

## DATA PROTECTION POLICY

### "Competitions and Marketing Measures"

Vienna House Hotelmanagement GmbH

1)	<b>Processing activity</b>	<b>Organisation of competitions and execution of marketing measures for customers<sup>1</sup></b>	
2)	<b>Controller</b>	<b>Vienna House Hotelmanagement GmbH ("VIENNA HOUSE")</b> Business address: Dresdner Straße 87, A-1200 Vienna Tel: +43 1 333 73 73-0 E-mail: office@viennahouse.com	
3)	<b>Purposes of data processing</b> <ul style="list-style-type: none"> <li>• <b>On the legal basis of <u>fulfilling or preparing the agreement</u></b></li> <li>• <b>on the legal basis of (overriding) <u>legitimate interests of VIENNA HOUSE: Direct advertisement<sup>2</sup></u></b></li> </ul>	a)	Granting an opportunity to participate in the marketing action (competition) as well as fulfilment of the obligations towards the participant/s
		b)	New acquisition and recovery of customers for the sale of products and services of VIENNA HOUSE, as well as newsletter services through the organisation of competitions and execution of other marketing measures
		c)	New acquisition and recovery of customers
		d)	Disseminating/playing advertisements for (further) goods and services of VIENNA HOUSE by use of direct advertisement ("marketing purposes") insofar as this is legally permissible
		e)	Participation in activities, events and surveys for the purposes of direct advertisement ("marketing purposes")
		f)	Analysing user conduct and personal preferences of customers for targeted dissemination of advertisement with the goal of avoiding dispersion losses (by using profiling, see Point 9.)
4)	<b>Changes to purpose (Forwarding)</b>	<b>Direct advertisement:</b> VIENNA HOUSE hereby provides information that it also processes customers' personal data for the purposes of direct advertisement (incl. profiling). VIENNA HOUSE intends to use direct advertisement to aid in the marketing of advertised (proprietary or third-party) products and services. <b><u>The data will not be passed onto any (non-group-affiliated) third parties for this purpose.</u></b> There is no	

<sup>1</sup> Any references to natural persons within this data protection policy which are only provided in the male form relate equally to both women and men. The gender-specific form is to be used when referring to specific natural persons. Customers refers to both consumers and entrepreneurs.

<sup>2</sup> Direct advertisement is any direct addressing of data subjects for advertising purposes, such as for sending letters or brochures, as well as telephone calls or electronic messages.

		incompatibility with the purpose of the original data collection.
5)	<b>Objecting to processing for the purposes of direct advertisement:</b>	<b>The customer can object to the use of their personal data for direct advertisement (including "profiling") at any time without providing any reasons to the controller. By lodging an objection, VIENNA HOUSE can no longer use the customer's personal detail for these purposes in future.</b>
6)	<b>Legal basis of data processing</b>	<b>1) Participation in competitions: Fulfilment or preparation of the agreement 2) Direct advertisement (incl. profiling) and overriding legitimate interests of VIENNA HOUSE (see Point 8.)</b>
7)	<b>Description of the (overriding) legitimate interests for the purposes of direct advertisement:</b>	<p>VIENNA HOUSE also processes customer data (not special categories of personal data within the meaning of Art. 9 GDPR<sup>3</sup> ("sensitive data")) in order to use said data for the purposes of direct advertisement for (further) products or services of VIENNA HOUSE (see also Point 5.). Data of children shall only be processed with the consent of the parents or guardians. VIENNA HOUSE has a legitimate interest in processing personal data for the purposes of direct advertisement (Recital 47, last section of GDPR). This only involves the processing of customer data in the possession of VIENNA HOUSE as a result of the contractual relationship and for which the retention period still applies. This does not involve an extension to the retention period. The primary goal of data processing is acquiring customers with the objective of bringing them into a (preliminary) contractual relationship and retaining them as customers. VIENNA HOUSE relies on its freedom of running a business protected by convention and constitutional law (Art. 6 StGG (Austrian Constitution)) and freedom of communication (particularly Art. 10 ECHR, which also protects advertising measures), and on those rights</p> <ul style="list-style-type: none"> <li>• To send postal advertisement;</li> <li>• To make advertising calls following consent;</li> <li>• To send electronic mail following consent;</li> <li>• To send electronic mail in accordance with Section 107 Para. 3 of the Telecommunication Act (TKG);</li> </ul>

<sup>3</sup> General Data Protection Regulation, available at <http://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX%3A32016R0679>

		<b>VIENNA HOUSE complies with legal, communication-related requirements while using this data, particularly those of Section 107 TKG.</b>	
	<ul style="list-style-type: none"> <li><b>Data processing within the group/companies within the group:</b></li> </ul>	<p>VIENNA HOUSE is part of a corporate group. VIENNA HOUSE also uses other affiliated companies on a collaborative basis to fulfil its extensive obligations. VIENNA HOUSE has a legitimate interest therein (Recital 48 of GDPR). Personal data is only received by parties within the corporate group which require this data to fulfil contractual and statutory obligations as well as to protect legitimate interests. All of these parties are contractually obliged to comply with all requirements under data protection law.</p>	
8)	<b>Analyses of personal aspects of the customer ("profiling")</b>	<b>Type</b>	<b>Description</b>
		"Gathering and storing"	<p>VIENNA HOUSE stores customer activities (e.g. orders, complaints, etc.) to enable optimal customer care and to ensure relevant and targeted measures can be used to improve satisfaction and customer loyalty, and to adjust the service on an individual basis.</p>
		Analysis of personal interests	<p>VIENNA HOUSE stores demand-related behaviour, reactions to offers, and deduces specific personal interests from this in order to prevent dispersion losses (and to minimise data processing operations) within direct advertisement. VIENNA HOUSE uses these analysed interests in order to communicate targeted, interest-specific offers and advertising to customers, in particular for customer loyalty, and thus prevent dispersion loss in advertising.</p>
9)	<b>Objecting to "profiling"</b>	<p><b>The customer can object to the use of their personal data for the purposes of profiling at any time without providing any reasons to the controller. By lodging an objection, VIENNA HOUSE can no longer use the customer's personal detail for the purpose of profiling in future.</b></p>	

10)	<b>Obligation to provide data</b>	Customers are under no obligation to provide data.	
11)	<b>Automated decision-making</b>	The customer is not subject to <u>any</u> automated decision that has a legal effect upon them.	
12)	<b>Types of data processed</b>	<b>disclosed by customer</b>	<b>gathered by VIENNA HOUSE additionally</b>
		First and last name	
		Address(es)	
		Country	
		Email address(es)	
		Day and date of birth	
		Hotel stayed at	
		Hotel stay data	
13)	<b>External recipients of data</b>	<b>Group companies: A list of current group companies can be found <a href="#">here</a></b>	<b>Commissioned data processor</b>
			<b>Categories of external service providers:</b>
		<b>Contact can be made with all external recipients via VIENNA HOUSE for all data protection queries.</b>	
14)	<b>Transfer to third states</b>	In the course of competitions and other marketing measures, no data are transferred to states outside of the EU in the course of data processing.	
15)	<b>Retention period</b>	<u>All participants</u> : On the legal bases mentioned above, VIENNA HOUSE generally continues to process data for <b>an additional 24 months following the draw/end of the measure</b> in a manner which is personally identifiable, and thereafter erases the data (or at least the data which allows reference to be drawn to the data subject's identity).	
		<u>Winner/recipient of benefit</u> : On the legal bases mentioned above, VIENNA HOUSE generally continues to process guest data for <b>an additional 30 months following the announcement of the winner or end of the benefit receipt from the marketing measure</b> (= 24 months for potential contractual damage claims + max. 6 months to file suit) in a manner which is personally identifiable, and thereafter erases the data (or at least the data which allows reference to be drawn to the data	

		subject's identity). Personally-identifiable processing of possible invoice data is then performed until the statutory retention obligations have expired (currently generally 7 years).	
16)	<b>Customer rights</b>	<b>Basis</b>	<b>Substance</b>
		Art. 15 GDPR "Right of access"	The customer has the right to obtain confirmation as to whether their personal data is being processed.
		Art. 16 GDPR "Rectification"	The customer has the right to have inaccurate or incomplete personal data rectified.
		Art. 17 GDPR "Erasure"	The customer has the right to demand the erasure of personal data without undue delay where one of the grounds stated under Art. 17 Para. 1 GDPR applies.
		Art. 18 GDPR "Restriction"	The customer has the right to demand that the processing of personal data is restricted where one of the grounds stated under Art. 18 Para. 1 GDPR applies.
		Art. 21 GDPR "Object"	<b>Objecting to profiling:</b> the customer has the right to lodge an objection at any time to the processing of their personal data for the purposes of profiling. <b>Objecting to direct advertisement:</b> the customer has the right to lodge an objection at any time to the processing of their personal data for the purposes of direct advertisement.
		Art. 20 GDPR "Data portability"	The customer has the right to receive their personal data in a structured, commonly used and machine-readable format.
17)	<b>Right to lodge a complaint</b>	Art. 77 GDPR Section 24 Austrian Personal Data Protection Act (DSG)	Every customer has the right to lodge a complaint with a supervisory authority if they consider that the processing of personal data relating to them infringes this regulation.
18)	<b>Supervisory authority</b>	<b>Austria</b>  <b>Austrian Data Protection Authority</b> Barichgasse 40-42, 1030 Vienna, Austria Tel.: +43 1 52 152-0 E-Mail: <a href="mailto:dsb@dsb.gv.at">dsb@dsb.gv.at</a> Website: <a href="http://www.dsb.gv.at">www.dsb.gv.at</a>	

### **Czech Republic**

#### **The Office for Personal Data Protection**

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### **France**

#### **Commission Nationale de l'Informatique et des Libertés – CNIL**

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F-75002 Paris, Cedex 02  
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### **Germany**

#### **Bundesbeauftragte für den Datenschutz und die Informationsfreiheit**

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E-Mail: [poststelle@bfdi.bund.de](mailto:poststelle@bfdi.bund.de)  
Website: [www.bfdi.bund.de](http://www.bfdi.bund.de)

The competence for complaints is split among different data protection supervisory authorities in Germany. Competent authorities can be identified according to the list provided [here](#).

### **Poland**

#### **Personal Data Protection Office**

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Infoline: +48 606 950 000  
E-Mail: [kancelaria@uodo.gov.pl](mailto:kancelaria@uodo.gov.pl)  
Website: [www.uodo.gov.pl](http://www.uodo.gov.pl)

### **Romania**

#### **The National Supervisory Authority for Personal Data Processing**

Opre B-dul Magheru 28-30 Sector 1  
BUCUREȘTI  
Tel.: 40.318.059.211  
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**Slovakia**

**Office for Personal Data Protection of the Slovak Republic**

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