

# Supplementary data protection statement for Migros Fitness App

Together with the Migros Fitness App (“App”), we process personal data in order to be able to make the App and its functions available to you. The processing of personal data also enables us to better and more accurately align our services with your needs and interests and continue developing our offers. Particularly sensitive personal data such as health data are generally processed only with your explicit consent.

This data protection statement supplements our general data protection statement, providing information about how we collect, process and utilize personal data in relation to the App. The general data protection statement and this supplementary data protection statement together explain the processing of your personal data within the framework of the App. The general data protection statement can be found: <https://www.migros.ch/de/datenschutz>.

## 1. Who are we?

Genossenschaft Migros Zürich, Pfingstweidstrasse 101, 8005 Zürich, Switzerland (“we” or “us”) is generally responsible for the data processing activities covered by this data protection statement.

Should you have any questions about this data protection statement or the processing of your personal data, please do not hesitate to contact us at the postal address provided or via e-mail, [info@migros-fitness.ch](mailto:info@migros-fitness.ch).

## 2. When do we process personal data?

Whenever you use the App, we collect and process personal data. For example, we collect and process personal data when you register for the App and create a user account, install and use the App, use App functions such as location search or course bookings, take part in challenges, promotions, competitions or similar events, record training data or connect the user account with compatible third-party services/devices (e.g. fitness trackers).

## 3. What personal data do we process?

Depending on which functions of the App you use, whether you have a registration or, if you have a registration, whether you are also a member of a Migros group fitness facility in Switzerland that offers the App to its members (hereinafter each individually an “**Affiliated Fitness/Training Club**”), we process different personal data. The scope of data processing may also differ depending on the Affiliated Fitness/Training Club.

On the one hand, we process personal data that you provide us with, e.g. if you document your fitness training and create training plans, or when you enter your height. On the other hand, we process personal data that are collected or generated automatically while you use the App, e.g. if you take part in challenges, if we verify your membership in an Affiliated Fitness/Training

Club, or, if you are a member of certain Affiliated Fitness/Training Clubs, when we display your existing digital training plans in the App. This may also involve sensitive personal data. In particular, the processed personal data may, under certain circumstances, allow conclusions to be drawn about your health and your health-related behavior.

This includes in particular the following personal data:

- Profile information, e.g. your name, first name, profile picture, date of birth, sex, body height and weight.
- Contact data, e.g. your e-mail address;
- Membership information, e.g. contract status, home center, current balance on membership account, @Home offer (video platform) and end of contract;
- Training data, e.g. training plans, training history, length and intensity of a training, training time, repetitions/sets/distance, equipment used, calorie burn, other activity, body or training plan data (if provided by compatible third-party services/devices) and fitness goal information (name, type, requirement, status, progress);
- Data regarding group courses, e.g. training schedule, upcoming and booked courses or favorite course locations;
- Information about the use of the App, e.g. your participation in challenges (active and completed challenges, rank on the leaderboard, incl names of users participating in the challenge, if you have made your profile public) and accessed content;
- Technical information, e.g. your device type, its operating system, the installation date, data from a connected third-party service/device, log information, geolocation as well as information about your usage of the App.

## 4. For what purposes do we process personal data?

In connection with the App, we process your personal data in particular for the following purposes:

- To provide, administrate and operate the service: We process personal data in order to provide you with the App and its functions and to be able to operate the service. This may include creating and managing a user account in your name.
- Evaluation and optimization: We process personal data to evaluate and better understand the use of App. This enables us to continue improving the App and better align it with our users' needs.
- Marketing: We also process personal data to better understand the interests and affinities of the users of our App and to inform them in a targeted way about specials, vouchers and other offers. We only process health data for marketing purposes if you have given us your consent to do so.

Use of the App is voluntary, but requires us to be able to process certain personal data.

#### **5. Further data processing in connection with EGYM**

Certain Affiliated Fitness/Training Clubs offer their members the possibility to link and/or synchronize the user account with an EGYM user account (hereinafter each individually a “**Profil**”) in order to use further functions of the App such as coaching via the EGYM Trainer App or the synchronization of training data from EGYM training equipment. For this purpose, the personal data stored in the profiles (including health data) are transmitted to the other profile and are thus continuously synchronized.

By linking and synchronizing the profiles, authorized trainers of the Affiliated Fitness/Training Clubs may, with your consent, view your training data via the EGYM Trainer App and, based on this data, provide you in particular with personalized training plans and analyses as well as adapt EGYM training equipment to your needs.

For more information about EGYM, please refer to the EGYM General Terms and Conditions, available at [https://legal.egym.com/terms/egym/en\\_DE.html](https://legal.egym.com/terms/egym/en_DE.html), or the EGYM Data Privacy Policy, available at [https://legal.egym.com/pp/egym/en\\_DE.html](https://legal.egym.com/pp/egym/en_DE.html). The processing of personal data by EGYM or by authorized trainers of the Affiliated Fitness/Training Clubs is carried out under the sole responsibility of EGYM or the respective Affiliated Fitness/Training Club and is subject to their data protection provisions.

#### **6. What is this processing based on?**

When you register for the App, a contract is concluded between you and us. Personal data must be processed in order to enable this contract to be fulfilled and to make the functions on the App available. Processing is also in our legitimate interests. It enables us to better and more accurately align our services with your needs and interests and to expand and improve our offers. The processing of particularly sensitive personal data, e.g. health data, is generally based on your explicit consent. Depending on the functions on offer, we may also ask for your consent in other cases.

#### **7. Changes to this Supplementary data protection statement**

This supplementary data protection statement may be updated over time, especially if we change our data processing activities or if new legal provisions become applicable. We will actively inform individuals whose contact details are registered with us of any material changes, provided that we can do this without disproportionate effort. Generally speaking, the version of the data protection statement in effect at the time at which the data processing activity in question commences is applicable.

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