



Privacy Policy
Switzerland AG
01.09.2023 (Version 2.0)

1. What is this privacy policy about?

In this privacy policy, we explain how we process your personal data within the scope of our business activities and in connection with our web application. "Personal data" refers to all information that can be linked to a specific individual, and "process" means any handling of it, e.g. acquisition, use, and disclosure.

2. Who is responsible for processing your data?

For the data processing described in this privacy policy, the following company is the "controller", i.e. the primary entity responsible for data protection (also referred to as "LEND", "we", or "us"):

Switzerland AG, Hofackerstrasse 13, 8032 Zürich

If you have any questions about data protection, please contact:

info@lend.ch, 044 521 21 56

It may happen that you send us data relating to other persons (e.g. data about spouses/partners for creditworthiness checks or, in the case of investors acting as portfolio managers, information about their clients). In such cases, we assume that this data is accurate and that you have the right to provide it to us. Since we often don't have direct contact with these individuals and cannot directly inform them about our data processing, we ask you to inform them on our behalf (e.g. by referring to this privacy policy).

3. How do we process your data as an Investor?

We process your data or, in the case of companies, the data of the companies' representatives to initiate and execute a contract (especially according to the [General Terms and Conditions for Investors](#)). This primarily includes:

- Master data such as name, address, and job-related information,
- Contract data, such as information about the subject and timing of the conclusion, information on credit claims and collateral including their type and amount and debtor, as well as their management and liquidation, details about services, payments, and claims, information about interactions with customer service, and in the event of disputes related to the contract, information about these disputes and related procedures, and generally information on the fulfillment, termination, and enforcement of the contract. Without this data processing, we would not be able to process contracts,
- Communication data, such as details about the timing and content of communications,
- Data about your financial circumstances and the origin and beneficial ownership of assets.
- If you use our platform, we also process data in this context. More details can be found in section 5.

We process this data for the purpose of concluding, executing, and enforcing the respective contract and to communicate with you. We also process the mentioned data for statistical evaluations (e.g. portfolio composition in type,

volume, quality, as well as geographical distribution and categories of investors). Such evaluations support the improvement and development of products and business strategies. We may also use your data for personalized marketing purposes. You can find more information on this in section 6.

We may also disclose your data to third parties, in particular authorities, courts, or parties to legal proceedings if we have to or want to disclose data in connection with proceedings. For details on disclosures to service providers, see section 9.

4. How do we process your data as a borrower?

We process your data to conclude and execute a contract (especially according to the [General Terms and Conditions for Borrowers](#)). For this purpose, we mainly process

- Master data such as name, address, and job-related information,
- Information related to the verification and processing of loan applications. Depending on the type of loan, this can specifically include: verifying the data submitted with the loan application, assessing the affordability and the risk of default, and evaluating collaterals. For this purpose, we process not only the data directly provided by you, but also data we obtain from external sources. This includes information providers or credit reporting agencies like CRIF, Intrum or Creditreform, public authorities, banks, the Swiss Post, as well as the Central Credit Information Office (ZEK; especially details about creditworthiness, rejected loan applications, current and deregistered contracts, existing loan obligations, securities, declined credit card applications, and blocked cards) and the Consumer Credit Information Office (IKO; the data provided there can be found in the [annex to the VKKG](#));
- Contract data, such as details about the subject matter and the time of the conclusion, information on principal and interest claims and their fulfillment or amortization, details related to payment protection insurances or other additional services, information on services, payments, and claims, and generally, details on the execution, termination, and enforcement of the contract, information on contacts with customer service, and if disputes arise in relation to a contract, information on these disputes and the corresponding procedures, and in general, details on the execution, termination and enforcement of a contract. Without processing this data, we would not be able to process contracts;
- Communication data such as details about the time and content of messages, news, and other communication;
- Data on the origin and beneficial ownership of assets;
- Data we obtain from our partners about you, for instance, when you have given consent on other platforms or have been informed about it there;
- If you use our platform, we also process data in this context. Further details can be found in section 5.

We process this data for the purpose of concluding, executing, and enforcing the contract, as well as communicating with you. This also includes a scoring system to categorize

you into risk classes and, based on this, determine the loan terms, such as interest, duration, and loan amount.

We also process the mentioned data for statistical evaluations (e.g. to further develop our scoring model or to identify patterns in our customer population). Such evaluations support the improvement and development of products and business strategies. We may also use your data for personalized marketing purposes but excluding details about creditworthiness and data that we obtain from ZEK or IKO during the application review. For more details, see section 6.

As part of our business operations, we collaborate with partners and other third parties, especially with brokerage platforms and, in particular, with our investors. Therefore, we might disclose your data to the extent necessary to other entities. This includes information providers that we query (e.g. ZEK or IKO; details are provided above); third-party providers to check if we can offer you a third-party product; partners and intermediaries to whom we may pass on your data for their offering (usually with your separate consent); especially investors if you have chosen to disclose your identity on the platform; and generally wherever necessary to enforce their legitimate interests, even to authorities, courts, and parties involved in procedures, when we need or want to disclose data in connection with proceedings. This includes master data as well as information about your creditworthiness and financial circumstances.

If you take out an insurance, especially a payment protection insurance, we can disclose your data in connection with the conclusion and execution of the insurance contract (especially the examination of benefit claims) to the insurance provider and other companies commissioned by the insurer.

5. How do we process data in relation to the platform?

We operate a platform on the website "lend.ch" (including sub-domains) through which borrowers can conclude a loan agreement and investors can purchase claims arising from the loan agreements and have the claims assigned or have the contract transferred to them, especially in accordance with the [General Terms and Conditions Platform](#).

When you register on the platform, we process the data you provide for the aforementioned purposes and to identify you. We may also obtain information from third parties to verify the data you have provided, e.g. from information providers such as Bisnode or from public sources such as the internet. Furthermore, we process data about your use of the platform, e.g. logins and actions while logged in, and details regarding the termination of membership on the platform, to enable us to operate the platform in accordance with the agreement and to verify your compliance with the applicable specific terms as well as the General Terms and Conditions.

We also process additional data when you use our website, including the platform. More information on this can be found under section 7.

6. How do we process data in connection with advertising?

We process personal data to promote our services and those of our partners:

- **Newsletter:** We send electronic information and newsletters, which also contain advertising for our offers as well as offers from other companies we collaborate with. We ask for your consent beforehand unless we are promoting certain offers to existing customers. In this context, we process, in addition to your name and email address, details about which services you have already used,

whether you open our newsletters, and which links you click on. For this purpose, our email dispatch service provider offers a function that essentially works with invisible image data, which are loaded from a server via a coded link and thereby transmit the relevant information. This is a common method that helps us evaluate the impact of newsletters and optimize them. You can avoid this measurement by adjusting your email client settings (e.g. by turning off the automatic downloading of images).

- **Online Advertising:** We may display advertising notices on partner websites through third-party providers. More information on this can be found under section 7.
- **Market Research:** We also process data to improve services and develop new products, e.g. details about your purchases or your reactions to newsletters or information from customer surveys and polls, or from social media, media monitoring services, and public sources.

7. How do we process data in connection with our website?

For technical reasons, certain data accrues every time you use our website. This data is temporarily stored in log files and includes especially the IP address of the device, details about the internet service provider and the operating system of your device, referral URL, details about the browser used, date and time of access, and content accessed during the visit to the website. We use this data to ensure that our website can be used, to ensure system security and stability, and for optimization and statistical purposes.

Our website also uses cookies, i.e. files that your browser automatically stores on your device. This enables us to distinguish individual visitors without usually identifying them. Cookies can also contain information about visited pages and the duration of the visit. Some cookies ("session cookies") are deleted when the browser is closed, while others ("persistent cookies") remain stored for a specified duration, allowing us to recognize visitors on a subsequent visit. We might also use other technologies, e.g. for storing data in the browser, but also for recognition, e.g. pixel tags or fingerprints. Pixel tags are invisible images or a piece of program code that are loaded from a server and thereby transmit certain information (similar to the technology used in newsletters which is mentioned in section 6). Fingerprints are details about the configuration of your device that distinguish your device from other devices.

You can configure your browser in the settings so that it blocks certain cookies or similar technologies or deletes cookies and other stored data. More on this can be found in the help pages of your browser (usually under "Privacy").

These cookies and other technologies may also originate from third-party companies that provide us with certain features. These companies can be located outside of Switzerland and the EEA (details on this can be found under section 10). For example, we use analytics services to optimize our website. Cookies and similar technologies from third parties allow them to address you with individualized advertising on our websites or on other websites as well as in social networks that also cooperate with this third party and to measure the effectiveness of advertisements (e.g. whether you came to our website via an ad and which actions you carried out on our website). The relevant third-party providers can record the use of the website and combine their records with further information from other websites. They can record user behavior across multiple websites and devices to provide us with statistical evaluations on this basis. These providers can also use this information

for their own purposes, e.g. for personalized advertising on their own website or other websites. If a user is registered with the provider, they can assign the usage data to that person.

Most of the data we collect when you use our website is not personal. However, if you log in with us or have opened a member account, we can link the usage data to you and thus associate your usage with your person.

The main third-party providers are, for example, Google and Meta. You can find further details on these below. Other third-party providers process personal and other data in a similar manner.

- We use **Google Analytics** on our website, an analysis service from Google. Google collects certain information about user behavior on the website and the device used. The IP addresses of visitors are shortened in Europe before being forwarded to the USA. Based on the recorded data, Google provides us with evaluations but also processes certain data for its own purposes. You can find information on Google Analytics' data protection [here](#), and if you have a Google account, you can find more information [here](#).
- We can send user information, such as email addresses, to **Meta** for advertising purposes on their platforms (e.g. Facebook). Meta matches these with the corresponding data of its members to be able to play targeted advertising to our users ("Custom Audiences"). You can object to this match at any time (see section 12). Our websites may also use the so-called "Meta Pixel" and similar technologies from Meta. We use these technologies to display the Meta ads we place only to users on Meta and partners cooperating with Meta who have shown an interest in us. We can also use these technologies to understand the effectiveness of Meta ads for statistical purposes and market research by seeing whether users were redirected to our website after clicking on a Meta ad (so-called "conversion measurement"). You can find more information about this [here](#). We control, together with Meta, the display of advertising information that matches the interests of users, the improvement of ad delivery, and the personalization of features and content (but not the further processing). We have therefore concluded a corresponding controller agreement with Meta. Therefore, users can direct inquiries for information and other requests related to shared responsibility directly to Meta.

8. How do we process data on social media?

We operate our own profiles on social networks and other platforms. When you communicate with us there or comment or share content, we collect data for communication with you, marketing purposes, and statistical evaluations. Please note that the platform provider also collects and uses data (e.g. on user behavior) on its own, possibly combined with other known data (e.g. for marketing purposes or for personalizing platform content). In cases where we share responsibility with the provider, we conclude an appropriate agreement, about which you can obtain information from the provider.

9. How do we collaborate with service providers?

We use various services from third parties, especially IT services (examples include hosting and data analysis providers), shipping and logistics services, and services from banks, the post, consultants, etc. These service providers act on our behalf and as our processors, but some also act as

controllers on their own. In the latter case, they usually provide their own privacy policy for the data they process independently. These service providers can process personal data as required. More information on service providers for our website can be found under section 7.

10. Can we disclose data abroad?

Data recipients are not only located in Switzerland. This applies in particular to certain service providers (especially IT service providers). These service providers and their subcontractors have locations both within the EU or the EEA (e.g. Google and Dropbox in Ireland), but also in other countries worldwide, e.g. Help Scout in the USA. We can also transfer data to authorities and other persons abroad if we are legally obliged to do so or, for example, in the context of a company sale or a legal proceeding (see section 11). Not all of these countries have adequate data protection. We compensate for the lower level of protection through appropriate contracts, especially through the so-called standard contractual clauses of the European Commission, which can be accessed [here](#). In certain cases, we may also transfer data in accordance with data protection provisions without such contracts, e.g. if you have consented to the disclosure or if the disclosure is necessary for contract processing, for the assertion, exercise, or enforcement of legal claims, or for overriding public interests.

11. Is there any other processing of data?

Yes, because many activities are not possible without processing personal data, including standard and even unavoidable internal operations. This cannot always be precisely determined in advance, nor the extent of the data processed, but you will find subsequent information on typical (albeit not necessarily frequent) cases:

- **Communication:** When we communicate with you (e.g. during a call to customer service or when you communicate with us on a social media platform), we process information about the content, nature, time and place of communication. We may also process information for identity verification. Phone calls with us can be recorded and listened to; we inform you about this at the beginning of the call. If you do not want us to record such conversations, you terminate the call and contact us by other means (e.g. by email).
- **Job Applications:** When you apply for a job with us, we process the data we receive from you as part of the application process and possibly additional data from public sources, such as job-related social media. We use this data as part of your application and may also use it for non-personal statistical purposes.
- **Compliance with legal requirements:** We may disclose data to authorities as part of legal obligations or powers and to comply with internal regulations.
- **Prevention:** We process data to prevent crimes and other violations, for example in the context of fraud prevention or internal investigations.
- **Legal proceedings:** If we are involved in legal proceedings (e.g. court or administrative proceedings), we process data, e.g. about the parties involved in the proceedings and other persons such as witnesses or informants, and disclose data to such parties, courts, and authorities, possibly also abroad.

- **IT Security:** We also process data for the monitoring, control, analysis, security, and inspection of our IT infrastructure, as well as for backups and data archiving.
- **Competition:** We process data about our competitors and the general market environment (e.g. the political situation, the association landscape, etc.). We may also process data about key individuals, especially their name, contact details, role or function, and public statements.
- **Transactions:** If we sell or acquire claims, other assets, operating units or companies, we process data to the extent necessary to prepare and carry out such transactions, e.g. information about customers or their contacts or employees, and disclose relevant data to buyers or sellers or appropriate special purpose entities.
- **Other purposes:** We process data as necessary for other purposes such as training and education, administration (e.g. contract management, accounting, enforcement and defense of claims, evaluation and improvement of internal processes, creation of anonymous statistics and evaluations; acquisition or disposal of claims, businesses, operating units, or companies, and the preservation of other legitimate interests).

12. What are your rights?

Under the conditions of applicable data protection law, you have certain rights to request a copy of your personal data or influence our processing of this data:

- You can request a copy of your personal data and further information about our data processing;
- You can object to our data processing, especially in the context of direct marketing;
- You can correct or complete incorrect or incomplete personal data;
- You also have the right to receive the personal data you have provided to us in a structured, common, and machine-readable format, provided the relevant data processing is automated and is based on your consent or is necessary for contract fulfillment;
- If we process data based on your consent, you can revoke this consent at any time. The revocation only applies to the future, and we reserve the right to continue processing data in the event of a revocation based on another legal basis.

If you want to assert such a right, please contact us (section 2). Usually, we will have to check your identity (e.g. through a copy of your ID).