

# Privacy policy

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**We use the following data when you contract with us:**

## **Core data**

First and last name, full address, all contact information (e.g., e-mail address, telephone number), information about the nature and content of our contractual relationship.

**Other personal data**, that you or third parties make available to us, with your consent or otherwise permissible, when the contract is initiated, during the contractual relationship (for example, to issue a guest card) or to fulfill legal obligations:

Date of birth or age, marital status, gender, profession, identity card details, bank details, subscription or representation authorization, contractual commitment, notice / cancellation deadlines or other personal information that you yourself have given us.

## **Attracting contract processors:**

The protection of your data is important to us. Even if we use a contract processor company **feratel media technologies AG** - guest directory according to § 19 MeldeV, we make sure that the order processing takes place within the European Union.

### **1. Reservation Data**

#### **1.1. Reporting Requirement**

Pursuant to the Austrian Reporting Law you are required to provide us with the data specified in § 5 and § 10 of the Reporting Law. This relates to the following data:

*Name, date of birth, gender, nationality, country of origin, address plus postal code and - for international guests - type, number, issue location and issuing authority of a travel document, and also the date of arrival and departure.*

#### **1.2. Guest Registry**

Owing to our legal obligation arising from § 19 of the Reporting Law-Implementation Order, we shall maintain this data in a Guest Registry and save it for a period of 7 (seven) years, unless it is needed for a longer period of time for other purposes which are named in this Data Protection Statement.

#### **1.3. Transmittal of Data**

The data categories of "arrival" and "departure," linked with the country of origin, shall be transmitted to the community where the hospitality company is located, in accordance with § 6 of the Tourism Statistical Order. Also, aggregate data regarding the total number of overnight stays and total number of persons obligated to pay the room tax shall be provided to the Tourism Association of Paznaun - Ischgl, where we are members, and/or to the community. This shall be handled on the basis of § 19 of the Tyrol Accommodation Law.

#### 1.4. **Legal Basis for Data Processing**

Data processing pursuant to the above Sections 1.1 to 1.3 shall be based on Art. 6 para. 1 lit. c of the DSGVO.

#### 1.5. **Additional Data Transmittal to the TVB/Municipality**

In addition, we shall provide your postal code and year of birth (in a pseudonymized and/or anonymized form) to our municipality and to our TVB for statistical purposes in order to prepare and evaluate the origin and age statistics by the Tourism Association (TVB). This transmittal is based on Art. 6 para. 1 lit. e (transmittal in the public interest) and lit. f (predominate lawful interest) DSGVO. However, you may file an opposition at any time for reasons relating to your particular situation (Art. 21 para. 1 DSGVO).

## 2. **Guest Card**

### 2.1 **General Information**

You are entitled to obtain a guest card. The guest card grants the owner benefits and/or services at various companies in the region (e.g. reduced admission fees). The guest card is valid for the period of your visit.

### 2.2 **Issuance of the Guest Card**

The guest card will be issued and validated by the accommodation provider solely at your request. It will be issued according to the Guest Card system employed by the TVB and/or by the accommodation company, either in the form of

- an electronically generated guest card,
- a Guest Card issued on your cell phone or
- a copy of your reservation slip.

### 2.3 **Processed Personal Data**

The following personal data, obtained from the reservation data (see Section 1 above) will be processed both for the electronically generated, and also for the cell phone-provided Guest Card:

*First and last name, date of birth, country of origin/postal code and the date of arrival and departure.*

If the Guest Card is issued in the form of the "reservation slip," then it will contain the information required by § 5 in connection with § 9 of the Reservations Law (see Section 1.1 "Reservation Data"). In this case, no electronic processing will be performed relating to the Guest Card.

When using the Guest Card, the following additional personal data will be processed: Data relating to the frequency of use of the particular card, service requested, reservations, transaction logging, reference to the reservation data and accommodation company.

This data is required firstly to verify your identity and secondly to verify the validity of the Guest Card for the particular service requests, and if necessary, to allow invoicing of the benefits between the service providers, the TVB and any accommodation companies involved.

#### 2.4 **Legal Basis for Data Processing**

Processing of the data for purposes of the Guest Card shall proceed pursuant to your consent (Art. 6 para. 1 lit. a DSGVO).

Your consent can be withdrawn at any time by giving oral or written instructions to the accommodation provider at the email address [info@apart-carmen.com](mailto:info@apart-carmen.com)

#### 2.5 **Operation of the Guest Card System**

The Guest Card System is operated by the local tourism association (TVB). In addition, local accommodation operators and local companies (service providers) are involved.

The data that is processed for the Guest Card will be deleted after **7 (seven) years**, unless additional retention is necessary for other lawful purposes (e.g. reporting requirements).

#### 2.6 **Receivers of the Data**

Data processed for purposes of the Guest Card will be provided to the local Tourist Association for invoicing to the service providers and/or accommodation operators.

The individual service providers who provide beneficial services based on the Guest Card, likewise will receive the data, provided you have used the Guest Card services provided by these companies.

To claim the benefits, you must present the particular Guest Card on which the data is recorded, and thus disclose the data to the service provider. The company will then check whether the card is (still) valid, usually by reading the bar code on the Guest Card and by transmitting the bar code data to our IT services provider. At this time personal data will be transmitted to the company, in particular also your identity data (to verify your identity and date of birth).

If the Guest Card has been issued in the form of a reservation slip, then its validity will be checked based on the copy of the reservation slip.

### 3. **Other processing of your data**

Basically, we only process those data which are absolutely necessary for the conclusion of the contract or for the performance of a contract.

If you have also given us the appropriate consent, we will process your data in such a way that we will provide you with information about our services until further notice. For that we use the following communication channels, if you have given us this:

Phone, Email, SMS, Post or Social Media Channels.

### 4. **Data Deletion**

Your master data and other personal data are deleted if they are no longer necessary for the fulfillment of the purpose for which they were stored - generally after 7 (seven) years - or if the storage becomes inadmissible for legal reasons.

Instead of a deletion, anonymization of the data can be made, which means that any personal reference is irretrievably removed.

## 5. **The following rights can be asserted with regard to the processing of your data:**

### **Right of information**

You have the right to know from us whether and to what extent we process your data.

### **Contact / Responsible**

Apart Carmen | 0043 5444 50084 | [info@apart-carmen.com](mailto:info@apart-carmen.com)

#### 5.1 **Your rights**

In principle, you have the rights to information, correction, deletion, restriction, data portability, revocation and opposition. If you believe that the processing of your data violates data protection law or if your data protection claims have otherwise been violated in a way, you can complain to the supervisory authority. In Austria, this is the data protection authority.

### **Austrian Data Protection Authority**

Wickenburggasse 8  
1080 Vienna

0043 1 52 152-0  
[dsb@dsb.gv.at](mailto:dsb@dsb.gv.at)  
[www.dsb.gv.at](http://www.dsb.gv.at)

#### 5.2 **Right to complain**

If, in your opinion, the processing of your personal data violates Austrian or European data protection law, please contact us to clarify any questions. Of course you have the right to complain to the Austrian Data Protection Authority or to a supervisory authority within the EU.

## 6. **Confirmation of identity**

To protect your rights and your privacy, we are entitled to request proof of identity in case of doubt.

## 7. **Rights of use over fee**

If you claim that one of these rights is manifestly unfounded or particularly frequent, we are entitled to demand a reasonable processing fee or refuse to process the application.

## 8. **Duty to participate**

Within the scope of obligations to cooperate we are obliged to provide data according to the legal regulations (for example BAO, register law, ZPO, StPO, ...) on request.

## 9. **Validity**

This Privacy Policy applies from 25th May 2018 and replaces the existing Privacy Policy.