Privacy Policies

Valid from 24 April 2019

newhome.ch

newhome.ch

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1 General information

newhome.ch AG (hereinafter newhome) takes your privacy very seriously. This document regulates the storage, processing and disclosure of your personal data relating to the property platform newhome.ch within the context of Swiss data protection legislation and – if applicable – the General Data Protection Regulation (GDPR) of the European Union.

This Privacy Policy supplements newhome's General Terms & Conditions (GTCs). These provisions apply to all services that are offered by newhome. In particular, such services may be both websites and mobile applications (apps).

The responsible agency for data processing is newhome. In the event that third-party services are used, the privacy policies of these third parties shall apply exclusively.

When advertisers/users confirm their acceptance of the GTCs by submitting their declaration of intent (and accepting the same) by clicking the corresponding icons (which is confirmed via the appearance of a checkmark), these GTCs become an explicit, integrated component of the contract concluded with newhome.ch AG.

This Privacy Policy can be viewed on the newhome.ch platform under the "Legal" menu item and can be downloaded by users onto their own IT devices in PDF format.

Users/advertisers on newhome.ch who do not agree with the following Privacy Policy are required to exit the website immediately.

If you have any questions or suggestions about this Privacy Policy, please contact us (see chapter 6 below).

1.1 Basic compliance

newhome is subject to the Federal Act on Data Protection Act (FADP) as well as – if applicable – the GDPR and, within this context, is committed to protecting the privacy of its advertisers/users and to processing their personal data in accordance with the provisions of the FADP and, if applicable, the GDPR.

newhome hereby undertakes

- to comply with the statutory requirements for the processing of personal data
- to process personal data in good faith using the proportionality principle and to obtain the consent of the affected advertisers/users where necessary
- to ensure that personal data is processed only for the purpose that was specified during its procurement
- to use the acquired personal data to fulfil its contractual obligations and ensure a high quality of service
- to develop and maintain customer relationships
- to ensure the accuracy of the data (data integrity)
- to ensure that the data is adequately protected (data security)
- to indicate the reason and purpose for the acquisition and processing of the data

Although newhome respects the provisions of the FADP and, if applicable, the GDPR, it cannot comprehensively guarantee the confidentiality, integrity, authenticity and availability of personal data. The advertiser/user hereby acknowledges that personal data that is disclosed on the online platform (for the purpose of making a contact request) may also be accessed in countries which

lack legislation that ensures an adequate level of data protection, and may also be registered by search engines and included in the results of corresponding searches.

2 Handling of personal data by newhome

Through their use of this website, advertisers/users acknowledge newhome's process for handling personal data as described below and provide their consent to the use of their personal data by newhome to the extent and for the purposes described.

2.1 Collection of data

In order to provide the service and to best optimise the online real estate platform for advertisers/users, data is collected by newhome at diverse locations throughout the website. This includes in particular the following essential personal data:

- Email address and password, salutation, surname, first name, address (street, postal code, locality), telephone number, language and purpose of use.

2.2 Storage of data

The data is stored in a secured database environment in Switzerland.

2.3 Data security

newhome gives high priority to the protection of data against unauthorised access. In order to increase data security:

- newhome uses standard encryption techniques (for example, SSL) where necessary
- newhome verifies its practices regarding the collection, storage, use and handling of data including physical security measures to prevent unauthorised access to its systems
- newhome only grants access to personal data to employees and contractors who require such access in order to process the data for newhome for the stated purpose, and who have been obligated to uphold strict confidentiality requirements

The website newhome.ch is hosted in Switzerland.

Advertisers/users are solely responsible for the safe delivery of their data and for ensuring that it is not intercepted, recorded, stolen or otherwise made available to third parties during its transmission between the respective advertiser/user and newhome.

2.4 Use of

2.4.1 registered users'/advertisers' data

Both newhome and the respective cantonal bank that was expressly selected by the registered advertiser/user in accordance with their declaration of intent will be given access to the data collected during registration.

Registered advertisers/users also accept that both newhome and their selected cantonal bank may use advertisers'/users' submitted personal data internally for marketing purposes. This personal data is used to provide and improve newhome's services and may be used by the registered advertiser's/user's selected, affiliated cantonal bank for commercial purposes. Within the scope

of said commercial use, registered advertisers/users give their consent for their selected cantonal bank to contact them.

2.4.2 non-registered users' data

Personal data submitted by non-registered users via a listing's contact form will be forwarded by newhome directly to the respective advertiser. Users give their consent for newhome to save and evaluate the personal data that is submitted via said contact form, and also to forward this data to the affiliated cantonal banks.

2.4.3 Registered personal data

The following personal data is collected at this point:

- General: contact date
- Non-registered users: all information from the contact form, such as salutation, surname, first name, address (street, postal code, locality), telephone number, email address
- Registered users: all information from the contact form, such as company, salutation, surname, first name, address (street, postal code, locality), telephone number, email address and message, and the contents of the user's inbox (of their personal user account, for the purpose of investigating suspected offences)
- Advertisers: all information from the contact form, such as company, name, surname, address (street, postal code, locality), telephone number, email address. the contents of the user's inbox (of their personal user account, for the purpose of investigating suspected offences)
- Additionally, for each property that is listed/saved by the advertiser/user: immocode, price, property type, address (street, postal code, locality) as well as the invoice forms for any paid services provided by newhome

This personal data is used to provide and improve the services of newhome and may be used by the registered user's selected affiliated cantonal bank for commercial purposes.

2.5 Processing of data

The registered advertisers/users can correct or change the information saved in their user profile at any time. User profiles are edited by the respective advertiser/user. newhome and the advertiser's/user's selected cantonal bank merely reserve the right to delete any profiles containing obviously incorrect information and to reset login information (e.g. passwords) at the express request of the advertiser/user concerned.

However, newhome reserves the right to change the status of registered advertisers/users, whose last login was more than 12 months previously, to inactive and subsequently to delete the data/properties associated with their accounts. There is no obligation on the part of newhome to inform the advertisers/users concerned about these clean-up processes.

3   Handling of personal data with regard to third parties

The collected and stored personal data will not be sold, leased, given away, published or otherwise made available to third parties by newhome or the selected cantonal bank.

Exceptions:

- for a purpose that is directly related to the purpose for which the personal data was originally collected, e.g. the import and export of listings on partner sites, or other services from third parties that are provided with the respective advertiser's/user's consent.
- in the case of misuse of the service.
- to combat fraud.

Furthermore, newhome and the advertiser's/user's selected cantonal bank will not share the respective advertiser's/user's personal data with third parties without said advertiser's/user's consent. However, they reserve the right to share information about undesirable advertisers/users with all affiliated cantonal banks and partner platforms.

3.1 Misuse of the service

In the case of misuse of the service, and in particular in the case of suspicion of a criminal act, a legal obligation or a governmental or judicial order, newhome reserves the right to share advertisers'/users' personal data. In this context, personal data may be analysed in order to clarify the situation and, following a justified request, passed to the relevant authorities or the third parties who have been affected by the misuse.

3.2 Transmission of data to other service providers

Furthermore, users/advertisers agree that newhome may share the personal data received from its advertisers/users to the following third parties: payment providers (e.g. credit card companies, banks, PayPal, mobile phone providers) and IT service providers (e.g. data centres, hosting providers). These service providers will only be granted access to advertisers'/users' personal data to the extent required to carry out the associated tasks.

3.3 Advertising, personalised advertising

newhome may show advertising to users who are using its services. newhome may also show personalised advertising created by third parties whose content is based on the respective advertiser's/user personal data.

3.4 Co-registration

During registration, newhome also gives advertisers/users the opportunity to register with its partner companies. Should advertisers/users choose to complete a co-registration of this kind, newhome will forward the personal data collected for the co-registration to the respective partner, who will become the owner of the data.

3.5 Links to third-party service providers

The newhome.ch website may contain links to offers by third-party providers. newhome has no influence over the way these providers process the customer data collected on their own websites. newhome is not responsible for compliance with data protection regulations on the part of these third parties.

4 Use of cookies and tracking systems

Through their use of this website, advertisers/users provide their consent to the use of cookies and tracking systems by newhome to the extent and for the purposes described below.

newhome uses

- cookies to optimise the platform and to determine the number of page views.
- on the other hand, tracking systems for the improvement of offers and the delivery of personalised recommendations and offers.

newhome reserves the right to use tracking systems (see Section 4.2 below). newhome will combine these tracking systems used with an update of the data protection provisions in advance and thus ensure that the tracking systems in operation are always explicitly listed in the data protection provisions.

4.1 Use of cookies

Cookies are anonymous text files that are stored on each user's terminal.

Cookies are used for the following purposes:

- For statistical purposes.
- For automatic login of registered users, provided that the visitor/user has specified this during the login process.
- To display content and advertising based on the advertiser's/user's interests.

Advertisers/users can prevent the installation of cookies via their browser's settings. However, newhome wishes to point out that doing so may limit the advertiser's/user's ability to access all of the platform's features.

4.1.1 Third-party cookies

In order to provide its advertisers/users with a free platform, newhome is dependent upon advertising. newhome therefore allows selected partners to place advertisements on the website.

Within this context, other cookies (third-party cookies) may be installed on advertisers'/users' terminals when they view these advertisements. This use of cookies can also be prevented via the respective browser settings.

4.2 Use of tracking systems

newhome collects so-called tracking data, which provides information about the use of its website.

The following tracking systems are used by newhome.

4.2.1 Emarsys Web Extend

newhome uses the Web Extend tool of Emarsys eMarketing Systems AG, Märzstrasse 1, 1150 Vienna, Austria (Emarsys) to improve its services, enrich existing profiles and deliver personalised recommendations to advertisers and users.

Emarsys stores the data on a secure database in Austria in compliance with data protection regulations.

Web Extend

The collection of information about the (unregistered) advertiser/user on newhome.ch takes place either anonymously (before login) or in a pseudonymised form and includes the email address as identification of the already registered advertiser/user as well as, for example, the language of the

page called up, the location/canton of his search relevant to the user as well as information about the advertisement called up.

The survey requires, among other things, the setting of cookies in the browsers of advertisers / users who also record IP address, browser user agent, cookie identifiers and pseudonymised identifiers.

The advertiser/usercan prevent the placement of cookies in the settings of his respective browser or by clicking on the following link: https://www.newhome.ch/en/account/emarsysoptout (valid as of 24.04.2019). This link sets an opt-out cookie for the duration of the stay on newhome.ch and thus prevents the execution of the corresponding JavaScript commands.

Profile enrichment

In addition, newhome collects various website activities of the registered advertiser/user.

The collection includes the email address as identification of the registered advertiser/user as well as, for example, the date of publication/storage in the watch list of an advertisement, the booking of a product, the last registration and the storage of a search subscription.

Registered advertisers / users can object to web tracking, profile enrichment and the sending of recommendations by deactivating the corresponding function in the respective user data settings (valid as of 24.04.2019) or by sending a message to datenschutz@newhome.ch to make a decision.

Further information about data protection at Emarsys can be found here https://www.emarsys.com/en/privacy-policy/.

4.2.2 Google Analytics

newhome uses Google Analytics, a web analytics service provided by Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA (Google).

Google Analytics uses cookies, which are stored on the user's computer, to help the website analyse how users use the site to improve its performance.

The information generated by the cookies about the use of this website (including the IP address of the advertiser/user) will be transmitted to and stored by Google on servers in the United States. Google will use this information for the purpose of evaluating the use of the website by advertisers / users, compiling reports on website activity for website operators and providing other services relating to website activity and internet usage. This information may also be transmitted to third parties as required by law or if third parties are commissioned to process this data on behalf of the aforementioned web analytics services. In no case will the advertiser's/user's IP address be associated with the other data being processed by these web analytics services

The advertiser/usermay refuse the use of cookies by selecting the appropriate settings on his browser or may refuse the collection and processing of cookies by Google, including IP addresses and other data relating to the use of the website. The necessary browser plug-in can be found under the following link (https://www.google.com/settings/ads/plugin?hl=en) In this case, however, newhome would like to point out that not all functions of the platform may be fully available to the advertiser/user.

Further information on terms of use and data protection can be found at http://www.google.com/analytics/terms/de.html or under https://www.google.de/intl/de/policies/

4.2.3 Doubleclick from Google Inc

newhome uses Doubleclick from Google Inc, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA ("Google"). The information generated is transmitted by Google to a server in the USA for evaluation and stored there.

Advertisers/users can view the current profile determined by Google under https://www.google.com/ads/preferences. It is also possible to edit the profile or deactivate certain functions on the aforementioned website.

4.2.4 Google Remarketing

newhome uses services from Google Remarketing, a feature of Google AdWords, to create and display individual, interest-relevant advertisements via the Google advertising network.

The operating company of the services of Google Remarketing is Google.

To recognise an advertiser/user, Google Remarketing stores a cookie in the browser of the advertiser/user. Identification by IP address takes place automatically at Google if Internet pages are accessed that are also members of the Google advertising network. Google may also pass on the collected information to third parties as required by law or if third parties are commissioned to process this data on behalf of the aforementioned web analytics services.

Advertisers/users can prevent the setting of cookies at any time by means of an appropriate setting in the browser, as described above. It is also possible to object to interest-related advertising by Google by calling up www.google.de/settings/ads and saving the desired settings.

More information and Google's current privacy policy can be found at https://www.google.de/intl/de/policies/privacy/.

4.2.5 Facebook Remarketing / Retargeting

newhome uses the remarketing function "Custom Audiences" of the social network Facebook Ireland Ltd., 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland (Facebook).

The information obtained in this way about the pages visited by advertisers / users may be used by newhome, among other things, to play interest-related advertisements ("Facebook Ads") on the social network Facebook.

When advertisers / users visit newhome.ch, a cookie is set and a direct link is established between the browser and the Facebook server to assign the visit to a Facebook account. newhome has no influence on the extent and further use of the data collected by Facebook through the use of this tool. By integrating Facebook Custom Audiences, it is possible for Facebook to receive the information that advertisers / users have called up newhome.ch or clicked on an advertisement from newhome. If advertisers / users are registered with a Facebook service, Facebook can assign the visit to an account. Even if advertisers / users are not registered on Facebook or have not logged in, the provider may learn and store IP address and other identifiers.

Advertisers/users can prevent the placement of cookies via their browser's settings or – if logged into Facebook – disable the function at https://www.facebook.com/settings/?tab=ads#_.

newhome wishes to point out that doing so may limit the advertiser's/user's ability to access all of the platform's features.

You can find more information about this in Facebook's privacy policy at https://www.facebook.com/about/privacy/.

5   Use of newsletters

At various points on the website, newhome offers the possibility to subscribe to a newsletter for the purpose of receiving relevant information on the Swiss real estate market or current products and services from newhome and/or a cantonal bank.

The following data stored during registration for the newsletter receipt will be transmitted to Emarsys for the technical processing of the dispatch:

- Newsletter subscription: Salutation, first name, surname, email address, postal code, confirmation of registration.
- Save search subscription: Email address, confirmation of registration.
- Registration on newhome.ch/user data: Email address, confirmation of registration, time of registration and all information from the user data.

As part of the delivery of the newsletter, newhome evaluates the opening rate and clicks of the advertisers/users in the newsletter in order to draw conclusions about the delivered offer and to send the advertiser/user further, more suitable offers.

Advertisers/users can unsubscribe from the newsletter by clicking on the corresponding link at the end of the respective newsletter or by sending an email to datenschutz@newhome.ch.

6   Right of information and deletion

At any time, advertisers/users may request information from newhome regarding their personal data and may request the correction of erroneous data, the cessation of the collection of their personal data, or the latter's deletion. These rights are superseded by any legal provisions or orders by public authorities, e.g. by courts that require newhome to store this personal data and ensure its availability.

Requests for information and/or deletion should be sent by email to 'datenschutz@newhome.ch' or in writing to newhome.ch AG, Stauffacherstrasse 45, 8004 Zurich. At any time, newhome may request proof of identification in the context of information and deletion requests.

7   Changes to the Privacy Policy

The contents of this Privacy Policy are subject to modification at any time. newhome will thereby ensure that the privacy rights of the affected advertisers/users are not unlawfully infringed and that their rights are not restricted without the explicit consent of the respective advertisers/users.

newhome also undertakes to publish any changes to its Privacy Policy immediately on its platform in order to inform its advertisers/users about these changes.

8 Agreement

The registered advertisers/users on newhome.ch hereby agree that their customer data may be collected in accordance with the above statements and stored and used for the purposes described therein.

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