

PRIVACY POLICY OF THE VARO ENTITY SWITZERLAND

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Privacy Policy of the VARO Entity Switzerland

1 Scope

1.1 This privacy policy provides information on how and for what purposes companies belonging to the VARO Entity Switzerland processes Your Personal Data (hereinafter "**You**") which You disclose to us or which we collect from You. These companies belong to the **VARO Entity Switzerland**:

- **VARO Energy Marketing AG**, CHE-262.809.406, Baar ZG, Switzerland;
- **VARO Energy Tankstorage AG**, CHE-106.844.416, Baar ZG, Switzerland;
- **VARO Energy Direct Sales AG**, CHE-331.605.554, Baar ZG, Switzerland;
- **Varo Refining (Cressier) SA**, CHE-134.730.663, Cressier NE, Switzerland;

It is not part of the group, but is considered closely related with regards to data processing:

- **Pensionskasse VARO**, CHE-109.795.518, Baar ZG, Switzerland;

"**Personal Data**" means all details and information relating to an identified or identifiable natural person.

- 1.2 We process Personal Data in accordance with the requirements of the Swiss Federal Data Protection Act (hereinafter "**FDPA**") and, if and to the extent applicable the Swiss Federal Law on Occupational Retirement, Survivors' and Disability Pension Plans (hereinafter "**BVG**") and the Ordinance 2 on Occupational Retirement, Survivors' and Disability Pension Plans (hereinafter "**BVV 2**"). Where we deem it appropriate, we may provide you with additional privacy policies.
- 1.3 Since the VARO Entity Switzerland consists of different companies, the company which will be responsible for processing Your Personal Data may vary. The company of the VARO Entity Switzerland with which you correspond or do business or which has referred you to this privacy policy in the context of an enquiry, a contract or other correspondence is responsible for processing Your Personal Data under this privacy policy.
- 1.4 Depending on the data processing, the companies of the VARO Entity Switzerland may each individually or jointly be the data controller or may also assume the role of data processor.

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- 1.5 The contact person for any queries You may have regarding data protection is, irrespective of which VARO Entity Switzerland company is responsible for the processing of Your Personal Data in each individual case:

VARO Energy Marketing AG

(CHE-262.809.406)

The Qudarolith

Neuhofstrasse 22

6340 Baar ZG, Switzerland

Telephone: +41 41 747 23 00/ E-Mail: privacy@varoenergy.com

Please contact us at the above address with any questions regarding data protection at VARO.

2 Data origin and data categories

- 2.1 We primarily process Personal Data that we receive or collect from our insured persons (active and pensioners), service providers, banks and other foundation partners in the course of our foundation activities as well as from our customers (including their employees, shareholders, directors etc.), website visitors, service providers, banks and other business partners in the course of our business activities. In addition, we may also process Personal Data that we have obtained from publicly accessible sources (e.g. websites or public registers such as the commercial register, etc.). Finally, we may also have received Your Personal Data from family members of Yours, from foundation partners of ours, from business partners of ours, from official agencies and authorities or from other third parties.

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2.2 The Personal Data we process includes, as the case may be, in particular **name and contact details** (e.g. address, gender, date of birth, telephone number and e-mail address); **identification and background information** (e.g. passport number, ID-number, AHV-number, language, nationality, religious denomination, specimen signatures, marital status, number of children); **contractual data** that we receive or collect in connection with the initiation, conclusion and performance of contracts with you (e.g. goods and services claimed or requested by you and related behavioural and transactional data, financial data for payment purposes such as bank account details); **transaction data** (e.g. payment transaction data, details of your payment order as well as details of the payee or beneficiary and the purpose of the payment); **details of employment** (e.g. degree of employment, title, employment relationship, salary); **pension details** (e.g. retirement assets, capital withdrawals, purchases); **details of adult protection measures** (e.g. guardianships); **information for processing pension cases** (e.g. information on disability, health, retirement, death, home real estate acquisition); **information for the processing of mortgages** (e.g. tax returns, salary data, marital status); **communication data** (e.g. content of emails, written correspondence, chat messages, social media posts, comments on websites, telephone calls, video conferences, proof of identity, marginal data); **documentation data** or data from your **contacts with third parties** (e.g. minutes of consultations or conversations, file notes, references); **preference data** (e.g. data about the use of our website); **public data** that can be obtained about you (e.g. land register and commercial register data, data from the media and the press); **data in connection with (potential) proceedings or investigations** by authorities, official agencies, courts, organisations or other bodies; **data for compliance with legal requirements**, such as in connection with export restrictions; **image and sound recordings** (e.g. photographs, videos and sound recordings, recordings of video surveillance systems and recordings of telephone and video conference calls); and **technical data** (e.g. IP address and other device IDs, identification numbers assigned to your device by cookies and similar technologies).

3 Processing purposes

3.1 In connection with our foundation and business activities we process Your Personal Data primarily in order to provide our services in connection with our foundation and business activities. In particular, we process Your Personal Data for the following purposes:

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- to **communicate** with You, in particular to provide You with information or to process Your requests. If You contact us by e-mail/contact form, You authorise us to reply to You via the same communication channel. Please note that unencrypted e-mails are transmitted via the open Internet, which is why it cannot be ruled out that they can be viewed, accessed and manipulated by third parties. Therefore, we ask You not to send us confidential information by e-mail. We exclude – as far as legally permissible – any liability which You may incur in particular as a result of faulty transmission, falsification of content or disruption of the network (interruptions, overloading, illegal interventions, blocking);
- to make **our services** and our **website** available to You, to provide them to You and to evaluate and improve them;
- to organise **events** and to provide reports and other publications about events (e.g. in the form of texts, photographs, videos and voice recordings);
- for the offering, conclusion, administration and performance of our **contractual relationships**;
- in connection with **accounting, archiving** data and managing our archives;
- to **maintain and manage the foundation and/or business relationship with You** (incl. delivery of the pension certificate);
- for premium calculations and payments, pension and financial analysis and planning, inheritance and estate planning;
- to **inform** You of recent updates or to provide You with other information about our services;
- for quality assurance and **training of our employees**;
- in the event of the **sale of receivables**, e.g. if we provide the purchaser with information about the reason for and amount of the receivable and, if applicable, the creditworthiness and conduct of the debtor;
- for **statistical** purposes;
- for **safety measures**, namely for IT and building security measures (such as access controls, visitor lists, network and mail scanners, telephone recordings) and risk control reasons;
- in connection with **restructurings or other corporate actions** (e.g. due diligence, sale of companies, keeping share registers, etc.);
- for the **assertion of legal claims and defence** in connection with legal disputes and official proceedings in Switzerland and abroad, including the clarification of litigation prospects and other legal, economic and other issues;
- to comply with our **legal, regulatory** (including self-regulation) and **internal requirements and rules** in Switzerland and abroad, including compliance with court or authority orders.

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3.2 For providing pension services

We, Pensionskasse VARO, may process your personal data in connection with the fulfilment of our tasks in the area of occupational benefits for all purposes that are necessary in connection with the protection of insured persons against the economic consequences of old age, death and disability, in particular for:

- the verification, administration and payment of vested pension benefits;
- checking and paying out lump-sum withdrawals (e.g. home real estate acquisition, retirement, partial retirement);
- preparation and dispatch of pension statements and pension tax statements;
- Pension equalisation in the event of divorce;
- Voluntary purchases or repayments;
- Reporting of managed pension accounts to the 2nd Pillar Central Office;
- Anonymised statistical evaluations;
- Exchange of personal data with the Central Compensation Office (ZAS);
- Exchange of withdrawal data with the Stiftung Auffangeinrichtung BVG.

3.3 Contact by e-mail and telephone: You can contact us by e-mail and telephone. The Personal Data You send us will be stored and processed by us for the purpose of processing Your request.

3.4 When visiting our website: Each time a user accesses our website, our server collects a set of user information which is stored in the server's log files. The information collected includes, but is not limited to, the IP address, the date and time of access, the time zone difference relative to GMT, the name and URL of the downloaded file, the website from which the access takes place, the browser used and the operating system used.

The use of this general information does not involve identification of a specific person. The collection of this information or data is technically necessary in order to display our websites to You and to guarantee its stability and security. This information is also collected in order to improve the website and to analyse its use.

4 Cookies/Tools

4.1 Our website may use so-called cookies or other technologies/tools such as pixels, tags or external services (hereinafter "**Cookies**" or "**Tools**"). Cookies are text files that are stored in or by the internet browser on the computer system or a mobile device of the user. The Cookie contains a characteristic string that allows the browser or mobile device to be identified unambiguously when the website or app is visited again.

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The purpose of the use of Cookies is, on the one hand, to enable and simplify the use of our website for users. Some functions of the website cannot be offered without the use of Cookies (so-called technically necessary Cookies). On the other hand, we also use Cookies/Tools to analyse user behaviour on our website, namely for range measurement and marketing purposes.

4.2 Technically necessary Cookies

4.2.1 Technically necessary Cookies are necessary for the functioning of our website. Therefore, these Cookies cannot be deactivated in our systems. These Cookies usually record important actions, such as the number of requests made, the editing of Your privacy settings or when You fill out forms. Although You can block these Cookies in Your browser, some parts of our website may no longer function then.

4.3 Analytical and marketing Cookies

4.3.1 Analytical Cookies allow us to analyse visitor behaviour and traffic sources so that we can measure the performance of our website and improve the user experience. They help us to identify how popular which pages are and indicate how visitors move around our website. The information collected is aggregated and anonymous.

4.3.2 Marketing Cookies allow us to deliver advertising that is relevant to You. These Cookies may remember that You have visited our website and share this information with other companies, including other advertisers.

4.3.3 If we use Cookies for analysis and marketing purposes, we obtain Your consent to do so. Therefore, the processing of data for analysis and marketing purposes is based on Your consent. If You give us Your consent, You may withdraw it at any time with effect for the future. However, this does not affect the lawfulness of the processing carried out on the basis of Your consent before Your withdrawal of consent. You can express Your withdrawal at any time by adjusting the Cookie settings.

4.3.4 You can object to the use of Cookies, for example, (i) by selecting the appropriate settings in Your browser or (ii) by using appropriate Cookie blocker software (e.g. ghostery etc.).

5 Social Media Plug-ins

- 5.1 We may use the social media plug-ins contained in the following table on our website. In doing so, we use the so-called two-click solution, which means that, when You visit our website, in principle no Personal Data are disclosed to the providers of the plug-ins. Only if You click on the selected plug-in field and activate the plug-in, provider will be informed that You have accessed our website. In addition, the data referred to in section 3.4 (“When visiting our website”) of this privacy policy will be transmitted.
- 5.2 We have no control over the data collected and data processing operations of the plug-in providers. These are subject to the respective privacy policies of the third-party providers. Further information on the purpose and scope of data collection and its processing by the plug-in provider can be found in the privacy policies of these providers provided below.

Plug-in	Provider and Privacy Policy
LinkedIn	LinkedIn Ireland Unlimited Company: https://www.linkedin.com/legal/privacy-policy
Facebook	Meta Platforms Ireland Limited: https://www.facebook.com/about/privacy/update?ref=old_policy

6 Applications

- 6.1 You can submit Your application for a position with us by post or via the e-mail addresses provided on our website. Your application documents and all Personal Data thereby disclosed to us will be treated in the strictest confidence, will not be disclosed to any third party and will only be processed for the purpose of processing Your application for employment with us. Unless You have given consent which provides otherwise, Your application file will either be returned to You after the conclusion of the application process or will be deleted/destroyed, unless it is subject to a statutory retention requirement.

7 Disclosure of Personal Data to recipients and abroad

- 7.1 Disclosure of Personal Data to recipients

In addition to the transfers of data to recipients expressly mentioned in this privacy policy, we may to the extent permitted – disclose Personal Data to the following categories of recipients:

- Other VARO companies belonging to the VARO Group;
- Contractors providing technical and commercial management to the VARO Entity Switzerland companies;

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- Providers to whom we have outsourced certain services (e.g. IT and hosting providers, payment service providers, etc.);
- Subcontractors and other foundation and/or business partners;
- Banks, insurance companies and social insurances;
- Tax advisors, auditors, lawyers, notaries and other external professional advisors of the VARO Entity Switzerland;
- Prospective buyers or investors in the event of restructuring or other corporate actions;
- Parties to potential or actual legal proceedings or litigation;
- Counterparties;
- National and foreign authorities, agencies and courts.

7.2 Disclosure of Personal Data abroad

Your Personal Data may be processed within Switzerland, the European Union or the European Economic Area (hereinafter "**EU/EEA**") but may also be processed and transferred in some cases to a country outside of Switzerland, EU or EEA.

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 (namely on the basis of the so-called standard contractual clauses of the European Commission) or we rely on the legal exceptions of consent, the performance of a contract, the establishment, exercise or enforcement of legal claims, overriding public interests, published Personal Data or because it is necessary to protect the integrity of the data subjects. We would like to point out that data transmitted abroad is no longer protected by Swiss law and foreign laws as well as official orders may require the disclosure of this data to authorities and other third parties.

8 Duration of storage

- 8.1 We process and store Your Personal Data only for as long as is necessary in accordance with the relevant purpose of processing or if there is another legal basis for doing so (e.g. statutory retention periods). We retain Personal Data that we hold on the basis of a contractual relationship with You for at least the duration of that contractual relationship and the statutory limitation periods for potential claims or based on contractual retention obligations. As soon as Your Personal Data are no longer required for the above-referenced purposes, they will be set inactive, deleted or anonymised as far as possible. Statutory retention periods of pension related data are governed by Art. 41 BVG in conjunction with Art. 27i et seq. BVV 2.

9 Your rights

- 9.1 Under the data protection law applicable to You and to the extent provided for, You have the right to information, rectification, erasure, the right to restrict data processing and otherwise to object to our data processing as well as to the handover of certain Personal Data for transfer to another controller (so-called data portability). Please note, however, that we reserve the right to assert the statutory restrictions on our part, for example if we are obliged to retain or process certain data, if we have an overriding interest in this (to the extent we are entitled to rely on such interest) or if we need the data in order to assert claims. If this results in costs for You, we will inform You in advance.
- 9.2 If data processing is based on Your consent, after giving Your consent You may withdraw it at any time with future effect. However, this does not affect the lawfulness of the processing carried out on the basis of Your consent prior to Your withdrawal of consent.
- 9.3 The exercise of such rights generally requires that You clearly prove Your identity (e.g. by means of a copy of an identification document, where Your identity is otherwise unclear or cannot be verified). In order to assert Your rights, You may contact us at the address specified in Section 1 of this privacy policy.
- 9.4 In addition, every data subject has the right to enforce his/her rights in court or to lodge a complaint with the competent data protection authority. The competent data protection authority may vary depending on Your place of residence or the place where the alleged infringement of the applicable data protection law takes place.

10 Data security

- 10.1 We take appropriate security measures in order to maintain the required security of your Personal Data and ensure its confidentiality, integrity and availability, and to protect it against unauthorized or unlawful processing, and to mitigate the risk of loss, accidental alteration, unauthorized disclosure or access.

11 Amendments to this Privacy Policy

- 11.1 We expressly reserve the right to amend this privacy policy at any time. If such amendments are made, we will immediately publish the amended privacy policy on our website. The privacy policy published on our website, as from time to time amended, shall apply.

September 2023