

Data Privacy Notice

Applicable for **Clients and Suppliers** of the entities named under point 1 hereunder.

September 2023 (valid as per 1 September 2023)

The following information provides our **clients and suppliers** with an overview of **how we process your personal data** and **your rights** under data protection law. The **personal data** are **used to provide you and/or your company** with freight forwarding and transport related services.

1. Who is the data controller and who can I contact in this regard?

Entities	You can reach our person of contact with respect to data protection
Switzerland	
For clients and suppliers of Hupac Intermodal SA Hupac Intermodal SA Viale R. Manzoni 6, CH-6830 Chiasso T. +41 58 855 88 00 F. +41 58 855 88 81	Federico Centonze Hupac Intermodal SA Viale R. Manzoni 6, CH-6830 Chiasso T. +41 58 855 86 10 Privacy.CH@hupac.com
Germany	
For clients and suppliers of Hupac GmbH Hupac GmbH Terminal-Vertretung Köln Am Eifeltor 6 D-50997 Köln T. +49 221 363074	Ulrich Behnke Hupac GmbH Zum Umschlagbahnhof 2D-78224 Singen T. +49 7731 8790 30 Privacy.DE@hupac.com

Italy	
For clients and suppliers of Hupac SpA Hupac SpA Via Dogana 8, I-21052 Busto Arsizio T. +39 0331 373300 F. +39 0331 381146	Giacometti Monica Hupac SpA Via Dogana 8, I-21052 Busto Arsizio T. +39 0331 373141 privacy.hupacspa@hupac.com
For clients and suppliers of Hupac Intermodal Italia Srl Hupac Intermodal Italia Srl Via Dogana 2, I-21052 Busto Arsizio T. +39 0331 373800 F. +39 0331 373810	Tumbiolo Claudia Hupac Intermodal Italia Srl Via Dogana 2, I-21052 Busto Arsizio T. +39 0331 373802 privacy.hiita@hupac.com
For clients and suppliers of Termi SpA Termi SpA Via Dogana 8, I-21052 Busto Arsizio T. +39 0331 608540 F. +39 0331 382880	Giacometti Monica Termi SpA Via Dogana 8, I-21052 Busto Arsizio T. +39 0331 373141 privacy.termispa@hupac.com
For clients and suppliers of Fidia SpA Fidia SpA Via Dogana 2, I-21052 Busto Arsizio T. +39 0321 998155 F. +39 0321 992628	Oldani Nicoletta Fidia SpA Via Dogana 2, I-21052 Busto Arsizio T. +39 0331 373701 privacy@fidia-spa.it
For clients and suppliers of Centro Intermodale SpA Centro Intermodale SpA Via Bertani 6, I-20154 Milano T. +39 0331 339251 F. +39 0331 685293	Oldani Nicoletta Centro Intermodale SpA Via Bertani 6, I-20154 Milano T. +39 0331 373701 privacy@centrointermodale.it
For clients and suppliers of Piacenza Intermodale SpA Piacenza Intermodale SpA Via Coppalati 6, I-29122 Piacenza T. +39 0523 695070 F. +39 0523 570096	Paolo Busini Piacenza Intermodale SpA Via Coppalati 6, I-29122 Piacenza T. +39 0523.695070 privacy@piacenzaintermodale.it

For clients and suppliers of Terminal Piacenza Intermodale Srl Terminal Piacenza Intermodale Srl Via Carlo Strinati 7/9, I-29122 Piacenza T. +39 0523 570097 F. +39 0523 570096	Russo Laura Terminal Piacenza Intermodale Srl Via Carlo Strinati 7/9, I-29122 Piacenza T. +39 0523 570015
Netherlands	
For clients and suppliers of Hupac Intermodal NV Hupac Intermodal NV A. Plesmanweg 107C, NL-3088 GC Rotterdam T. +31 10 4952522 F. +31 10 4950915	Alina Van Meggelen Hupac Intermodal NV A. Plesmanweg 107C, NL-3088 GC Rotterdam T. +31 10 4952522 Privacy.NL@hupac.com
Belgium	
For clients and suppliers of Hupac Intermodal BVBA Hupac Intermodal BVBA Muisbroeklaan, Kaai 468B-2030 Antwerpen T. +32 3 5417269 F. +32 3 5417669	Dirk Fleerackers Hupac Intermodal BVBA Muisbroeklaan, Kaai 468B-2030 Antwerpen T. +32 3 5417269 Privacy.BE@hupac.com

2. What sources and data do we use and for which purpose?

We process personal data which we receive from you or from your employer in the context of our business relationships. In particular, your personal data are used for the following purposes and/or in following processes:

- a) in general, we keep your business contacts in the framework of our contractual relationship with your company;
- b) if you are a driver authorized to access our terminals, we keep your business contacts and your (non-biometrical) picture in our driver databases to grant you access to the terminal facilities and allow you to take over the goods;
- c) if you or your employer indicated you as a user of our WOLF platform, your identification data have been linked to your username. The utilization of the online booking services are traced using your log for purposes of fulfil our and your/your employer's contractual obligations;
- d) if you or your employer indicated you as a contact person, we may provide you with information about our products, newsletters and invitation to events;
- e) if you or your employer applied to a procurement process for which a criminal clearance shall be made pursuant to the applicable laws and regulations (for instance, procurement for engineering services or building services), you might be required to provide us with criminal records checks.

To the extent necessary in order to provide our services, we also process **personal data** which we lawfully

(e. g., for executing orders, performing contracts or on the basis of your consent) receive from other entities within the Group Hupac or other third parties (for instance, other intermodal operators). We also process **personal data** from publicly available sources (e. g., debtor directories, land registers, commercial registers and registers of associations, press, media, Internet) which we lawfully obtain and are permitted to process.

Relevant **personal data** collected and processed in the context of our business relationship may be:

- identification data for business purposes (name, business phone number, business addresses, function) and
- in some cases, criminal records checks.

3. What is the legal basis?

We process the personal data in compliance with the provisions of the EU General Data Protection Regulation (GDPR), the revised Swiss Federal Act on Data Protection (revFADP), as well as the data protection laws and regulations, which are applicable locally (in Switzerland and in the EEA/EU area).

a. for the performance of contractual obligations

If you (as an individual) are the contracting party, the processing of personal data is carried out in order to take steps necessary for entering into a contract or for performing a contract in the field of freight forwarding and transportation related services. For further details on the purpose of the data processing, please refer to the respective contractual documentation and terms and conditions.

b. for the purposes of safeguarding legitimate interests

Where necessary, we process your data above and beyond the actual performance of our contractual obligations in order to safeguard the legitimate interests pursued by us or by a third party. Examples:

- granting security within our terminals;
- granting the identification of persons entitled to act in name and for the account of our Clients in the booking process or by consignment and take over;
- granting traceability of maintenance activities performed on our rolling stock;
- to take steps necessary for entering into a contract or for performing a contract in the field of freight forwarding and transportation related services rendered by Hupac;
- sending newsletters to inform you about related news, events or services (direct marketing).

c. on the basis of your consent

Insofar as you have granted us consent to the processing of personal data for specific purposes, the lawfulness of such processing is based on your consent. Any consent granted may be revoked at any time. Please be advised that the revocation shall only have effect for the future.

Any processing that was carried out prior to the revocation shall not be affected thereby. You can request a status overview of the consents you have granted from us at any time or view some of them.

d. for compliance with a legal obligation

As an intermodal operator, we are also subject to various legal obligations, i.e., statutory requirements.

Examples:

- security obligations;
- safety obligations;
- etc.

4. Who receives my data?

Within and **outside** Hupac, those recipients are given access to your data which require them in order to perform our **contractual** and **statutory obligations**. Moreover, those recipients may be given access to your data which **require them for the purpose of our legitimate interest** according to the “need-to-know-principle”.

For instance, **within** our companies it may be the following recipients:

- Accounting;
- Operations;
- Fleet Management;
- Sales;
- Marketing;
- Legal Services.

For instance, **outside** our companies it may be the following recipients:

- Tax authorities;
- Maintenance providers;
- Other suppliers (railway undertakings, terminal operators, etc.);
- Ev. Customs authorities.

5. Is data transferred to a third country or to an international organization?

Only your identification data for business purposes (name, business phone number, business addresses, function) may be transferred to countries outside the EU or the EEA (so called third countries), if this is required for the **execution of a contract** between HISA and your company (or you, if prescribed by law (e. g. tax law, customs law) or if you have given us your **consent**.

We will only transfer your personal data abroad to countries that are deemed to offer an adequate level of data protection or, in the absence of such legislation providing adequate protection, on the basis of

appropriate safeguards (e.g., standard contractual clauses approved by the European Commission).

6. How long will my data be stored?

We process and store your personal data as long as it is necessary for the performance of our contractual and statutory obligations.

If the data are no longer required for the performance of our contractual and statutory obligations, they are regularly deleted, unless their further processing (for a limited time) is necessary for the following purposes:

- compliance with records retention periods under commercial and tax law;
- legal proceedings;
- etc.

7. What data protection rights do I have?

Every data subject has a right of **access** to the processed data, a right to **rectification**, a right to **erasure**, a right to **restriction** of processing, a right to **object** and a right to **data portability**.

Data subjects also have a right to lodge a complaint with a supervisory authority.

Clients and suppliers of Swiss entities	Eidgenössischer Datenschutz- und Öffentlichkeitsbeauftragter Feldeggweg 1 CH-3003 Bern T. +41 58 462 43 95
Clients and suppliers of German entities	Die Bundesbeauftragte für den Datenschutz und die Informationsfreiheit Husarenstraße 30 53117 Bonn T. +49 228 997799 0; +49 228 81995 0 F. +49 228 997799 550; +49 228 81995 550 poststelle@bfdi.bund.de http://www.bfdi.bund.de/
Clients and suppliers of Italian entities	Garante per la protezione dei dati personali Piazza di Monte Citorio, 12100186 Roma Tel. +39 06 69677 1 Fax +39 06 69677 785 e-mail: garante@garanteprivacy.it Website: http://www.garanteprivacy.it/

Clients and suppliers of Belgian entities	Commission de la protection de la vie privée Rue de la Presse 351000 Bruxelles T. +32 2 274 48 00 F. +32 2 274 48 10 commission@privacycommission.be http://www.privacycommission.be/
Clients and suppliers of Dutch entities	Autoriteit Persoonsgegevens Prins Clauslaan 60 P.O. Box 93374 2509 AJ Den Haag/The Hague T. +31 70 888 8500 F. +31 70 888 8501 info@autoriteitpersoonsgegevens.nl https://autoriteitpersoonsgegevens.nl/nl

If data processing is based on your consent, you have the possibility to revoke this at any time. However, revocation of the consent has no retroactive effect. Any personal data that was processed before the revocation is not concerned.

To exercise your rights, please contact: Privacy.CH@hupac.com

8. Am I under any obligation to provide data?

Within the scope of our **business relationship**, you must provide personal data **which is necessary for the initiation and execution of a business relationship** and the **performance of the associated contractual obligations** or which we are **legally obliged to collect**. As a rule, we would not be able to enter into any contract or execute the order without these data or we may no longer be able to carry out an existing contract and would have to terminate it.

9. To what extent is automated decision making (including profiling) carried out?

As a rule, we do not make decisions based solely on automated processing to establish and implement the business relationship. Provided that this is prescribed by law, we will inform you separately about automated decision making.

10. Is “profiling” used?

In some cases, we process your data automatically with the aim of evaluating certain personal aspects (profiling).

11. Changes to the Data Privacy Notice

This Data Privacy Notice was updated as of 30 August 2023 and is valid starting from 1 September 2023. Any subsequent changes or updates will be made available to you at <https://www.hupac.com/>. Please check our website regularly to stay up to date on current notices.

Federico Centonze, Head of legal services, Coordinator for Data Protection, Chiasso (Switzerland), 30.08.2023