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# General Terms of Use for Net4You AccessManager

(as of June 2018)

## 1. Scope and Validity

The "General Terms of Use for Net4You AccessManager" (hereinafter referred to as "ANB-AccessManager") of Net4You Internet GmbH (hereinafter referred to as "Net4You") shall apply to all deliveries and services, which Net4You provides to users in connection with this product. In addition to these terms, the General Terms and Conditions of Net4You ("AGB") shall apply.

The latest version of the ANB-AccessManager shall replace all the previous Terms of Use (ANB). By registering, the user accepts these terms and conditions as an integral part of the contract.

## 2. Net4You AccessManager

The Net4You AccessManager is a hotspot system by Net4You Internet GmbH, Tiroler Straße 80, 9500 Villach, which provides internet access and billing services in hotels, on trade fair premises and other public spaces, e.g. via wireless LAN. Net4You is in charge of the operation and payment collection, regardless of where the system is located.

The accesses are limited and can be restricted in terms of time, data volume and bandwidth.

## 3. Data Collection / Data Processing

The user agrees that his/her data, which he/she has provided electronically (first name, second name, e-mail address), may be processed and stored electronically by Net4You Internet GmbH for the purpose of fulfilling the contract. Until revoked, which is possible at any time, the user shall consent to being sent information about electronic billing, notifications about product updates and planned maintenance activities.

Net4You saves data of each of its customers, indicating the time the customer accesses the system, the duration the customer remains online, and how much data volume the customer uses. This is necessary in order to collect time and data limits for contract fulfilment. Net4You has legitimate interest in identifying any unusual use of the access and responding to it.

## 4. Special Provisions

The user must provide the equipment and configuration necessary for data transfer between the access point and the user.

The user acknowledges that all data will be transferred unencrypted.

Any abuse of the services is forbidden and shall result directly in the immediate exclusion from these services and indirectly, depending on the type of abuse, also in legal steps. The use of premium-rate services via various networks shall be at the full expense of the user. Net4You shall assume no liability whatsoever for the content of the transferred data and the content or form of data becoming available through services transmitted by Net4You.

Net4You shall reserve the right to block certain publicly accessible services if they violate Austrian law, EU regulations or are against the accepted principles of morality. Net4You shall undertake to provide your services with the utmost care and make every effort to ensure continuous availability and reliability; it shall, however, provide no warranty that these services remain accessible without interruption. The user shall undertake not to transmit any data or information that violates Austrian law, EU regulations or the accepted principles of morality.

## 6. Place of Performance and Court of Jurisdiction

As the place of performance for all services and the appropriate court of jurisdiction Villach shall be agreed upon; the contract is governed by Austrian law and excludes UN-Kaufrecht (UN Convention on Contracts for the International Sale of Goods - CISG).

## Information Requirements According to Article 13/14 GDPR

We process personal data exclusively in the context of the EU General Data Protection Regulation (GDPR) as well as the Data Protection Act 2018 and the Telecommunications Act (TKG), and hereby provide you with detailed information about data processing:

### 1) Name and Contact Details

Net4You Internet GmbH  
 Tiroler Straße 80, 9500 Villach  
 Tel: 04242 5005  
 E-mail address for data protection matters: [datenschutz@net4you.net](mailto:datenschutz@net4you.net)  
 Business management: DI Martin Zandonella

### 2) Affiliated Companies

Net4You Internet GmbH holds shares in the following companies:

Oase Software GmbH  
 Tiroler Straße 80, 9500 Villach  
 Tel: 0720-206060  
 E-mail address for data protection matters: [office@oase.at](mailto:office@oase.at)  
 Business management: DI Martin Zandonella

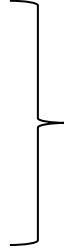
Net4You & asut computer AustroCloud GmbH & Co OG  
 Tiroler Straße 80, 9500 Villach  
 Tel: +43 4242 5005 700  
 E-mail address for data protection matters: [info@austrocoud.net](mailto:info@austrocoud.net)  
 Business management: DI Martin Zandonella, Siegfried Arztmann MBA, DI (FH) Michael Szirch

### 3) Data Protection Officer/s

Pursuant to the GDPR, no data protection officer/s is/are needed.

### 4) Data Processing

Purpose of processing	Legal basis	Categories of data	Duration and location of data storage
Enquiries, offers, customer acquisition	Pre-contractual measures	}	}
Contract processing, accounting, dunning, appraisal of creditworthiness	Contract, statutory requirements, our legitimate interest, consent given		
Consulting service, maintenance, training, installation	Contract, statutory requirements, our legitimate interest		

Maintenance, repairs, long-term service, waste disposal	Contract, statutory requirements, our legitimate interest, your particular interest	Data collected externally and internally: name, home address, telephone number, e-mail address, company identification data (e.g. VAT, etc.), founding dates, birthdays, recommendation data, calculation data, data concerning offers, contracts, maintenance and servicing including technical and organisational infrastructure and necessary employee data, your interest in our services/products, data given voluntarily in surveys	 <p>Term of contract, duration regarding retention obligation and liability for damages as required by law; in the case of consent, until revoked; if we have legitimate interest until your opt-out.</p>
Sending of information about products, services, event notifications	Our legitimate interest, consent given		
Contact forms on websites	Implied consent, (pre-)contractual measures	Data according to form, cookies, IP/Mac addresses	<p>On websites, cookies and tracking options can be disabled to prevent data from being processed.</p> <p>The data are stored on servers belonging to the group of companies in Austria.</p>
Website, website analysis, contact forms	Implied consent given via cookie query, our legitimate interest	Cookies, IP/Mac addresses, data according to website forms, analysis of browsing behaviour	

### 5) Category of Recipients of Data

Processors belonging to the company, all employees of the company, to the extent relevant and comprehensible for contract fulfilment, recipients as required by law (e.g. authorities, statutory bodies under public law), all affiliated companies, producers to the extent necessary for licensing, and we will notify the user of this beforehand (e.g. in the context of a quotation or order), as well as recipients from which we have received the data (e.g. employment services [Arbeitsmarktservice], recruitment platforms)

### 6) Legitimate Interest

We justify our legitimate interest in the processing of your data in accordance with Article 6. 1. f. GDPR with the recitals in Article 47 GDPR (in the context of our existing collaboration), and we therefore process the data only to the extent which you might expect at the time of data collection for direct marketing purposes and Article 48 GDPR (processing of data within our group of companies).

### 7) Data Transfer to Third Countries

We have no intention of transferring data to third countries or international organisations. In the context of necessary product licensing processes, producers (also from non-EU countries) request data. With your consent and in your name we – acting as your processor – will send such data either directly to one of this producer's business locations or indirectly via a website. In what way such data are ultimately processed internally within the corporation of such producer is not within our scope of responsibility. You will find further details on this in Articles 44-50 GDPR. We refer specifically to Article 49.1 b+c GDPR.

## **8) Your Rights**

You have a right to information, rectification, erasure, restriction of processing, data portability and the right to object. As it is in our legitimate interest, we also process your data for direct marketing purposes; you have the right to object to such data processing, and if the content is sent to you electronically, you can use the provided link to do so. You can revoke any consent you have given at any time. The processing remains lawful until the time of revocation. You can exercise your rights at [www.net4you.net/unternehmen/datenschutzbestimmungen](http://www.net4you.net/unternehmen/datenschutzbestimmungen). If you believe that we are infringing the data protection law, you can lodge a complaint with the supervisory authority ([www.dsb.gv.at](http://www.dsb.gv.at)).

## **9) Data Sources**

We collect your data either ourselves or via processors or producers, and process data already made public (e.g. on recruitment platforms, Herold, telephone directories and similar).

## **10) Automated Decision-Making**

No automated decision-making procedures take place.

## **11) Version of Document**

The current document (Information Requirements According to Article 13/14 GDPR) version is 02.2018; future changes are possible.