



Guarda Golf Hotel & Residences

Data Privacy Policy

Table of Contents

1. Controller and content of this privacy policy	1
2. Contact person for data protection	1
3. Scope and purpose of the collection, processing, and use of personal data	1
3.1 Data processing when contacting us	1
3.2 Data processing for Leaders Club account registration	1
3.3 Data processing for orders placed on our online shop	2
3.4 Data processing during bookings	3
3.4.1 Direct bookings	3
3.4.2 Booking through our website	4
3.4.3 Booking through a booking platform	6
3.5 Data processing when reserving a table	6
3.6 Data processing during payment processing	7
3.6.1 Payment processing at the hotel	7
3.6.2 Payment processing online	7
3.7 Data processing related to the recording and invoicing of rendered services	8
3.8 Data processing related to e-mail marketing	8
3.9 Data processing when submitting reviews	10
3.10 Data processing when submitting guest feedback	10
3.11 Data processing in connection with video surveillance	11
3.12 Data processing when using our Wi-Fi Network	11
3.13 Data processing for fulfilling legal reporting obligations	12
3.14 Data processing in job applications	12
4. Central data storage and analysis in the CRM system	13
5. Disclosure and cross-border transfer	13
5.1 Disclosure to third parties and third-party access	13
5.2 Transfer of personal data to third countries	15
5.3 Information on data transfers to the USA	15
6. Background Data Processing on our Website	16
6.1 Data processing when visiting our website (log file data)	16
6.2 Cookies	16
6.3 Google custom search engine	17
6.4 Tracking and web analytics tools	18



6.4.1	General information about tracking	18
6.4.2	Google Analytics	18
6.5	Social Media	19
6.5.1	Social Media Profile	19
6.5.2	Social Media Plugins	20
6.6	Online Advertising and Targeting	21
6.6.1	In general	21
6.6.2	Google Ads	22
7.	Retention Periods	22
8.	Data Security	22
9.	Your rights	23



1. Controller and content of this privacy policy

Felli Hôtel SA, Route des Zirès 14, 3963 Crans-Montana, Switzerland, manages Guarda Golf Hotel & Residences and the website www.guardagolf.com and is, unless otherwise stated in this privacy policy, responsible for the data collection and processing of personal data described in this privacy policy.

Please take note of the information below to know what personal data we collect from you and for what purposes we use it. When it comes to data protection, we primarily adhere to the legal requirements of Swiss data protection law, in particular the Federal Act on Data Protection (FADP), as well as the EU General Data Protection Regulation (GDPR), which may be applicable in individual cases.

Please note that the following information may be reviewed and amended. Therefore, we recommend checking this privacy policy regularly for any updates. Furthermore, for individual data processing listed below, other companies are responsible under data protection law or jointly responsible with us, so that in these cases, the information provided by those companies is also relevant.

2. Contact person for data protection

If you have any questions regarding data protection or wish to exercise your rights, please contact our data protection officer by sending an e-mail to the following e-mail address: dataprotection@guardagolf.com.

Our EU data protection representative appointed in accordance with Article 27 of the GDPR is: VGS Datenschutzpartner GmbH, Am Kaiserkai 69, 20457 Hamburg, Germany. You can contact our EU representative at: info@datenschutzpartner.eu.

3. Scope and purpose of the collection, processing, and use of personal data

3.1 Data processing when contacting us

If you contact us through our contact addresses and other channels (e.g., by e-mail, phone, or contact form), your personal data is processed. We process the data you provide us, such as your name, e-mail address, phone number, and your request. Additionally, the time of receipt of the request will be registered. Mandatory fields are marked in contact forms with an asterisk (*). We process this data to address your request in the best possible and personalised way (e.g., providing information about our Hotel, assisting with contract processing such as questions about your booking, incorporating your feedback to improve our services, etc.).

3.2 Data processing for Leaders Club account registration

As a member of the Leading Hotels of the World, we provide you with the opportunity to become a Leaders Club member. The relevant link can be found on our website and will redirect you the Leading Hotels of the World website.

If you create a Leaders Club account, the following data will be collected during the registration process, where mandatory fields in the corresponding form are marked with an asterisk (*):

- ◆ Personal information:
 - ◇ Salutation*
 - ◇ First name*
 - ◇ Last name*
 - ◇ E-mail*



- ◇ Country*
- ◇ City*
- ◇ Password*
- ◇ Marketing e-mail subscription details
- ◇ Preferred language
- ◇ Confirmation of acceptance of the terms and conditions and privacy policy

The Leaders Club is operated by the Leading Hotels of the World, Ltd., 485 Lexington Avenue, Suite 401, New York, NY 10017, USA (hereinafter referred to as the “LHW”). Therefore, your data will be stored in a database of LHW, which may allow LHW to access your data if necessary for providing the services and supporting its use. Information about data processing by third parties and any potential transfer abroad can be found in Section 5 of this Privacy Policy.

The legal basis for this data processing is the performance of a contract with you within the meaning of Article 6(1)(b) of the GDPR.

There is a possibility that LHW may want to use some of this data for its own purposes (e.g., for sending marketing e-mails or conducting statistical analysis). For these data processing activities, LHW is the controller and must ensure compliance of these processing activities with data protection laws. Information about data processing by LHW can be found at: <https://www.lhw.com/privacy-policy>.

LHW may disclose some of your data (e.g., membership level, Leaders Club number, preferences and other) to us to the extent reasonably necessary to fulfil your requests and enable us to execute our contractual obligations. We may store the data provided to us in the customer account for future bookings or contract agreements.

To store the information in the customer account, we use a software application OPERA Cloud provided by Oracle Software (Schweiz) GmbH, Täferstrasse 4, 5404 Baden-Dättwil, Switzerland (hereinafter referred to as the “Oracle”). Therefore, your data may be stored in a database of Oracle, which may allow Oracle to access your data if this is necessary for providing the software and supporting its use. Information about data processing by third parties and any potential transfer abroad can be found in Section 5 of this Privacy Policy.

The legal basis for this data processing is the performance of a contract with you within the meaning of Article 6(1)(b) of the GDPR.

There is a possibility that Oracle may want to use some of this data for its own purposes (e.g., for conducting statistical analysis). For these data processing activities, Oracle is the controller and must ensure compliance of these processing activities with data protection laws. Information about data processing by Oracle can be found at: <https://www.oracle.com/legal/privacy/>.

To prevent misuse, please always keep your login data confidential, log out after each session and clear your browsing history, especially when using the device together with others.

3.3 Data processing for orders placed on our online shop

On our website, you have the possibility to order products, services, and vouchers. For this purpose, we collect the following data, whereby mandatory fields during the ordering process are marked with an asterisk (*):

- ◇ Salutation*
- ◇ First name*



- ◇ Last name*
- ◇ Company
- ◇ Billing and delivery address*
- ◇ Phone number*
- ◇ E-mail*
- ◇ Payment method*
- ◇ Shipping method*
- ◇ Marketing e-mail subscription details
- ◇ Confirmation of the accuracy of provided information
- ◇ Confirmation of acceptance of the terms and conditions and privacy policy*

We use the data to verify your identity before concluding a contract. We need your e-mail address to confirm your order and for future communication necessary for the execution of the contract. We store your data together with the relevant order details (e.g. designation, price, and characteristics of the ordered products), payment information (e.g., selected payment method, payment confirmation, and time of the payment; see also Section 3.6.2) as well as the information regarding the execution and performance of the contract (e.g., receipt and handling of complaints) in our CRM database (see Section 4), so that we can ensure correct order processing and contract performance.

The legal basis for this data processing is the performance of a contract with you within the meaning of Article 6(1)(b) of the GDPR.

The provision of data that is not marked as mandatory is voluntary. We process this data to tailor our offerings to your personal needs, to facilitate the execution of contracts, to contact you through alternative means of communication if necessary for the contract performance, or for collection and analysis of statistical information in order to optimise our offerings.

The legal basis for this data processing is your consent within the meaning of Article 6(1)(a) of the GDPR. You can withdraw your consent at any time by notifying us.

To operate the online shop, we use a software application e-guma provided by Idea Creation GmbH, Walchestrasse 15, 8006 Zürich, Switzerland (hereinafter referred to as the "Idea Creation GmbH"). Therefore, your data may be stored in a database of Idea Creation GmbH, which may allow Idea Creation GmbH to access your data if this is necessary for providing the software and supporting its use. Information about data processing by third parties and any potential transfer abroad can be found in Section 5 of this Privacy Policy.

The legal basis for this data processing is the performance of a contract with you within the meaning of Article 6(1)(b) of the GDPR.

There is a possibility that Idea Creation GmbH may want to use some of this data for its own purposes (e.g., for conducting statistical analysis). For these data processing activities, Idea Creation GmbH is the controller and must ensure compliance of these processing activities with data protection laws. Information about data processing by Idea Creation GmbH can be found at: <https://www.e-guma.ch/en/data-privacy/>.

3.4 Data processing during bookings

3.4.1 Direct bookings

If you book your stay by contacting us directly, e.g., by phone or e-mail, we require the following information, which is compulsory for completing your reservation:



- ◇ Salutation*
- ◇ First name (from you and anyone accompanying you)*
- ◇ Last name (from you and anyone accompanying you)*
- ◇ Phone number*
- ◇ E-mail address*
- ◇ Booking details
- ◇ Credit card information (to confirm your booking)*
- ◇ Purpose of the visit
- ◇ Comments

We use the data to establish your identity before entering into a contract. We need your e-mail address to confirm your booking and for future communication necessary for the execution of the contract. We store your data together with the relevant booking details (e.g., room category, duration of stay, as well as designation, price, and characteristics of the services), credit card details used to confirm your reservation, as well as the information regarding the execution and performance of the contract (e.g., receipt and handling of complaints) in our CRM database (see Section 4), so that we can ensure correct booking processing and contract performance.

To the extent necessary for contract performance, we may also disclose the required information to any third-party service providers (e.g., organisers or transport companies).

The legal basis for this data processing is the performance of a contract with you within the meaning of Article 6(1)(b) of the GDPR.

The provision of additional data (e.g., estimated time of arrival, means of transportation, preferences, special requests) is voluntary. We process this data to tailor our offerings to your personal needs, to facilitate the execution of contracts, to contact you through alternative means of communication if necessary for the contract performance, or for collection and analysis of statistical information in order to optimise our offerings.

The legal basis for this data processing is your consent within the meaning of Article 6(1)(a) of the GDPR. You can withdraw your consent at any time by notifying us.

To process direct bookings, we use a software application OPERA Cloud provided by Oracle Software (Schweiz) GmbH, Täferstrasse 4, 5404 Baden-Dättwil, Switzerland (hereinafter referred to as the "Oracle"). Therefore, your data may be stored in a database of Oracle, which may allow Oracle to access your data if this is necessary for providing the software and supporting its use. Information about data processing by third parties and any potential transfer abroad can be found in Section 5 of this Privacy Policy.

The legal basis for this data processing is the performance of a contract with you within the meaning of Article 6(1)(b) of the GDPR.

There is a possibility that Oracle may want to use some of this data for its own purposes (e.g., for conducting statistical analysis). For these data processing activities, Oracle is the controller and must ensure compliance of these processing activities with data protection laws. Information about data processing by Oracle can be found at:
<https://www.oracle.com/legal/privacy/>.

3.4.2 Booking through our website

On our website, you have the possibility to book an overnight stay. For this purpose, we collect the following data, whereby mandatory fields during the booking process are marked with an asterisk (*):



- ◇ Salutation
- ◇ First name
- ◇ Last name
- ◇ Billing address
- ◇ Date of birth
- ◇ Company, company address, and UID for corporate customers
- ◇ Phone number
- ◇ E-mail address
- ◇ Payment method
- ◇ Booking details
- ◇ Comments
- ◇ Confirmation of the accuracy of provided information
- ◇ Confirmation of acceptance of the terms and conditions and privacy policy

We use the data to establish your identity before entering into a contract. We need your e-mail address to confirm your booking and for future communication necessary for the execution of the contract. We store your data together with the relevant booking details (e.g., room category, duration of stay, as well as designation, price, and characteristics of the services), payment information (e.g., selected payment method, payment confirmation, and time of the payment; see also Section 3.6.1 and Section 3.6.2) as well as the information regarding the execution and performance of the contract (e.g., receipt and handling of complaints) in our CRM database (see Section 4), so that we can ensure correct booking processing and contract performance.

To the extent necessary for contract performance, we may also disclose the required information to any third-party service providers (e.g., organisers or transport companies).

The legal basis for this data processing is the performance of a contract with you within the meaning of Article 6(1)(b) of the GDPR.

The provision of data that is not marked as mandatory is voluntary. We process this data to tailor our offerings to your personal needs, to facilitate the execution of contracts, to contact you through alternative means of communication if necessary for the contract performance, or for collection and analysis of statistical information in order to optimise our offerings.

The legal basis for this data processing is your consent within the meaning of Article 6(1)(a) of the GDPR. You can withdraw your consent at any time by notifying us.

To process bookings through our Website, we use a software application Synxis provided by Sabre GLOB Inc., 3150 Sabre Drive, Southlake, Texas 76092, USA (hereinafter referred to as the "Sabre"). Therefore, your data may be stored in a database of Sabre, which may allow Sabre to access your data if this is necessary for providing the software and supporting its use. Information about data processing by third parties and any potential transfer abroad can be found in Section 5 of this Privacy Policy.

The legal basis for this data processing is the performance of a contract with you within the meaning of Article 6(1)(b) of the GDPR.

There is a possibility that Sabre may want to use some of this data for its own purposes (e.g., for conducting statistical analysis). For these data processing activities, Sabre is the controller and must ensure compliance of these processing activities with data protection laws. Information about data processing by Sabre can be found at: <https://www.sabre.com/about/privacy/>.



3.4.3 Booking through a booking platform

If you make bookings through a third-party platform (e.g., the Leading Hotels of the World, Booking.com, Hotel, Escapio, Expedia, Holidaycheck, Hotel Tonight, HRS, Kayak, Mr. & Mrs. Smith, Splendia, Tablet Hotels, Tripadvisor, Trivago, Weekend4Two, etc.), we receive various personal data related to the booking from the respective platform operator. These usually include the data listed in Section 3.6.2 of this Privacy Policy. Additionally, any inquiries regarding your booking may be forwarded to us. We will process this data by name to accurately record your booking and provide the booked services as requested.

The legal basis for the data processing for this purpose is the implementation of pre-contractual measures and the performance of a contract within the meaning of Article 6(1)(b) of the GDPR.

Finally, we may exchange personal data with the platform operators in connection with disputes or complaints related to a booking, to the extent necessary to protect our legitimate interests. This may also include data relating to the booking process on the platform or data relating to the booking or provision of services and your stay with us. We process this data to protect our legitimate claims and interests in the execution and maintenance of our contractual relationships with platform operators.

Your data is stored in the databases of the platform operators, which allows them to access your data. Please refer to the respective booking platform for their data protection policy. Information regarding the processing of data by third parties and any potential transfer abroad can be found in Section 5 of this Privacy Policy.

The legal basis for the described data processing is our legitimate interest within the meaning of Article 6(1)(f) of the GDPR.

3.5 Data processing when reserving a table

On our Website, you have the possibility to make a table reservation in a restaurant indicated on our Website. For this purpose, we collect depending on the specific offering the following data, whereby mandatory fields for reservations via the Website are marked with an asterisk (*):

- ◇ First name*
- ◇ Last name*
- ◇ Number of guests*
- ◇ E-mail address*
- ◇ Birthdate
- ◇ Phone number*
- ◇ Menu or offer type
- ◇ Comment
- ◇ Date and time of the reservation*
- ◇ Subscription to the newsletter
- ◇ Confirmation of acceptance of the privacy policy*

We collect and process the data for the purpose of handling the reservation, in particular to make your reservation request according to your preferences and to contact you in case of uncertainties or problems. We store your data together with the relevant reservation details (e.g., date and time of the request, etc.), reservation information (e.g., assigned table), as well as information regarding the execution and performance of the contract (e.g., receipt and handling of complaints) in our CRM database (see Section 4), so that we can ensure correct reservation processing and contract performance.



To process table reservations, we use a software application provided by Resengo, Junostraat 21 BE-2600 Berchem, Netherlands (hereinafter referred to as the “Resengo”). Therefore, your data may be stored in a database of Resengo, which may allow Resengo to access your data if this is necessary for providing the software and supporting its use. Information about data processing by third parties and any potential transfer abroad can be found in Section 5 of this Privacy Policy.

The legal basis for this data processing is the performance of a contract with you within the meaning of Article 6(1)(b) of the GDPR.

There is a possibility that Resengo may want to use some of this data for its own purposes (e.g., for conducting statistical analysis). For these data processing activities, Resengo is the controller and must ensure compliance of these processing activities with data protection laws. Information about data processing by Resengo can be found at:
https://www.resengo.com/Code/Legal/?Reference=Flow&DocumentTypeID=2&RN_PartnerID=22&LC=EN.

3.6 Data processing during payment processing

3.6.1 Payment processing at the hotel

When you purchase products, receive services, or make payments for your stay in our hotel using electronic means of payment, the processing of personal data is required. By using the payment terminals, you transmit the information stored in your payment instrument, such as the cardholder's name and card number, to the respective payment service providers (e.g., providers of payment solutions such as Worldline or Swisscard, credit card issuers, and credit card acquirers). They also receive information that the payment instrument was used in our hotel, including the transaction amount and time. In return, we only receive the credit for the amount of the completed payment at the corresponding time, which we can associate with the respective receipt number, or we receive information that the transaction was not possible or was cancelled. Always consider the information provided by the respective company, especially the privacy policy and terms and conditions.

For credit card authorisation forms and online payments, we use a software application of provided by Canary Technologies, Co. 450 9th Street, 1st floor, San Francisco, CA 94103, USA (hereinafter referred to as the “Canary Technologies”). Therefore, your data may be stored in a database of Canary Technologies, which may allow Canary Technologies to access your data if this is necessary for providing the software and supporting its use. Information about data processing by third parties and any transfers abroad can be found in Section 5 of this Privacy Policy.

The legal basis for this data processing is the performance of a contract with you within the meaning of Article 6(1)(b) of the GDPR.

There is a possibility that Canary Technologies may want to use some of this data for its own purposes (e.g., for conducting statistical analysis). For these data processing activities, Canary Technologies is the controller and must ensure compliance of these processing activities with data protection laws. Information about data processing by Canary Technologies can be found at: <https://www.canarytechnologies.com/privacy>.

3.6.2 Payment processing online

If you make chargeable bookings, order services or products on our Website, depending on the product, service, and preferred payment method, in addition to the information mentioned in Section 3.4.2, it may be necessary to provide additional details such as your credit card



information or login credentials for your payment service provider. This information, as well as the fact that you have purchased a service from us at the respective amount and time, will be forwarded to the respective payment service providers (e.g. payment solution providers, credit card issuers, or credit card acquirers). In this regard, please always take into account the information provided by the respective company, in particular in the privacy policy and the general terms and conditions.

The legal basis for this data processing is the performance of a contract within the meaning of Article 6(1)(b) of the GDPR.

We reserve the right to retain a copy of the credit card information as a security measure. To avoid payment defaults, it may also be necessary to transmit the required data, particularly your personal data, to a credit agency for automated assessment of your creditworthiness. In this context, the credit agency may assign a so-called score value to you. This is an estimate of the future risk of payment default, e.g. based on a percentage. The value is determined using mathematical-statistical methods and involves data from the credit agency from other sources. Based on the information received, we reserve the right not to offer you the "invoice" payment method.

The legal basis for this data processing is our legitimate interest within the meaning of Article 6(1)(f) of the GDPR in the prevention of payment defaults.

For the purchases in our online shop, mentioned in Section 3.3, payment data will be processed by the following service provider: Datatrans AG, Kreuzbühlstrasse 26, CH-8008 Zurich, Switzerland (hereinafter referred to as the "Datatrans"). Therefore, your data may be stored in a database of Datatrans, which may allow Datatrans to access your data if this is necessary for providing the software and supporting its use. Information about data processing by third parties and any transfers abroad can be found in Section 5 of this Privacy Policy.

The legal basis for this data processing is our legitimate interest within the meaning of Article 6(1)(f) of the GDPR in the prevention of payment defaults.

There is a possibility that Datatrans may want to use some of this data for its own purposes (e.g., for conducting statistical analysis). For these data processing activities, Datatrans is the controller and must ensure compliance of these processing activities with data protection laws. Information about data processing by Datatrans can be found at: <https://www.datatrans.ch/en/privacy-policy/>.

3.7 Data processing related to the recording and invoicing of rendered services

If you receive services during your stay (e.g., additional nights, wellness, restaurant, activities), in addition to your contractual data, we will collect and process booking data (e.g., time of booking and comments) as well as data related to the booked and received services (e.g., nature of service, price, and time of service receipt) for the purpose of handling the service, as described in Sections 3.4 and 3.5.

The legal basis for this data processing is the performance of a contract within the meaning of Article 6(1)(b) of the GDPR.

3.8 Data processing related to e-mail marketing

If you register for our marketing e-mails (e.g., when registering, within your customer account, or as part of an order, booking, or reservation), the following data is collected. Mandatory fields are marked with an asterisk (*):



- ◇ E-mail address*
- ◇ Country*
- ◇ First name*
- ◇ Last name*

By registering, you consent to the processing of this data in order to receive marketing e-mails from us about our hotel and related information on products and services. These marketing e-mails may also include invitations to participate in contests, to provide feedback, or to rate our products and services. The collection of the salutation, first and last name allows us to associate the registration with any existing customer account and personalise the content of the marketing e-mails accordingly. Linking it to a customer account allows us to make the offers and content contained in the marketing e-mails more relevant to you and better tailored to your potential needs.

We will use your data to send marketing e-mails until you withdraw your consent. You can withdraw your consent at any time, in particular by using the unsubscribe link included in all marketing e-mails.

Our marketing e-mails may contain a web beacon, 1x1 pixel (tracking pixel), or similar technical tools. A web beacon is an invisible graphic that is linked to the user ID of the respective subscriber. For each marketing e-mail sent, we receive information about which e-mail addresses it was successfully delivered to, which e-mail addresses have not yet received the marketing e-mail, and which e-mail addresses the delivery has failed for. It is also shown which e-mail addresses have opened the marketing e-mail and for how long, as well as which links have been clicked. Finally, we also receive information about subscribers who have unsubscribed from the mailing list. We use this data for statistical purposes and to optimise the frequency and timing of e-mail delivery, as well as the structure and content of the marketing e-mails. This allows us to better tailor the information and offers in our marketing e-mails to the individual interests of the recipients.

The web beacon is deleted when you delete the marketing e-mail. You can prevent the use of web beacons in our marketing e-mails by adjusting the settings of your e-mail program so that HTML is not displayed in messages. You can find information on how to configure this setting in the help documentation of your e-mail software application, e.g. here for Microsoft Outlook.

By subscribing to the marketing e-mails, you also consent to the statistical analysis of user behaviour for the purpose of optimising and customising the marketing e-mails.

For sending marketing e-mails, we use a software application Revinate Marketing provided by Revinate, LLC, 2345 Yale St., First Floor, Palo Alto, CA 94306, USA (hereinafter referred to as the "Revinate"). Therefore, your data may be stored in a database of Revinate, which may allow Revinate to access your data if this is necessary for providing the software and supporting its use. Information about data processing by third parties and any transfer abroad can be found in Section 5 of this Privacy Policy.

The legal basis for this data processing is your consent within the meaning of Article 6(1)(a) of the GDPR. You can withdraw your consent at any time.

There is a possibility that Revinate may want to use some of this data for its own purposes (e.g., for conducting statistical analysis). For these data processing activities, Revinate is the controller and must ensure compliance of these processing activities with data protection laws. Information about data processing by Revinate can be found at:
<https://www.revinate.com/privacy/>.



3.9 Data processing when submitting reviews

To help other users in their decision-making and support our quality management (especially in handling negative feedback), you have the opportunity to rate your stay with us through third-party websites (e.g., TripAdvisor, Google, and others). The data that you provide, including your review and the time of the publication, any comments attached to your review, and the name you provided, may be processed and published on the third-party website.

The legal basis for this data processing is your consent within the meaning of Article 6(1)(a) of the GDPR.

We reserve the right to request unlawful reviews to be deleted and to contact you through the third-party websites where the original review was posted, if there are any suspicions, requesting your clarification on the matter.

The legal basis for this processing is our legitimate interest within the meaning of Article 6(1)(f) of the GDPR in providing a lawful and unadulterated comment and review function, as well as preventing its misuse.

3.10 Data processing when submitting guest feedback

During your stay or afterwards, you have the opportunity to provide us with feedback (e.g., positive feedback, criticism, and suggestions for improvement) using a form. For this purpose, we collect the following data, with mandatory fields are marked with an asterisk (*) in the respective form:

- ◇ First and last name*
- ◇ Duration of stay*
- ◇ Feedback*
- ◇ Authorisation to contact you about your experience during your recent stay*
- ◇ Invitation to publish review on TripAdvisor

The processing of your data is carried out as part of our quality management and ultimately aims to better tailor our services and products to the needs of our guests. Specifically, your data is processed for the following purposes:

- ◇ Clarification of your request, e.g., obtaining input from employees and supervisors or seeking further information from you, etc.;
- ◇ Evaluation and analysis of your information, e.g. compiling satisfaction statistics, comparing individual services, etc.; or
- ◇ Taking organisational measures based on the findings, e.g. addressing shortcomings/deficiencies/misconduct, for example, through repairing defective equipment, providing instructions, as well as giving praise or issuing warnings to employees.

In connection with guest feedback, we use a software application provided by Qualtrics LLC, 333 W. River Park Drive, Provo, UT 84604, USA (hereinafter referred to as the "Qualtrics"). Therefore, your data may be stored in a database of Qualtrics, which may allow Qualtrics to access your data if this is necessary for providing the software and supporting its use. Information about data processing by third parties and any transfers abroad can be found in Section 5 of this Privacy Policy.



The legal basis for this data processing is your consent within the meaning of Article 6(1)(a) of the GDPR. You can withdraw your consent at any time.

There is a possibility that Qualtrics may want to use some of this data for its own purposes (e.g., for conducting statistical analysis). For these data processing activities, Qualtrics is the controller and must ensure compliance of these processing activities with data protection laws. Information about data processing by Qualtrics can be found at: <https://www.qualtrics.com/privacy-statement/>.

3.11 Data processing in connection with video surveillance

To ensure the safety of our guests, employees, and our property, as well as to prevent and address unlawful behaviour (in particular, theft and property damage), the entrance area and the publicly accessible areas of our hotel, excluding sanitary facilities, may be monitored by cameras. The image data will only be viewed if there is a suspicion of unlawful behaviour. Otherwise, the recorded images will be automatically deleted after 24 hours.

To provide the video surveillance system, we rely on a service provider Milestone Systems A/S, Banemarksvej 50, 2605 Brøndby, Denmark (hereinafter referred to as the "Milestone"). Milestone has access to the data insofar as this is necessary for the provision of the system. If suspicions of unlawful behaviour are confirmed, the data may be disclosed to the extent necessary for the enforcement of claims or for reporting to consulting firms (in particular, to a law firm) and authorities. Information about data processing by third parties and any transfer abroad can be found in Section 5 of this Privacy Policy. Further information about data processing by Milestone can be found at: <https://www.milestonesys.com/privacy-policy/>.

The legal basis is our legitimate interest within the meaning of Article 6(1)(f) of the GDPR in protecting our guests, employees, and property, as well as safeguarding and enforcing our rights.

3.12 Data processing when using our Wi-Fi Network

In our hotel you, have the possibility to use our Wi-Fi network free of charge. To prevent misuse and to punish unlawful behaviour, prior registration is required. During the registration process, you will provide us with the following data:

- ◇ Phone number
- ◇ MAC address of the device (automatically)

In addition to the above data, each time the Wi-Fi network is used, data regarding the time and date of usage, the network used, and the device employed are also collected. The legal basis for this data processing is your consent within the meaning of Article 6(1)(a) of the GDPR. You can withdraw your consent at any time.

Our Wi-Fi network is provided by "Swisscom Public WLAN" by Swisscom Ltd, Alte Tiefenastrasse 6, 3050 Bern. Switzerland (hereinafter referred to as the "Swisscom"). Therefore, your data may be stored in a database of Swisscom, which may allow Swisscom to access your data if this is necessary for providing the software and supporting its use. Information about data processing by third parties can be found in Section 5 of this Privacy Policy. Further information about data processing by Swisscom can be found at: <https://www.swisscom.ch/content/dam/swisscom/de/res/internet2-0/pwlan/nutzungsbedingungenpwanen.pdf>.



3.13 Data processing for fulfilling legal reporting obligations

Upon arrival at our hotel, we may require the following information from you and your accompanying persons; mandatory fields are marked in the respective form with an asterisk (*):

- ◇ Salutation*
- ◇ First and last name*
- ◇ Billing address
- ◇ Date of birth*
- ◇ Nationality*
- ◇ Identity card or passport*
- ◇ Date of arrival and departure*

We collect this information to fulfil legal reporting obligations, which arise in particular from hospitality or police regulations. To the extent required by applicable laws, we forward this information to the competent authority.

The legal basis for the data processing is our legitimate interest within the meaning of Article 6(1)(c) of the GDPR in complying with our legal obligations.

3.14 Data processing in job applications

You can apply for a position in our company either spontaneously or in response to a specific job advertisement. In both cases, we will process the personal data you provide us with. This includes the following:

- ◆ Personal information:
 - ◇ Photo
 - ◇ Salutation
 - ◇ First name
 - ◇ Last name
 - ◇ Date of birth
 - ◇ Nationality
 - ◇ Residence status
- ◆ Contact details:
 - ◇ Address
 - ◇ E-mail address
 - ◇ Telephone number
- ◆ Documents:
 - ◇ Cover letter
 - ◇ CV
 - ◇ Other documents you share (e.g., work certificates, diplomas)

For the processing of applications, we may use services provided by third-party service providers, such as HOSCO, Journal des Palaces, HotelCareer, LinkedIn and others. Therefore, your data may be stored in a database of the service provider, which may allow them to access your data if this is necessary for providing the supporting services. Please refer to the respective service provider for their data protection policy. Information about data processing by third parties and any transfer abroad can be found in Section 5 of this Privacy Policy.

The legal basis for the data processing for this purpose is the execution of a contract (pre-contractual phase) within the meaning of Article 6(1)(b) of the GDPR.



We use the data you provide us with to assess your application and suitability for employment. Application documents from unsuccessful applicants will be deleted at the end of the application process, unless you explicitly agree to a longer retention period or we are legally obliged to retain them for a longer period.

Successful candidates may be asked to provide additional personal information (e.g., marital status, social security number, banking details and other). We retain your personal data in our systems as long as is necessary for our processing operations and to comply with our legal obligations.

For the central storage and processing of the personal data of the employees, we use a software application provided by Mirus Software AG, Tobelmühlestrasse 11, 7270 Davos Platz, Switzerland (hereinafter referred to as the “Mirus”). Therefore, your data may be stored in a database of Mirus, which may allow Mirus to access your data if this is necessary for providing the software and supporting its use. Information about data processing by third parties and any transfer abroad can be found in Section 5 of this Privacy Policy. Further information about data processing by Mirus can be found at: <https://mirus.ch/fr/disclaimer>.

The legal basis for this data processing is our legitimate interest within the meaning of Article 6(1)(f) of the GDPR in carrying out marketing activities.

4. Central data storage and analysis in the CRM system

If a clear identification of your person is possible, we will store and link the data described in this Privacy Policy, i.e., your personal information, contact details, contract data, and your browsing behaviour on our Website in a central database. This allows for efficient management of customer data, enables us to adequately process your requests, and facilitates the efficient provision of the services you requested, as well as the performance of the related contracts.

The legal basis for this data processing is our legitimate interest within the meaning of Article 6(1)(f) of the GDPR in the efficient management of user data.

We also analyse this data to further develop our offerings based on your needs and to provide you with the most relevant information and offers. We also use methods that predict possible interests and future orders based on your use of our Website.

For the central storage and analysis of data in the CRM system, we use a software application provided by Revinat, LLC, 2345 Yale St., First Floor, Palo Alto, CA 94306, USA (hereinafter referred to as the “Revinat”). Therefore, your data may be stored in a database of Revinat, which may allow Revinat to access your data if this is necessary for providing the software and supporting its use. Information about data processing by third parties and any transfer abroad can be found in Section 5 of this Privacy Policy. Further information about data processing by Revinat can be found at: <https://www.revinat.com/privacy/>.

The legal basis for this data processing is our legitimate interest within the meaning of Article 6(1)(f) of the GDPR in carrying out marketing activities.

5. Disclosure and cross-border transfer

5.1 Disclosure to third parties and third-party access

Without the support of other companies, we would not be able to provide our services in the desired form. To use the services of these companies, it is necessary to share your personal data with these companies to a certain extent. A disclosure of data is limited to selected third-party service providers and only to the extent necessary for the optimal provision of our services.



Various third-party service providers are explicitly mentioned in this Privacy Policy. They include the following service providers:

- ◇ Canary Technologies, Co. 450 9th Street, 1st floor, San Francisco, CA 94103, USA. For more information about data processing in connection with Canary Technologies, see <https://www.canarytechnologies.com/privacy>.
- ◇ Datatrans AG, Kreuzbühlstrasse 26, CH-8008 Zurich, Switzerland. For more information about data processing in connection with Datatrans, see <https://www.datatrans.ch/en/privacy-policy/>.
- ◇ Idea Creation GmbH, Walchestrasse 15, 8006 Zürich, Switzerland. For more information about data processing in connection with Idea Creation, see <https://www.e-guma.ch/en/data-privacy/>.
- ◇ Milestone Systems A/S, Banemarksvej 50, 2605 Brøndby, Denmark. For more information about data processing in connection with Milestone Systems, see <https://www.milestonesys.com/privacy-policy/>.
- ◇ Oracle Software (Schweiz) GmbH, Täferstrasse 4, 5404 Baden-Dättwil, Switzerland. For more information about data processing in connection with Oracle, see <https://www.oracle.com/legal/privacy/>.
- ◇ Qualtrics LLC, 333 W. River Park Drive, Provo, UT 84604, USA. For more information about data processing in connection with Qualtrics, see <https://www.qualtrics.com/privacy-statement/>.
- ◇ Resengo, Junostraat 21 BE-2600 Berchem, Netherlands. For more information about data processing in connection with Resengo, see https://www.resengo.com/Code/Legal/?Reference=Flow&DocumentTypeID=2&RN_PartnerID=22&LC=EN.
- ◇ Revinat, LLC, 2345 Yale St., First Floor, Palo Alto, CA 94306, USA. For more information about data processing in connection with Revinat, see <https://www.revinat.com/privacy/>.
- ◇ Sabre GLOB Inc., 3150 Sabre Drive, Southlake, Texas 76092, USA. For more information about data processing in connection with Sabre, see <https://www.sabre.com/about/privacy/>.
- ◇ Swisscom Ltd, Alte Tiefenaustrasse 6, 3050 Bern. Switzerland. For more information about data processing in connection with Swisscom, see <https://www.swisscom.ch/en/residential/legal-information/privacy.html>.
- ◇ The Leading Hotels of the World, Ltd., 485 Lexington Avenue, Suite 401, New York, NY 10017, USA. For more information about data processing in connection with The Leading Hotels of the World, see <https://www.lhw.com/privacy-policy>.

The legal basis for this data processing is the performance of a contract within the meaning of Article 6(1)(b) of the GDPR.

Your data will also be disclosed as necessary to fulfil the services you have requested, for example, to restaurants or other service providers for whom you have made a reservation



through us. The legal basis for these disclosures is the necessity for the performance of a contract within the meaning of Article 6(1)(b) of the GDPR. For these data processing activities, the third-party service providers are considered data controllers under the data protection laws, and not us. It is the responsibility of these third-party service providers to inform you about their own data processing, which may extend beyond the mere sharing of data for the provision of services, and to comply with data protection laws.

Furthermore, your data may be disclosed, especially to authorities, legal advisors, or debt collection agencies, if we are legally obliged to do so or if it is necessary to protect our rights, in particular to enforce claims arising from our relationship with you. Data may also be disclosed if another company intends to acquire our company or parts thereof, and such disclosure is necessary to conduct a due diligence or to complete the transaction.

The legal basis for this data processing is our legitimate interest within the meaning of Article 6(1)(f) of the GDPR in protecting our rights and fulfilling our obligations, as well as in the sale of our company or parts thereof.

5.2 Transfer of personal data to third countries

We have the right to transfer your personal data to third parties located abroad if it is necessary to carry out the data processing described in this Privacy Policy. Specific data transfers have been mentioned in Section 3. When making such transfers, we will ensure compliance with the applicable legal requirements for disclosing personal data to third parties. The legal provisions governing the disclosure of personal data to third parties are duly observed. The countries to which data is transmitted include those that, according to the decision of the Federal Council and the European Commission, have an adequate level of data protection (such as the member states of the EEA or, from the EU's perspective, Switzerland), as well as those countries (such as the USA) whose level of data protection is not considered adequate (see Annex 1 of the Data Protection Ordinance (DPO) and the website of the European Commission). If the country in question does not provide an adequate level of data protection, we ensure that your data is adequately protected by these companies by means of appropriate safeguards, unless an exception is specified on a case-by-case basis for the individual data processing (see Article 49 of the GDPR). Unless otherwise specified, these safeguards may be provided for by standard contractual clauses as referred to in Article 46(2)(c) of the GDPR, which can be found on the websites of the Federal Data Protection and Information Commissioner (FDPIC) and the EU Commission. If you have any questions regarding the implemented measures, please reach out to our data protection contact person (see Section 2).

5.3 Information on data transfers to the USA

Some of the third-party service providers mentioned in this Privacy Policy are based in the USA. For the sake of completeness, we would like to inform users residing or based in Switzerland or the EU that certain third-party service providers mentioned in this privacy statement are located in the USA. It is important to note that there are surveillance measures by US authorities in place that generally allow for the storage of all personal data of individuals whose data has been transmitted from Switzerland or the EU to the United States. This occurs without differentiation, limitation, or exception based on the purpose for which the data is being collected and without an objective criterion that would restrict US authorities' access to the data and its subsequent use to specific, strictly limited purposes that can justify the interference associated with accessing and using the data. Furthermore, we would like to point out that affected individuals from Switzerland or the EU do not have legal remedies or effective judicial protection against general access rights of US authorities, which would allow them to access the data concerning them and to rectify or delete it. We explicitly highlight this legal and factual situation to enable you to make an informed decision regarding your consent to the use of your data.



For users residing in Switzerland or a member state of the EU, we also want to inform you that, from the perspective of the European Union and Switzerland, the United States does not provide an adequate level of data protection, among other reasons, as explained in this paragraph. In cases where we have mentioned in this privacy statement that data recipients (such as Google) are located in the United States, we will ensure through contractual arrangements with these companies and, if necessary, additional appropriate safeguards, that your data is adequately protected at our third-party service providers.

6. Background Data Processing on our Website

6.1 Data processing when visiting our website (log file data)

When you visit our Website, the servers of our hosting provider Infomaniak Network SA; Rue Eugène-Marziano 25, 1227 Genève, Switzerland (hereinafter referred to as the “Infomaniak”) temporarily store every access in a log file. The following data is collected without your intervention and stored by us until automatically deleted:

- ◇ IP address of the requesting computer;
- ◇ Date and time of access;
- ◇ Name and URL of the accessed file;
- ◇ Website from which the access was made, if applicable, with the search word used;
- ◇ Operating system of your computer and the browser you are using (including type, version, and language setting);
- ◇ Device type in case of access from mobile phones;
- ◇ City or region from which the access was made; and
- ◇ Name of your internet service provider.

The collection and processing of this data is carried out for the purpose of enabling the use of our Website (establishing a connection), ensuring the long-term security and stability of the system, and enabling error and performance analysis and optimisation of our Website (see also Section 6.4 regarding the latter points).

In case of an attack on the network infrastructure of the Website or suspicion of other unauthorised or improper use of the Website, the IP address and other data will be analysed for clarification and defence purposes; if necessary, they may be used in civil or criminal proceedings for the identification of the respective user.

The legal basis for this data processing is our legitimate interest within the meaning of Article 6(1)(f) of the GDPR in the purposes described above.

Finally, when you visit our Website, we use cookies, as well as other applications and tools that rely on the use of cookies. In this context, the data described here may also be processed. For more information, please refer to the subsequent sections of this Privacy Policy, in particular to Section 6.2.

6.2 Cookies

Cookies are information files that your web browser stores on the hard drive or in the memory of your computer when you visit our Website. Cookies are assigned identification numbers that enable your browser to be identified, and allow the information contained in the cookie to be read.

Cookies are used to make your visit to our website easier, more enjoyable, and more meaningful. We use cookies for various purposes that are necessary for the desired use of the website, i.e., "technically necessary." For example, we use cookies to identify you as a registered user after



logging in, so you don't have to log in again when navigating to different subpages. The provision of ordering and booking functions also relies on the use of cookies. Furthermore, cookies perform other technical functions necessary for the operation of the website, such as load balancing, which distributes the workload of the site across various web servers to relieve the servers. Cookies are also used for security purposes, such as preventing the unauthorised posting of content. Finally, we use cookies in the design and programming of our website, for example, to enable the uploading of scripts or codes.

The legal basis for this data processing is our legitimate interest within the meaning of Article 6(1)(f) of the GDPR in providing a user-friendly and up-to-date website.

Most internet browsers accept cookies automatically. However, when accessing our website, we ask for your consent to the use of non-essential cookies, especially for the use of cookies from third parties for marketing purposes. You can adjust your preferences for cookies by using the corresponding buttons in the cookie banner. Details regarding the services and data processing associated with each cookie can be found within the cookie banner and in the following sections of this privacy policy.

You may also be able to configure your browser to prevent cookies from being stored on your computer or receive a notification whenever a new cookie is being sent. On the following pages, you will find instructions on how to configure cookie settings for selected browsers.

- ◇ Google Chrome for Desktop
- ◇ Google Chrome for Mobile
- ◇ Apple Safari for Desktop
- ◇ Apple Safari for Mobile
- ◇ Microsoft Windows Internet Explorer
- ◇ Microsoft Windows Internet Explorer Mobile
- ◇ Mozilla Firefox

Disabling cookies may prevent you from using all the features of our Website.

6.3 Google custom search engine

This website uses the Programmable Search Engine of Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA (hereinafter referred to as the "Google"). This allows us to provide you with an efficient search function on our Website.

By pressing the Enter key or clicking on the search button, the search function is activated, and the search results from Google are displayed on the search results page through embedding (iFrame). When retrieving the search results, a connection is established with Google's servers and your browser may potentially transmit the Log File Data (including IP address) listed in Section 6.1, as well as the search term you entered ,to Google. This may also result in a transfer of data to servers abroad, e.g., the USA (for information on the absence of an adequate level of data protection and the proposed safeguards, see Sections 5.2 and 5.3).

The legal basis for this data processing is our legitimate interest within the meaning of Article 6(1)(f) of the GDPR in providing an efficient website search function.



Regarding the further processing of data by Google, please refer to Google's privacy policy: <https://policies.google.com/privacy?hl=en>.

6.4 Tracking and web analytics tools

6.4.1 General information about tracking

For the purpose of customising and continuously optimising our Website, we use the web analytics services listed below. In this context, pseudonymised usage profiles are created, and cookies are used (please also see Section 6.2). The information generated by the cookie regarding your use of our Website is usually transmitted to a server of the service provider, where it is stored and processed, together with the Log File Data mentioned in Section 6.1. This may also result in a transfer to servers abroad, e.g., the USA (for information on the absence of an adequate level of data protection and the proposed safeguards, see Sections 5.2 and 5.3).

Through the data processing, we obtain, among others, the following information:

- ◇ navigation path followed by a visitor on the site (including content viewed, products selected or purchased, or services booked);
- ◇ time spent on the Website or specific page;
- ◇ the specific page from which the Website is left;
- ◇ the country, region, or city from where an access is made;
- ◇ end device (type, version, colour depth, resolution, width, and height of the browser window); and
- ◇ returning or new visitor.

The provider, on our behalf, will use this information to evaluate the use of the Website, in particular to compile Website activity reports and provide further services related to Website usage and internet usage for the purposes of market research and the customisation of the Website. For these processing activities, we and the providers may be considered joint controllers in terms of data protection to a certain extent.

The legal basis for this data processing with the following services is your consent within the meaning of Article 6(1)(a) of the GDPR. You can withdraw your consent or oppose to processing at any time by rejecting or deactivating the relevant cookies in the settings of your web browser (see Section 6.2) or by using the service-specific options described below.

Regarding the further processing of the data by the respective provider as the (sole) controller, including any potential disclosure of this information to third parties, such as authorities due to national legal regulations, please refer to the respective privacy policy of the provider.

6.4.2 Google Analytics

We use the web analytics service Google Analytics provided by Google Ireland Limited, Gordon House, 4 Barrow St, Dublin, D04 E5W5, Ireland, or Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA (hereinafter referred to as the "Google").

Contrary to the description in Section 6.4.1, IP addresses are not logged or stored in Google Analytics (in the version used here, "Google Analytics 4"). For accesses originating from the EU,



IP address data is only used to derive location data and is immediately deleted thereafter. When collecting measurement data in Google Analytics, all IP searches take place on EU-based servers before the traffic is forwarded to Analytics servers for processing. Google Analytics utilises regional data centres. When connecting to the nearest available Google data centre in Google Analytics, the measurement data is sent to Analytics via an encrypted HTTPS connection. In these centres, the data is further encrypted before being forwarded to Analytics' processing servers and made available on the platform. The most suitable local data centre is determined based on the IP addresses. This may also result in a transfer of data to servers abroad, e.g., the USA (for information on the absence of an adequate level of data protection and the proposed safeguards, see Sections 5.2 and 5.3).

We also use the technical extension called "Google Signals", which enables cross-device tracking. This makes it possible to associate a single website visitor with different devices. However, this only happens if the visitor is logged into a Google service during the website visits and has activated the "personalised advertising" option in their Google account settings. Even in such cases, we do not have access to any personal data or user profiles; they remain anonymous to us. If you do not wish to use "Google Signals," you can deactivate the "personalised advertising" option in your Google account settings.

Users can prevent the collection of data related to their Website usage (including IP address) generated by the cookie as well as the processing of this data by Google by downloading and installing the browser plugin available at the following link:
<https://tools.google.com/dlpage/gaoptout?hl=en-GB>.

As an alternative to the browser plugin, users can click on this link to prevent Google Analytics from collecting data on the website in the future. This will place an opt-out cookie on the user's device. If users delete cookies (see Section 6.2 on Cookies), they will need to click the link again.

6.5 Social Media

6.5.1 Social Media Profile

Our Website contains links to our profiles on the social networks of the following providers:

- Facebook, operated by Meta Platforms Ireland Limited, 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland, and Meta Platforms Inc., One Hacker Way Menlo Park, CA 94025, USA, Privacy Policy;
- Instagram, operated by Meta Platforms Ireland Limited, 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland, and Meta Platforms Inc., One Hacker Way Menlo Park, CA 94025, USA, Privacy Policy;
- TripAdvisor, operated by Tripadvisor Inc., 400 1st Avenue, Needham, MA 02494, USA, Privacy Policy.

If you click on the icons of the social networks, you will be automatically redirected to our profile on the respective network. This establishes a direct connection between your browser and the server of the respective social network. As a result, the social network receives information that you have visited our Website with your IP address and clicked on the link. This may also involve the transfer of data to servers abroad, e.g., in the USA (for information on the absence of an adequate level of data protection and the proposed safeguards, see Sections 5.2 and 5.3).

If you click on a link to a social network while you are logged into your user account on that social network, the content of our website can be associated with your profile, allowing the social



network to directly link your visit to our website to your account. If you want to prevent this, please log out of your account before clicking on the respective links. A connection between your access to our website and your user account will always be established if you log in to the respective social network after clicking on the link. The data processing associated with this is the responsibility of the respective provider in terms of data protection. Therefore, please refer to the privacy notices on the social network's website.

The legal basis for any data processing attributed to us is our legitimate interest within the meaning of Article 6(1)(f) of the GDPR in the use and promotion of our social media profiles.

6.5.2 Social Media Plugins

On our website, you can use social media plugins from the following providers:

- Facebook, operated by Meta Platforms Ireland Limited, 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland, and Meta Platforms Inc., One Hacker Way Menlo Park, CA 94025, USA, Privacy Policy;
- Google Maps, operated by Google Ireland Limited, Gordon House, 4 Barrow St, Dublin, D04 E5W5, Ireland, or Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA, Privacy Policy.
- Instagram, operated by Meta Platforms Ireland Limited, 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland, and Meta Platforms Inc., One Hacker Way Menlo Park, CA 94025, USA, Privacy Policy;
- TripAdvisor, operated by Tripadvisor Inc., 400 1st Avenue, Needham, MA 02494, USA, Privacy Policy;
- Vimeo, operated by Vimeo.com, Inc., 330 West 34th Street, New York, NY 10001, USA; Privacy Policy;
- YouTube, operated by YouTube LLC, 901 Cherry Ave., San Bruno, CA 94066, USA, a subsidiary of Google Ireland Limited („Google“), Gordon House, Barrow Street, Dublin 4, Ireland, or Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA, Privacy Policy.

We use the social media plugins to make it easier for you to share content from our Website. The social media plugins help us to increase the visibility of our content on social networks, thereby contributing to better marketing.

The plugins are deactivated by default on our Website, and therefore, no data is sent to the social networks when you simply access our Website. To enhance data protection, we have integrated the plugins in such a way that a connection is not automatically established with the servers of the social networks. Only when you activate the plugins by clicking on them, and thus give your consent to the transmission and further processing of data by the providers of the social networks, your browser establishes a direct connection to the servers of the respective social network.

The content of the plugin is transmitted directly from the social network to your browser and integrated into the Website. As a result, the respective provider receives information that your browser has accessed the corresponding page of our Website, even if you do not have an account with that social network or are not currently logged in to it. This information (including



your IP address) is transmitted from your browser directly to a server of the provider (usually located in the USA) and stored there (for information on the absence of an adequate level of data protection and the proposed safeguards, see Sections 5.2 and 5.3). We have no influence on the scope of data collected by the provider through the plugin, although from a data protection perspective, we may be considered joint controllers with the providers up to a certain extent.

If you are logged into the social network, it can assign your visit to our Website directly to your user account. If you interact with the plugins, the corresponding information is also transmitted directly to a server of the provider and stored there. The information (e.g., that you like a product or service from us) may also be published on the social network and displayed to other users of the social network. The provider of the social network may use this information for the purpose of displaying advertisements and tailoring the respective offering to your needs. For this purpose, usage, interest, and relationship profiles may be created, e.g., to evaluate your use of our Website with regard to the advertisements displayed to you on the social network, to inform other users about your activities on our Website, and to provide other services associated with the use of the social network. The purpose and scope of the data collection, further processing and use of the data by the providers of the social networks, as well as your rights in this regard and options for protecting your privacy can be found directly in the privacy policies of the respective providers.

If you do not want the provider of the social network to associate the data collected through our Website with your user account, you must log out of the social network before activating the plugins. The legal basis for the described data processing is your consent within the meaning of Article 6(1)(a) of the GDPR. You can withdraw your consent at any time by notifying the plugin provider in accordance with the instructions provided in its privacy policy.

6.6 Online Advertising and Targeting

6.6.1 In general

We use services of various companies to provide you with interesting offers online. In the process of doing this, your user behaviour on our website and websites of other providers is analysed in order to subsequently be able to show you online advertising that is individually tailored to you.

Most technologies for tracking your user behaviour (Tracking) and displaying targeted advertising (Targeting) utilise cookies (see also Section 6.2), which allow your browser to be recognised across different websites. Depending on the service provider, it may also be possible for you to be recognised online even when using different end devices (e.g., laptop and smartphone). This may be the case, for example, if you have registered for a service that you use with several devices.

In addition to the data already mentioned, which is collected when visiting websites (Log File Data, see Section 6.1) and through the use of cookies (Section 6.2) and which may be transmitted to the companies involved in the advertising networks, the following data, in particular, is used to select the advertising that is potentially most relevant to you:

- ◇ information about you that you provided when registering or using a service from advertising partners (e.g., your gender, age group); and
- ◇ user behaviour (e.g., search queries, interactions with advertisements, types of websites visited, products or services viewed and purchased, newsletters subscribed to).

We and our service providers use this data to determine whether you belong to the target audience we address and take this into account when selecting advertisements. For example,



after visiting our Website, you may see advertisements for the products or services you have viewed when you visit other sites (Re-targeting). Depending on the amount of data, a user profile may also be created, which is automatically analysed; the advertisements are then selected based on the information stored in the profile, such as belonging to certain demographic segments or potential interests or behaviours. These advertisements may be displayed to you on various channels, including our website or app (as part of on- and in-app marketing), as well as advertising placements provided through the online advertising networks we use, such as Google.

The data may then be analysed for the purpose of settlement with the service provider, as well as for evaluating the effectiveness of advertising measures in order to better understand the needs of our users and customers and to improve future campaigns. This may also include information that the performance of an action (e.g., visiting certain sections of our Website or submitting information) can be attributed to a specific advertising. We also receive from service providers aggregated reports of advertisement activity and information on how users interact with our Website and advertisements.

The legal basis for this data processing is your consent within the meaning of Article 6(1)(a) of the GDPR. You can withdraw your consent at any time by rejecting or deactivating the relevant cookies in the settings of your web browser (see Section 6.2). Further options for blocking advertising can also be found in the information provided by the respective service provider, such as Google.

6.6.2 Google Ads

As explained in Section 6.6.1, this website uses the services of Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA (hereinafter referred to as the "Google") for online advertising. Google uses cookies (see the list here), which allow your browser to be recognised when you visit other websites. The information generated by the cookies about your visit to these websites (including your IP address) is transmitted to and stored by Google on servers in the United States (for information on the absence of an adequate level of data protection and the proposed safeguards, see Sections 5.2 and 5.3). Further information on data protection at Google can be found here.

The legal basis for this data processing is your consent within the meaning of Article 6(1)(a) of the GDPR. You can withdraw your consent at any time by rejecting or deactivating the relevant cookies in the settings of your web browser (see Section 6.2). Further options for blocking advertising can be found here.

7. Retention Periods

We only store personal data for as long as it is necessary to carry out the processing described in this privacy policy within the scope of our legitimate interests. For contractual data, the storage is stipulated by statutory retention obligations. Requirements that oblige us to retain data arise from the accounting and tax law regulations. According to these regulations, business communication, concluded contracts, and accounting documents must be retained for up to 10 years. If we no longer need this data to provide services for you, the data will be blocked. This means that the data may then only be used if this is necessary to fulfil the retention obligations or to defend and enforce our legal interests. The data will be deleted as soon as there is no longer any legal obligation to retain it and no legitimate interest in its retention exists.

8. Data Security

We use appropriate technical and organisational security measures to protect your personal data stored with us against loss and unlawful processing, in particular unauthorised access by third



parties. Our employees and the service companies mandated by us are obliged to maintain confidentiality and uphold data protection. Furthermore, these persons are only granted access to personal data to the extent necessary for the performance of their tasks.

Our security measures are continuously adapted in line with technological developments. However, the transmission of information via the Internet and electronic means of communication always involves certain security risks and we cannot, therefore, provide any absolute guarantee for the security of information transmitted in this way.

9. Your rights

If the legal requirements are met, as a data subject, you have the following rights with respect to data processing:

Right of access: You have the right to request access to your personal data stored by us at any time and free of charge if we process such data. This gives you the opportunity to check what personal data concerning you we process and whether we process it in accordance with applicable data protection regulations.

Right to rectification: You have the right to have inaccurate or incomplete personal data rectified and to be informed about the rectification. In this case, we will also inform the recipients of the data concerned about the adaptations we have made, unless this is impossible or involves disproportionate effort.

Right to erasure: You have the right to obtain the erasure of your personal data under certain circumstances. In individual cases, particularly in the case of statutory retention obligations, the right to erasure may be excluded. In this case, the erasure may be replaced by a blocking of the data if the requirements are met.

Right to restriction of processing: You have the right to request that the processing of your personal data be restricted.

Right to data portability: You have the right to receive from us, free of charge, the personal data you have provided to us in a readable format.

Right to object: You have the right to object at any time to data processing, especially with regard to data processing related to direct marketing (e.g., marketing e-mails).

Right to withdraw consent: You have the right to withdraw your consent at any time. However, processing activities based on your consent in the past will not become unlawful due to your withdrawal.

To exercise these rights, please send us an e-mail to the following address:
dataprotection@guardagolf.com.

Right of complaint: You have the right to lodge a complaint with a competent supervisory authority, e.g., against the manner in which your personal data is processed.