

Data and Cookies Policy

FADP (Federal Act on Data Protection)/(Datenschutzgesetz, DSG) /1. Sep 2023

<https://www.fedlex.admin.ch/eli/cc/2022/491/en>

New Data Protection Act – the most important facts in a nutshell for easy implementation
The new Data Protection Act (DPA) and the associated Data Protection Ordinance (DPO) will come into force on **1. September 2023**.

They regulate data processing (any work on personal data, from collection to deletion).

A company absolutely needs:

- (Only) employees who work with data of natural persons must be obliged to comply with data protection with a data protection policy.
- A privacy policy must be made available to the guest/customer (on the website).

FADP (Federal Act on Data Protection) /14. Jan 2021

<https://www.admin.ch/opc/en/classified-compilation/19920153/index.html#a17a>

Our website [lekotchi.ch / lekotchi.net] will be processing data via web server located in Japan. We mention to all user for **Le kotchi** according to Art. 17a1 Automated data processing in pilot projects, that data will be processing out of EU and EEA area.

Art. 17a1 Automated data processing in pilot projects

1 The Federal Council may, having consulted the Commissioner and before a formal enactment comes into force, approve the automated processing of sensitive personal data or personality profiles if:

- a. the tasks that require such processing required are regulated in a formal enactment;
- b. adequate measures are taken to prevent breaches of privacy;
- c.

a test phase before the formal enactment comes into force is indispensable for the practical implementation of data processing.

2 A test phase may be mandatory for the practical implementation of data processing if:

- a. the fulfilment of a task requires technical innovations, the effects of which must first be evaluated;
- b. the fulfilment of a task requires significant organisational or technical measures, the effectiveness of which must first be tested, in particular in the case of cooperation between federal and the cantonal bodies; or
- c.

processing requires that sensitive personal data or personality profiles be transmitted online to cantonal authorities.

3 The Federal Council shall regulate the modalities of automated data processing in an ordinance.

4 The competent federal body shall provide the Federal Council with an evaluation report at the latest within two years of the pilot system coming into operation. The report contains a proposal on whether the processing should be continued or terminated.

5 Automated data processing must be terminated in every case if within five years of the pilot systems coming into operation no formal enactment has come in force that contains the required legal basis.

1 Inserted by No I of the FA of 24 March 2006 ([AS 2006 4873](#); [BBI 2003 2101](#), 2006 3547). Amended by No I of the FA of 24 March 2006, in force since 15 Dec. 2006 ([AS 2007 4983](#); [BBI 2003 2101](#)).

Cookie Policy

How we use cookies

In order to maintain quality of service for customers and provide a better user experience, the following websites collect certain information about visitors to its website using cookies: [lekotchi.ch](#) / [lekotchi.net](#)

A cookie is a small piece of information sent by a web server to a web browser, which enables the server to collect information back from the browser and help us to provide him/her with the best possible experience.

We use our cookies to help us:

- Make our website work as you'd expect.
- Remember your settings during and between visits.
- Improve the speed/security of the site.
- Allow you to share pages with social networking services like Facebook.
- Continuously improve our website for you.
- Make our marketing more efficient.
- Remember if we have already asked you certain questions (for example if you declined to take a survey).
- Collect any personally identifiable information (without your express permission).
- Pass data to advertising networks.
- Pass personally identifiable data to third parties.
- Twitter – Privacy Policy: <https://twitter.com/en/privacy>
- Facebook provides us with 'like' and 'send' buttons. Privacy Policy: <https://www.facebook.com/about/privacy/>
- Google is used for Google Map integration and Google Analytics. To opt out of being tracked by Google Analytics across all websites visit <https://tools.google.com/dlpage/gaoptout>.
- Privacy Policy: <https://policies.google.com/privacy>
- YouTube powers some of the videos on our site.
- Privacy Policy: https://www.youtube.com/static?&template=privacy_guidelines
- Instagram – Privacy Policy: <https://help.instagram.com/155833707900388>

We do not associate the data which we gather from these sites with any personally identifying information from any other source. If we do want to collect personally identifiable data through our websites, we will tell you. We will make it clear when we collect personal data and will explain what we intend to do with it.

You can learn more about all the cookies we use below.

Granting us permission to use cookies

If the settings on the software that you are using to view these websites (your browser) are adjusted to accept cookies we take this, and your continued use of our website, to mean that you are happy for us to use cookies.

Should you wish to remove or not use cookies from our site you can learn how to do this below, however doing so will probably mean that our site will not work as you would expect, or at all.

You will be asked again in no later than 365 days about your cookie preferences since the last time you were asked.

Turning cookies off

You can usually switch cookies off by adjusting your browser settings to stop it from accepting cookies. Doing so however will likely limit the functionality of our website and a large proportion of other websites around the world as cookies are a standard part of most modern websites.

To learn how to change your setting of cookies, please visit <https://www.aboutcookies.org>. Please note that, if you adjust the cookie settings for our website, this may prevent you from taking full advantage of our site afterwards.

Third party functions

Our sites, like most websites, include functionality provided by third parties. A common example is an embedded YouTube video. Disabling these cookies may mean that the functions offered by these third parties will no longer work.

Social Media

We offer a share page widget on our web pages for Twitter, Facebook, YouTube and Instagram. This allows you, the visitor, to easily share information that you are interested in with your friends, family and social networks. These sites may set a cookie when you are logged into their services. We have no control or liability over these cookies set, so you should check with the relevant third party's cookie policy for more information.

Google Maps

This site uses the Google Maps map service via an API. It is operated by Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA.

To use Google Maps, it is necessary to save your IP address. This information is generally transmitted to a Google server in the USA and stored there. The provider of this site has no influence on this data transfer.

The use of Google Maps is in the interest of making our website appealing and to facilitate the location of places specified by us on the website. This constitutes a justified interest pursuant to Art. 6 para.1 lit. f DSGVO.

Further information about handling user data, can be found in the data protection declaration of Google at <https://policies.google.com/privacy>.

Web Beacons

Web beacons, which are also known as clear GIFs, web bugs or pixel tags, are often used in combination with cookies which may be included in the sites' web pages and e-mail messages. At organisation name, Web beacons allow us to count users who have visited certain pages and to generate statistics about how our site is used. They are not used to access personally identifiable information.

How do I opt out of online behavioural advertising?

There are a number of sites which can help you opt out of online behavioural advertising from the third-party advertising agencies that operate online behavioural advertising for website publishers.

You can opt out of a third-party vendor's use of cookies by visiting <http://www.networkadvertising.org/choices>.

Links to other websites

Our website may contain links to other websites of interest. However, once you have used these links to leave our site, you should note that we do not have any control over that other website.

For that reason we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this privacy statement. You should exercise caution and look at the privacy statement applicable to the website in question.

What we collect

We may collect and process the following data about you, you may supply this personally or we may collect this information from anyone acting on your behalf, such as parents or agents or referees:

Information that you provide by filling in our electronic forms. This includes information provided at the time of registering to use our site, subscribing to our service or requesting further services.

Information that you provide by completing any paper application form or information request in including copies of written or printed documents you supply to support your application.

Communication we have with you which you provide when you get in touch with us.

Other information relevant to customer surveys and/or offers.

Details of your visits to our website including, but not limited to, traffic data, location data, weblogs, operating system, browser usage, the resources that you access and other communication data.

Where we store and use your personal data

The data that we collect from you will be primarily stored in our own secure data centres in the European Economic Area ("EEA"), it may also be shared between the partner companies and staff as appropriate and as necessary to meet the needs of our business and to deliver you service.

The data may also be transferred to, and stored at, destinations outside the EEA. It may also be processed by staff operating outside the EEA who work for us, one of our subsidiary companies or for one of our suppliers or web agents.

The data may also be used to meet our regulatory, legal, inspection or compliance responsibilities. By submitting your personal data, you agree to this transfer, storage or processing by Le Kotchi. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this privacy policy.

We will use the personal information you have provided for:

- Providing services and goods to you or your companies.
- Internal record keeping e.g. to raise your invoice and to process your orders.

- In order to improve our products and services.
- Sending you communications by post, telephone or electronic means in order to inform you of other products, services or events related to Le Kotchi, which may include e-mails containing relevant news or competitions from our sponsors.
- Asking you to participate in surveys and market research.

How long we keep your data

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

We may disclose your personal information to third parties:

If appropriate we will also share your personal data with companies and organisations for the purposes of regulatory or inspection compliance, fraud protection and credit risk reduction.

If we are under a duty to disclose or share your personal data in order to comply with any legal obligation to do so.

We do not and will not sell, rent or trade your personal information. We will only disclose your personal information to third parties in the ways set out in this policy and, in particular, as set out below, and in accordance with your local data protection laws.

We may disclose your personal information to overseas recipients. We will ensure that any such international transfers are either necessary for the performance of a contract between you and the overseas recipient or are made subject to appropriate or suitable safeguards as required by your local data protection laws.

If you believe that any information we are holding on you is incorrect or incomplete, please write to or e-mail us as soon as possible, at the address written at the end of this policy.

Changes to the privacy policy

We reserve the right to change this privacy policy by updating this page and you are advised to review this page from time to time to ensure you continue to be happy with the terms of this policy. Any changes will be effective immediately upon the posting of the revised privacy policy. However, We will not, without your agreement, use your personal information in a different manner materially than what was stated at the time it was collected.

Contact

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