can always be subject to security vulnerabilities, so that absolute protection cannot be guaranteed. For this reason, every data subject is free to transmit personal data to us by alternative means, for example by telephone.

1. definitions

The data protection declaration of the AMIRO GmbH is based on the terms used by the European Parliament and the Council for the adoption of the Data Protection Regulation (Datenschutz-Grundverordnung - DS-GVO). Our data protection declaration should be easy to read and understand for the public as well as for our customers and business partners. To ensure this, we would like to explain the terms used in advance.

In this data protection declaration, we use the following terms, among others:

a) personal data

Personal data is any information relating to an identified or identifiable natural person (hereinafter "data subject"). An identifiable natural person is one who can be identified, directly or indirectly, by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

(b) Data subject

The data subject is any identified or identifiable natural person whose personal data are processed by the controller.

(c) processing

Processing means any operation or set of operations which is performed upon personal data, whether or not by automatic means, such as collection, recording, organisation, filing, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure, or destruction.

d) Restriction of processing

Restriction of processing is the marking of stored personal data with the aim of limiting their future processing.

e) Profiling

Profiling is any form of automated processing of personal data consisting in using such personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects of that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or change of location.

f) Pseudonymisation

Pseudonymisation is the processing of personal data in such a way that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures which ensure that the personal data cannot be attributed to an identified or identifiable natural person.

g) Controller or data controller

The controller is the natural or legal person, public authority, agency, or other body which alone or jointly with others determines the purposes and means of the processing of personal data. Where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its designation may be provided for under Union or Member State law.

(h) Processor

Processor means a natural or legal person, public authority, agency, or other body which processes personal data on behalf of the controller.

(i) Recipient

Recipient means a natural or legal person, public authority, agency, or other body to whom personal data are disclosed, whether or not a third party. However, public authorities that may receive personal data in the context of a specific investigative task under Union or Member State law shall not be considered as recipients.

j) Third party

Third party means any natural or legal person, public authority, agency, or other body other than the data subject, the controller, the processor and the persons who, under the direct authority of the controller or the processor, are authorised to process the personal data.

k) Consent

Consent is any freely given specific and informed indication of his or her wishes in the form of a statement or other unambiguous affirmative act by which the data subject signifies his or her agreement to personal data relating to him or her being processed.

2. Name and address of the data controller

The controller within the meaning of the General Data Protection Regulation, other data protection laws applicable in the Member States of the European Union and other provisions of a data protection nature is:

AMIRO GmbH | Marktgasse 9 | CH - 8640 Rapperswil-Jona.

You can reach the data controller at the e-mail address: kontakt@amiro.ch or by post at the above address.

Website: www.amiro.ch

3. Cookies

The Internet pages of AMIRO GmbH uses cookies. Cookies are text files which are stored on a computer system via an Internet browser. Numerous Internet pages and servers use cookies. Many cookies contain a so-called cookie ID. A cookie ID is a unique identifier of the cookie. It consists of a string of characters by which Internet pages and servers can be assigned to the specific Internet browser in which the cookie was stored. This enables the visited Internet pages and servers to distinguish the individual browser of the data subject from other Internet browsers that contain other cookies. A specific internet browser can be recognised and identified via the unique cookie ID. Using cookies, the AMIRO GmbH can provide the users of this website with more user-friendly services that would not be possible without the cookie setting. By means of a cookie, the information and offers on our website can be optimised in the interests of the user. As already mentioned, cookies enable us to recognise the users of our website. The purpose of this recognition is to make it easier for users to use our website. For example, the user of a website that uses cookies does not have to re-enter his or her access data each time he or she visits the website, because this is done by the website and the cookie stored on the user's computer system. Another example would be the cookie of a shopping basket in an online shop. The online shop remembers the items that a customer has placed in the virtual shopping basket via a cookie. The person concerned can prevent the setting of cookies by our website at any time by means of a corresponding setting of the Internet browser used and thus permanently object to the setting of cookies. Furthermore, cookies that have already been set can be deleted at any time using an internet browser or other software programmes. This is possible in all common internet browsers. If the data subject deactivates the setting of cookies in the Internet browser used, not all functions of our website may be fully usable.

4. Collection of general data and information

The website of the AMIRO GmbH collects a series of general data and information each time a data subject or automated system calls up the website. This general data and information are stored in the server log files. The following data may be collected: (1) the browser types and versions used, (2) the operating system used by the accessing system, (3) the website from which an accessing system accesses our website (so-called referrer), (4) the sub-websites which are accessed via an accessing system on our website, (5) the date and time of access to the website, (6) an Internet protocol address (IP address), (7) the Internet service provider of the accessing system and (8) other similar data and information that serve to avert danger in the event of attacks on our information technology systems. When using these general data and information, the AMIRO GmbH does not draw any conclusions about the data subject. Rather, this information is needed (1) to deliver the contents of our website correctly, (2) to optimise the contents of our website and the advertising for these, (3) to ensure the long-term operability of our information technology systems and the technology of our website, and

(4) to provide law enforcement authorities with the information necessary for prosecution in the event of a cyber-attack. Therefore, the AMIRO GmbH analyses anonymously collected data and information on one hand, and on the other hand, with the aim of increasing the data protection and data security of our enterprise so that we can ultimately ensure an optimal level of protection for the personal data we process. The anonymous data of the server log files are stored separately from any personal data provided by a data subject.

5 Registration on our website

The data subject has the possibility to register on the website of the controller by providing personal data. Which personal data are transmitted to the controller in the process is determined by the respective input mask used for the registration. The personal data entered by the data subject will be collected and stored exclusively for the controller's internal use and for its own purposes. The controller may arrange for the data to be transferred to one or more processors, for example a parcel service provider, who will also use the personal data exclusively for an internal use attributable to the controller. By registering on the website of the controller, the IP address assigned by the Internet service provider (ISP) of the person concerned, the date and the time of registration are also stored. The storage of this data takes place against the background that only in this way can the misuse of our services be prevented and, if necessary, this data makes it possible to clarify criminal offences that have been committed. In this respect, the storage of this data is necessary for the protection of the person responsible for the processing. As a matter of principle, this data is not passed on to third parties unless there is a legal obligation to pass it on or the passing on serves the purpose of criminal prosecution.

The registration of the data subject by voluntarily providing personal data serves the purpose of the data controller to offer the data subject content or services which, due to the nature of the matter, can only be offered to registered users. Registered persons are free to modify the personal data provided during registration at any time or to have such data completely deleted from the controller's database. The controller shall provide any data subject at any time, upon request, with information on what personal data is stored about the data subject. Furthermore, the controller shall correct or delete personal data at the request or indication of the data subject, provided that there is no legal obligation to retain such data. The entire staff of the controller is available to the data subject as a contact person in this context.

6. Contact possibility via the website

Based on statutory provisions, the website of the AMIRO GmbH contains information that enables a quick electronic contact to our enterprise, as well as direct communication with us, which also includes a general address of the so-called electronic mail (e-mail address). If a data subject contacts the controller by e-mail or by using a contact form, the personal data transmitted by the data subject will be stored automatically. Such personal data transmitted on a voluntary basis by a data subject to the controller will be stored for the purposes of processing or contacting the data subject. Such personal data will not be disclosed to third parties.

7. Routine erasure and blocking of personal data

The controller processes and stores personal data of the data subject only for the period of time necessary to achieve the purpose of the storage or if this has been provided for by the European Directive and Regulation or another legislator in laws or regulations to which the controller is subject. If the storage purpose ceases to apply or if a storage period prescribed by the European Directive and Regulation Maker or another competent legislator expires, the personal data will be routinely blocked or deleted in accordance with the statutory provisions.

8. Rights of the data subject

a) Right to confirmation

Every data subject has the right granted by the European Directive and Regulation to obtain confirmation from the controller as to whether personal data concerning him or her are being processed. If a data subject wishes to exercise this right of confirmation, he or she may, at any time, contact any employee of the controller.

b) Right of access

Any person concerned by the processing of personal data has the right granted by the European Directive and Regulation to obtain at any time from the controller, free of charge, information about the personal data stored about him or her and a copy of that information. Furthermore, the European Directive and Regulation has granted the data subject access to the following information:

the purposes of the processing

the categories of personal data processed

the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular in the case of recipients in third countries or international organisations

if possible, the planned duration for which the personal data will be stored or, if this is not possible, the criteria for determining this duration

the existence of a right to obtain the rectification or erasure of personal data concerning him or her or to obtain the restriction of processing by the controller or a right to object to such processing

the existence of a right of appeal to a supervisory authority

if the personal data are not collected from the data subject: Any available information about the origin of the data.

the existence of automated decision-making, including profiling, pursuant to Article 22(1) and (4) of the GDPR and - at least in these cases - meaningful information about the logic involved and the scope and intended effects of such processing for the data subject. Furthermore, the data subject has the right to be informed whether personal data have been transferred to a third country or to an international organisation. If this is the case, the data subject also has the right to obtain information on the appropriate safeguards in connection with the transfer. If a data subject wishes to exercise this right of access, he or she may contact the data controller at any time.

c) Right of rectification

Every person affected by the processing of personal data has the right granted by the European Directive and Regulation to demand the immediate correction of any inaccurate personal data concerning him or her. Furthermore, the data subject has the right to request the completion of incomplete personal data, also by means of a supplementary declaration, taking into account the purposes of the processing. If a data subject wishes to exercise this right of rectification, he or she may contact the controller at any time.

d) Right to erasure (right to be forgotten)

Any person concerned by the processing of personal data has the right, granted by the European Directive and Regulation, to obtain from the controller the erasure without delay of personal data concerning him or her, where one of the following grounds applies and insofar as the processing is not necessary:

The personal data have been collected or otherwise processed for purposes for which they are no longer necessary.

The data subject revokes the consent on which the processing was based pursuant to Article 6(1)(a) of the GDPR or Article 9(2)(a) of the GDPR and there is no other legal basis for the processing.

The data subject objects to the processing pursuant to Article 21(1) of the GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2) of the GDPR.

The personal data have been processed unlawfully.

The erasure of the personal data is necessary for compliance with a legal obligation under Union or Member State law to which the controller is subject.

The personal data have been collected in relation to information society services offered in accordance with Article 8(1) of the GDPR.

If one of the aforementioned reasons applies, and a data subject wishes to arrange for the deletion of personal data stored by the AMIRO GmbH, he or she may, at any time, contact the employee responsible for processing. The employee of the AMIRO GmbH will arrange for the erasure request to be complied with immediately.

If the personal data was made public by the AMIRO GmbH and our company is responsible for it pursuant to Art. 17 Para. 1 DS-GVO, AMIRO GmbH shall implement reasonable measures, including technical measures, to compensate other data controllers for processing published personal data, considering the available technology and the cost of implementation, in order to inform the other data controllers that the data subject has requested the erasure of all links to such personal data or to copies or replications of such personal data, unless the processing is necessary. The employee of the AMIRO GmbH will arrange the necessary in individual cases.

e) Right to restriction of processing

Any person affected by the processing of personal data has the right, granted by the European Directive and Regulation, to request the controller to restrict the processing if one of the following conditions is met:

The accuracy of the personal data is contested by the data subject for a period enabling the controller to verify the accuracy of the personal data.

The processing is unlawful, the data subject objects to the erasure of the personal data and requests instead the restriction of the use of the personal data.

The controller no longer needs the personal data for the purposes of the processing, but the data subject needs it for the assertion, exercise, or defence of legal claims.

The data subject has objected to the processing pursuant to Article 21(1) of the GDPR and it is not yet clear whether the legitimate grounds of the controller override those of the data subject.

If one of the aforementioned conditions is met, and a data subject wishes to request the restriction of personal data stored by the AMIRO GmbH, he or she may, at any time, contact any employee of the controller. The employee of the AMIRO GmbH will arrange the restriction of the processing.

f) Right to data portability

Any person affected by the processing of personal data has the right, granted by the European Directive and Regulation, to receive the personal data concerning him or her, which has been provided by the data subject to a controller, in a structured, commonly used and machine-readable format. The data subject also has the right to transmit such data to another controller without hindrance by the controller to whom the personal data were provided, provided that the processing is based on consent pursuant to Article 6(1)(a) of the GDPR or Article 9(2)(a) of the GDPR or on a contract pursuant to Article 6(1)(b) of the GDPR. The processing is based on consent pursuant to Article 6(1)(b) of the GDPR or on a contract pursuant to Article 6(1)(b) of the GDPR and the processing is carried out with the aid of automated procedures, unless the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Furthermore, when exercising the right to data portability pursuant to Article 20(1) of the GDPR, the data subject shall have the right to obtain the direct transfer of personal data from one controller to another controller where technically feasible and provided that this does not adversely affect the rights and freedoms of other persons.

In order to assert the right to data portability, the data subject may at any time contact any employee of the AMIRO GmbH.

g) Right to object

Any person affected by the processing of personal data has the right granted by the European Directive and Regulation to object at any time, on grounds relating to his or her particular situation, to the processing of personal data concerning him or her which is carried out based on Article 6 (1) (e) or (f) of the Data Protection Regulation. This also applies to profiling based on these provisions.

The AMIRO GmbH shall no longer process the personal data in the event of the objection, unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights, and freedoms of the data subject, or for the assertion, exercise or defence of legal claims.

If the AMIRO GmbH processes personal data for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing. This also applies to the profiling, insofar as it is related to such direct marketing. If the data subject objects to the AMIRO GmbH to the processing for direct marketing purposes, the AMIRO GmbH will no longer process the personal data for these purposes.

In addition, the data subject has the right, on grounds relating to his or her particular situation, to object to processing of personal data concerning him or her which is carried out by the AMIRO GmbH for scientific or historical research purposes, or for statistical purposes pursuant to Article 89(1) of the Data Protection Regulation (DS-GVO), unless such processing is necessary for the performance of a task carried out in the public interest.

In order to exercise the right to object, the data subject may directly contact any employee of the AMIRO GmbH or another employee. Furthermore, in connection with the use of information society services, the data subject is free to exercise his/her right to object by means of automated procedures using technical specifications, in accordance with Directive 2002/58/EC.

h) Automated decisions in individual cases, including profiling

Any person concerned by the processing of personal data shall have the right, granted by the European Parliament and the Council, not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her, provided that the decision (1) is not necessary for entering into, or the performance of, a contract between the data subject and the controller, or (2) is authorised by Union or Member State law to which the controller is subject and that such law lays down appropriate measures to safeguard the data subject's rights and freedoms and legitimate interests, or (3) is based on the data subject's explicit consent.

If the decision (1) is necessary for entering into, or the performance of, a contract between the data subject and the data controller, or (2) it is made with the data subject's explicit consent, the AMIRO GmbH shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, which include at least the right to obtain the data subject's involvement on the part of the controller, to express his or her point of view and to contest the decision.

If the data subject wishes to exercise the rights concerning automated decisions, he or she may, at any time, contact any employee of the controller.

i) Right to withdraw consent under data protection law

Every person affected by the processing of personal data has the right granted by the European Directive and Regulation to withdraw consent to the processing of personal data at any time.

If the data subject wishes to exercise the right to withdraw consent, he or she may, at any time, contact any employee of the controller.

9 Data protection during job applications and the application process

The controller collects and processes the personal data of applicants for the purpose of handling the application procedure. The processing may also be carried out by electronic means. This is particularly the case if an applicant sends the relevant application documents to the controller electronically, for example by e-mail or via a web form on the website. If the controller concludes an employment contract with an applicant, the transmitted data will be stored for the purpose of processing the employment relationship in compliance with the statutory provisions. If the data controller does not conclude an employment contract with the applicant, the application documents are automatically deleted two months after the notification of the rejection decision, provided that no other legitimate interests of the data controller prevent deletion. Other legitimate interest in this sense is, for example, a duty to provide evidence in proceedings under the General Equal Treatment Act (AGG).

10 Legal bases for processing

Article 6 I lit. a DS-GVO serves our company as the legal basis for processing operations in which we obtain consent for a specific processing purpose. If the processing of personal data is necessary for the performance of a contract to which the data subject is a party, as is the case, for example, with processing operations that are necessary for the delivery of goods or the provision of another service or consideration, the processing is based on Art. 6 I lit. b DS-GVO. The same applies to such processing operations that are necessary for the implementation of pre-contractual measures, for example in the case of enquiries about our products or services. If our company is subject to a legal obligation through which the processing of personal data becomes necessary, such as for the fulfilment of tax obligations, the processing is based on Art. 6 I lit. c DS-GVO. In rare cases, the processing of personal data might

become necessary in order to protect the vital interests of the data subject or another natural person. This would be the case, for example, if a visitor were to be injured on our premises and as a result his or her name, age, health insurance details or other vital information had to be passed on to a doctor, hospital or other third party. Then the processing would be based on Art. 6 I lit. d DS-GVO. Finally, processing operations could be based on Art. 6 I lit. f DS-GVO. Processing operations which are not covered by any of the aforementioned legal bases are based on this legal basis if the processing is necessary to protect a legitimate interest of our company or a third party, provided that the interests, fundamental rights, and freedoms of the data subject are not overridden. We are permitted to carry out such processing operations in particular because they were specifically mentioned by the European legislator. In this respect, it took the view that a legitimate interest could be assumed if the data subject is a customer of the controller (recital 47, sentence 2 of the GDPR).

11 Legitimate interests in the processing

(Pursued by the controller or a third party).

If the processing of personal data is based on Article 6 I lit. f DS-GVO, our legitimate interest is the performance of our business activities for the benefit of the well-being of all our employees and our shareholders.

12 Duration for which the personal data is stored

The criterion for the duration of the storage of personal data is the respective statutory retention period. After expiry of this period, the corresponding data is routinely deleted if it is no longer required for the fulfilment or initiation of a contract.

13. legal or contractual regulations for the provision of personal data

(Necessity for the conclusion of the contract; obligation of the data subject to provide the personal data; possible consequences of failure to provide the data).

We would like to inform you that the provision of personal data is sometimes required by law (e.g., tax regulations) or may also result from contractual regulations (e.g., information on the contractual partner). Sometimes, in order to conclude a contract, it may be necessary for a data subject to provide us with personal data which must subsequently be processed by us. For example, the data subject is obliged to provide us with personal data if our company concludes a contract with him or her. Failure to provide the personal data would mean that the contract with the data subject could not be concluded. Before the data subject provides personal data, the data subject must contact one of our employees. Our employee will inform the data subject on a case-by-case basis whether the provision of the personal data is required by law or contract or necessary for the conclusion of the contract, whether there is an obligation to provide the personal data and what the consequences of not providing the personal data would be.

14. Existence of automated decision-making

We do not use automated decision-making or profiling.

AMIRO GmbH

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Commercial register entry

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