

## Data Privacy Statement

### Area of validity

Your trust is important to us, which is why we take the issue of data privacy seriously and ensure a corresponding level of security. Of course, we comply with the legal provisions of the Federal Law on Data Protection (DSG), the Ordinance to the Federal Act on Data Protection (VDSG), the Telecommunications Act (FMG) and any other applicable data privacy provisions in Swiss or EU law, or the EU General Data Protection Regulation (GDPR), where applicable. The right which the individual user is entitled to may vary depending on the data privacy legislation.

Hotel Seedamm AG (the "responsible party"), at Seedammstrasse 3 in 8808 Pfäffikon SZ, Switzerland, tel. +41 55 417 17 17, e-mail: [datenschutz@seedamm-plaza.ch](mailto:datenschutz@seedamm-plaza.ch) collects, processes, saves and protects the data of people ("affected people") in internal programs and applications and/or who access the "websites" [seedamm-plaza.ch](http://seedamm-plaza.ch), [asianfestival.seedamm-plaza.ch](http://asianfestival.seedamm-plaza.ch), [oktoberfest-zuerichsee.ch](http://oktoberfest-zuerichsee.ch), [party-seedamm-plaza.ch](http://party-seedamm-plaza.ch), [seedamm-plaza-blog.ch](http://seedamm-plaza-blog.ch) and [gummelstube.ch](http://gummelstube.ch). The processing of the personal data of an affected person is always done in accordance with the legal provisions. The responsible party is subject to the Swiss Data Protection Law. Please be aware that the transfer of data on the internet can generally be subject to security flaws. Complete protection from third-party access cannot be achieved. The address of our representative in the EU, as per Art. 27 GDPR, is: VGS Datenschutzpartner UG, Am Kaiserkai 69, 20457 Hamburg, Germany, [info@datenschutzpartner.eu](mailto:info@datenschutzpartner.eu).

### Legal basis of the processing

No data is processed unless there is a legal basis for the processing. The following points are deemed to be a basis for the processing of personal data (one or more can apply at the same time):

- The execution of a contract or pre-contractual measures (in the area of application of the GDPR: Art. 6, paragraph 1b GDPR);
- The protection of a justified interest of the responsible party (e.g. a commercial interest) or a third party (in the area of application of the GDPR: Art. 6, paragraph 1 f, GDPR);
- The adherence to legal obligations (in the area of application of GDPR: Art. 6, paragraph 1c, GDPR);
- Consent (electronically/verbally/in writing) (in the area of application of the GDPR: Art. 6, paragraph 1a GDPR).

We hereby notify the affected people that the saving and providing of personal data may be prescribed by law (e.g. due to the Federal Accounting Ordinance [GeBüV] or tax provisions) or could arise from contractual regulations (e.g. for details about the contract partner). Sometimes it may also be necessary to conclude a contract, so that an affected person provides the responsible party with personal data, which must be subsequently processed by the responsible party. The affected person is obliged, for example, to provide the responsible party with personal data, if the responsible person concludes a contract with the affected person. Not providing personal data could mean that a contract is not able to be concluded with the affected party.

## The collection of personal data

The types of personal data which we process (which can vary depending on the legal system and the applicable law) include in particular the following:

- Name, gender, private and business contact data, business title, date and place of birth, passport photo, nationality as well as identification and visa data
- Details about the stay of the guest, arrival and departure data, the goods and services used, special wishes, comments about your service preferences (including room and holiday preferences), the telephone numbers called as well as any fax, text and telephone messages received
- Your credit card details, account details or membership documents of partner programs for frequent travellers, as well as travel partner programs
- All the details necessary to implement special requests (e.g. illnesses which require special accommodation, or services)
- Information, feedback or contact which you provide regarding your marketing preferences, by participating in surveys, contests, competitions or advertising offers, or on our website
- Information which is collected during a stay, due to the use of monitoring cameras, internet systems (including wireless networks which collected data about your computers, your smartphone or mobile device, or your location), card keys and other technology systems
- Information collected when you access the websites
- Contact data and any relevant details about the employees of corporate customers and providers, as well as other people who we commission with work (e.g. travel agents, Conference and event planners)
- In rare cases, data about the credit rating of customers

The vast majority of personal data which we process is data, which you, or someone acting on your behalf, have/has provided to us consciously. In some cases, we do, however, process personal data, coming from other information you have provided to us, due to our interactions with you, or personal data about you which we have received from third parties.

### Data recorded electronically

The responsible parties collect data about access to the website and save this data as server log files. The anonymous data of the server log files is saved separately from all personal data provided by an affected person. The following data is thereby recorded:

- Visited websites
- Date/time of the access
- Source/reference from which you reached the page
- Browser used
- Operating system used
- IP address used
- Internet service provider (ISP) used

The collected data is used for statistical evaluation and to improve the websites and services. In any case, the responsible party reserves the right to retrospectively verify the server log files, if there are specific indications of illegal use. This represents our justified interest in data processing in accordance with Art. 6, paragraph 1 f, GDPR. Further information about this can be found in our cookies policy.

### The use of personal data

In accordance with the applicable laws, we are permitted to collect, use and disclose relevant parts of your personal data for the following purposes:

- The provision and invoicing of goods and services
- The provision of a better or more customised level of service, including information and services of third parties (e.g. extra external guest services)
- Replying to requests for information and services, including third-party services (e.g. restaurants or other providers)
- Fulfilling contractual obligations and the assertion of contractual rights against you, and all people who are involved in your organisation (e.g. travel agencies, organisers and their employers) and service providers (e.g. credit card companies and third-party providers of loyalty programs)
- Holding surveys for market research, on customer satisfaction and quality assurance, direct marketing and sales promotions
- Ensuring the security and protection of employees, guests and other visitors
- Managing of general records
- The fulfilment of legal requirements and official requirements
- Tests and evaluations of new products and services

We process the data expressly to implement your booking according to your wishes, to provide the booked services, to contact you in the event of uncertainty or problems and

to ensure correct payment. The legal basis for the processing of your data for this purpose lies in the fulfilment of a contract as per Art. 6, paragraph 1b GDPR.

Personal data of customers is stored for as long as necessary; for as long as is required for the fulfilment of the contract, the law intends or if there is another justified interest in the further processing.

### **The disclosure of personal data**

For the processing, the responsible party can transfer the data to one or more contract data processors (e.g. agencies, service providers and suppliers), who also use the data exclusively for internal purposes which can be attributed to the responsible party. Contract data processors are obliged to maintain the same level of data protection.

Furthermore, we only forward your personal data if there is a legal obligation to do so, or if this is necessary to assert our rights, in particular to assert claims from the contractual relationship. Furthermore, we forward your data to third parties, if this is necessary within the scope of the use of the website and the processing of the contract (also outside of the website), namely the processing of your bookings. This disclosure is done exclusively in coordination with the applicable law.

The data processing is fundamentally done in Switzerland. It is possible to disclose personal data abroad. The disclosure is done to countries which have an equivalent level of data protection (in particular within the European Union) or is done in accordance with suitable data protection guarantees or in consideration of the consent of the affected person. In some legal systems, we are obliged by data protection laws to obtain your consent, before we transfer your personal data from your country of origin to other countries. By agreeing to this declaration, you consent to the forwarding of your personal data to these other countries, provided this is specified and allowed by the applicable laws on site.

### Electronic newsletter

The responsible party offers a free electronic newsletter, which provides information about the latest events and offers. To subscribe to this newsletter, the affected person has to enter their e-mail address and field of interest (business / leisure) and then also confirm the subscription by e-mail. The newsletter can be unsubscribed from at any time (using the unsubscribe link in the newsletter or via the website). The newsletter tool offers statistical evaluation options for usage data. This includes information about whether an e-mail reached the recipient, was rejected by the server and which links were clicked on. For the technical improvement of the service, technical information (e.g. IP address, browser type and version, time of access) is collected. If the affected person does not want their data to be processed, they should unsubscribe from the newsletter.

### Handling comments

In an affected person leaves a comment on the website [seedamm-plaza-blog.ch](http://seedamm-plaza-blog.ch), details about the time of the comment and the name of the affected person are also saved and published, in addition to the comment itself. Furthermore, their IP address is also recorded. The IP address is saved for security reasons. This represents our justified interest in data processing in accordance with Art. 6, paragraph 1 f, GDPR.

### Cookies

The separate cookies policy forms an integral part of this data privacy declaration.

### Rights of the user: Information, correction, deletion and objection/revocation

Each affected person has

- The right to information as per Article 8, DSG (Article 15 GDPR)
- The right to correction as per Article 5, DSG (Article 16 GDPR)
- The right to deletion as per Article 5, DSG (Article 17 GDPR)
- The right to restrict processing as per Articles 12, 13, 15 DSG (Article 18 GDPR)
- The right of revocation as per Article 4, DSG (Article 21 GDPR)
- And – if applicable – the right to data transferability as per Article 20 GDPR.

Furthermore, there is a right of complaint to one of the responsible data protection authorities (Article 77, GDPR), provided this is applicable to you.

You can revoke the consent given for the processing of personal data at any time. This also applies to the revocation of declarations of consent which were issued to us before the GDPR came into effect, i.e. before 25<sup>th</sup> May 2018. Please be aware that the revocation only has effect for the future. Any data processing done before the revocation is not affected by this.

### Security

As the security of your personal data is important to us, we use SSL encryption (SSL) software, to encrypt the personal data you send to us. If your browser is SSL-compatible (as most are), the personal data you send to us online is encrypted. The padlock symbol or a key indicator in the lower bar of your browser window indicate that your personal

data is transferred using SSL encryption. You can also ensure that your personal data is encrypted with SSL by making sure that the prefix of the website listed for this page has changed from "http" to "https". If the corresponding symbol and the prefix "https" are not shown, you should not assume that the personal data you enter is encrypted before transfer.

The personal data we collect about you is saved by us and/or our service providers in databases, which are protected by a combination of physical and electronic access controls, firewall technology and other adequate security measures. Nevertheless, these security measures cannot fully exclude this type of loss, misuse or the change of personal data, and we assume no liability for damage or claims associated with cases of this kind, to the largest extent permitted by the applicable law. We will notify you, in accordance with the applicable laws, about any case of loss, misuse or change to personal data, which affects you. This ensures that you can undertake the necessary measures to protect your rights.

#### **Updates to the data privacy statement:**

The responsible party can make changes to this data privacy statement if necessary. Information about when this data privacy statement was last revised can be found in the footer under "Updated Date". Any changes become effective upon the publishing of the revised data privacy statement about online services. By continuing to use the services after these changes, you declare your agreement with the revised data privacy statement.

#### **Contact**

If you have questions or comments about our legal guidelines or data privacy, please contact us at [datenschutz@seedamm-plaza.ch](mailto:datenschutz@seedamm-plaza.ch) or by post at Hotel Seedamm AG, Seedammstr. 3, 8808 Pfäffikon SZ, Switzerland.