

INFORMATION ON DATA PROTECTION PURSUANT TO ART. 13 GENERAL DATA PROTECTION REGULATION (GDPR) AT STEIGENBERGER WILTCHER'S

The following information is intended to give you an overview of the processing of your personal data that is collected during a stay at our hotel. We also provide you with all the necessary information about your data subject rights under data protection law.

Information on the processing of personal data

First of all, we would like to draw your attention to the fact that we would like to provide you with detailed information relating to the processing of your personal data in a transparent manner in accordance with Art. 13 and Art. 14 GDPR.

1. Person responsible for data processing

The data controller is

STAG Belgium SA
Avenue Louise, 71
1050 Brussels
Phone: +32 2 542 42 42
Fax: +32 2 542 42 00

E-mail: brussels@steigenberger.com

We are not legally obliged to appoint a data protection officer.

For questions regarding data protection, please contact: privacy.brussels@steigenberger.com

2. Purposes and legal bases of the processing of personal data

We process your personal data in accordance with the provisions of the GDPR and other applicable laws for the following purposes and based on the following legal bases:

(a) Purpose of the data processing

We process your data for the purpose of processing and managing booking enquiries and bookings and for the purpose of providing our services under the accommodation contract, including processing your stay and processing payments (This also includes data processing for the purpose of enabling you to use our services (such as using the telephone, bar, spa, pay TV programmes etc., carrying out registration and managing access to the room). We also collect your data for the purpose of sending our email newsletter, including managing newsletter subscriptions.

(b) Legal bases for the processing

The legal basis for the processing of your data is Art. 6 para. 1 p. 1 lit. a) GDPR, Art. 6 para. 1 p. 1 lit. b) GDPR, Art. 6 para. 1 p. 1 lit. c) GDPR and Art. 6 para. 1 p. 1 lit. f) GDPR.

(aa) Consent pursuant to Art. 6 para. 1 p. 1 lit. a) GDPR

Insofar as the processing is based on your voluntarily given consent pursuant to Art. 6 para. 1 p. 1 lit. a) GDPR, this only applies for the purpose of your newsletter subscription and to manage the sending of the e-mail newsletter.

(bb) Contract fulfilment according to Art. 6 para. 1 p. 1 lit. b) GDPR

In the cases of Art. 6 para. 1 p. 1 lit. b) GDPR, the processing of your data is mandatory for the purpose of fulfilling our main service obligations arising from the accommodation contract concluded with you and for the implementation of pre-contractual measures.

(cc) Legal obligation pursuant to Art. 6 para. 1 p. 1 lit. c) GDPR

In the cases of Art. 6 (1) p. 1 lit. c) GDPR, the processing of your data is necessary due to a legal obligation to which we are subject as the data controller (e.g. due to registration laws, tax laws, register obligations, etc.).

(dd) Legitimate interests pursuant to Art. 6 para. 1 p. 1 lit. f) GDPR

(1) The processing of data on the basis of Art. 6 para. 1 p. 1 lit. (f) GDPR is carried out for the purpose of maintaining, ensuring and improving the quality of our products and services, in particular by conducting and evaluating customer satisfaction surveys and analysing customer feedback, as well as by processing your personal data in our central customer database, which enables us to identify you as a returning customer, to better assess your requirements and wishes, to improve the quality and personalisation of the communications we send you and to develop offers that are specifically tailored to your needs. Our legitimate interests arise from the accommodation contract we have with you. This contract constitutes a relevant and appropriate relationship within the meaning of recital 47 GDPR. The aforementioned interests also arise from the fact that this type of data processing is very common in the industry of international hotel chains and that such processing meets the reasonable expectations of the majority of guests. As a member of a group of companies which includes the companies operating the hotels grouped under the umbrella brand "Deutsche Hospitality" (see Chapter 4 - Categories of recipients), our company has a legitimate interest in the transfer of personal data within the group for the purpose of internal management, in accordance with Recital 48 GDPR.

(2) The legal basis for direct advertising for our offers and services is Art. 6 para. 1 p. 1 lit. f) GDPR. Further information on direct marketing can be found in this privacy policy.

(3) In addition, your data is processed on the basis of Art. 6 (1) p. 1 lit. f) GDPR for the purposes of safeguarding the owner's right, preventing and investigating criminal offences (in particular by means of video surveillance), initiating or defending legal disputes, safeguarding the interests of the company in the event of legal disputes, ensuring IT security and the operation of IT systems, and identifying credit risks. Our compelling legitimate interests arise from our obligation to ensure security in our hotels for our guests during their stay. They also arise from our interest in asserting our claims for compensation for material and immaterial damage, enabling the enforcement of our rights and defending ourselves against unjustified claims. In addition, the processing of personal data which is strictly necessary for fraud prevention in accordance with recital 47 GDPR also constitutes a legitimate interest of our company.

3. Categories of recipients of the personal data

To the extent required for the purposes mentioned under 2. above, we will also make your personal data available to the following recipients or categories of recipients in accordance with Art. 4 No. 9 GDPR.

Within our company, only those departments that need to see your data in order to fulfil our contractual and legal obligations (to the extent necessary) are granted access to it.

The framework in which your personal data is processed within our central customer database is also the framework in which your data is made available to other companies. These are one or more hotels operated under the brands belonging to the Deutsche Hospitality group (Steigenberger Hotel & Resorts, Intercity Hotel, Jaz in the city, Maxx by Steigenberger). The operator of

each of these hotels is shown in the [list of hotel operators](#). The list in Annex I is updated regularly. In the process, the hotels that use our central database are specially marked or highlighted. When carrying out direct marketing measures, your personal data will only be passed on to employees of our company who have access to our central guest database. Service providers commissioned by us (e.g. within the scope of subcontracting pursuant to Art. 28 GDPR) and our vicarious agents may receive personal data for these purposes. The companies concerned belong to the following categories: Credit services and payment transactions, IT services, cleaning services, logistics, printing services, telecommunications, debt collection, management consultancy and sales and marketing. Each provider in the [list in Annex I is a service provider/subcontractor](#). This list is updated regularly.

The data may also be disclosed to public bodies and institutions if there is a legal obligation (e.g. at the request of the tax authorities or judicial authorities).

Other data recipients may be the bodies for which you have consented to the transfer of your data.

4. Transfer of personal data to third countries

A transfer of personal data to organisations outside the European Union (hereinafter referred to as "third countries") takes place if:

- (a) such transfer is necessary for your booking and the running of your stay at the hotel,
- (b) this is required by law; or
- (c) you have given us your consent.

As [shown in the list in Annex I](#) , our company uses service providers that are based in a third country or belong to an international group that owns companies in third countries or cooperates with service providers that are based in a third country to perform certain tasks. The transfer of personal data to such service providers is permitted if the European Union considers the level of protection of the third country in question to be adequate (adequacy decision pursuant to Art. 45 GDPR). In the absence of such an adequacy decision by the European Commission, the company or the service provider may only transfer personal data to a third country or to an international organisation if appropriate safeguards are in place and effective legal remedies are available to the data subjects (Art. 46(1) GDPR). Apart from the cases mentioned above, our company does not transfer personal data to bodies in third countries or to international organisations.

5. Duration of storage of personal data and criteria for determining the duration of storage

We process and store your personal data for as long as it is required for the fulfilment of our contractual and legal obligations. When the data is no longer required for the fulfilment of our contractual obligations, it will be deleted on a regular basis, unless commercial or tax law obligations require further processing, which is associated with a longer retention period. We will not retain personal data for longer than is necessary, taking into account the purpose of the respective processing. In the event of complaints or threats or ongoing litigation, data may be retained for longer. Our managers will ensure that all applicable routines for deletion of personal data are followed. Please note that some laws require that certain types of information be retained for certain periods of time (e.g. we are required to retain data about hotel guests for a period of at least 7 years after their stay). Recordings from cameras are usually kept for one month.

6. Your data subject rights

Every data subject whose personal data are processed has the following data subject rights vis-à-vis the controller:

(a) Right to information according to Art. 15 GDPR

Pursuant to Art. 15 GDPR, you have the right to obtain from the controller information about the personal data concerning you.

(b) Right to rectification according to Art. 16 GDPR

Pursuant to Art. 16 GDPR, you have the right to request that the controller rectify your inaccurate personal data without undue delay.

(c) Right to deletion according to Art. 17 GDPR

Pursuant to Art. 17 GDPR, you have the right to demand from the controller that personal data concerning you be deleted without delay.

(d) Right to restriction of processing according to Art. 18 GDPR

According to Art. 18 GDPR, you have the right to request the controller to restrict processing under the conditions of Art. 18(1)(a) to (d) GDPR.

(e) Right to data portability according to Art. 20 GDPR

According to Art. 20 GDPR, you have the right to receive the personal data concerning you from the controller in a structured, common and machine-readable format.

(f) Right of objection according to Art. 21 GDPR

According to Art. 21 GDPR, you have the right to object to the processing of your personal data at any time for reasons arising from your particular situation, insofar as the processing is carried out on the basis of Art. 6 (1) p. 1 lit. e) or f) GDPR.

For more information on your right to object to processing pursuant to Article 21 GDPR, please refer to No. 9 of this Privacy Policy.

(g) Right of objection pursuant to Art. 7 (3) sentence 1 GDPR with regard to consent given

If the processing of your personal data is based on consent pursuant to Art. 6 (1) p. 1 lit. a) GDPR, which you have given us voluntarily, you have the right to revoke your consent pursuant to Art. 7 (3) p. 1 GDPR at any time. The revocation of consent pursuant to Article 7 (3) sentence 1 GDPR does not apply retroactively and therefore does not affect the lawfulness of the data processing up to the date of the revocation.

(h) Right to complain to a supervisory authority pursuant to Art. 77 GDPR

According to Art. 77 GDPR, you have the right to file a complaint with the competent supervisory authority.

7. Duty to provide data

Within the framework of the contract we have concluded with you, you are obliged to provide those personal data which are necessary for the conclusion and performance of the accommodation contract or which we are legally obliged to collect. Without this data, we are generally not in a position to conclude or fulfil this contract. In particular, we are required to collect a range of personal data as a result of the paragraph on residence registration in the registration form. If you do not provide us with the required information, we may not be able to provide all or part of the requested services.

8. Automated individual decision-making and profiling

The conclusion and performance of our contract do not involve any decisions based solely on automated processing - including profiling - which produce legal effects concerning you or similarly significantly affect you (cf. Art. 22 GDPR).

9. Further information on your right to object according to Art. 21 GDPR

You have the right to object, on grounds relating to your particular situation, to the processing of personal data relating to you which is carried out on the basis of Article 6(1)(e) GDPR (data processing for reasons of public interest) or Article 6(1)(f) GDPR (data processing in the context of a balancing of interests); this also applies to profiling within the meaning of Article 4(4) GDPR.

If you exercise your right to object, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms. This also applies if the processing demonstrably serves the assertion, exercise or defence of legal claims.

If we process personal data for advertising purposes, you have the right to object at any time to the processing of personal data concerning you for the purposes of such advertising, including profiling, insofar as it is related to such advertising.

The objection is not subject to any formal requirements and is to be sent to the contact details mentioned above under point 1).

10. Video surveillance

a) Purpose of the processing and legal basis

Video surveillance is used to exercise our house rights, to prevent criminal offences (e.g. damage to property or theft) and to obtain prosecution. The legal basis for video surveillance is our legitimate interest according to Art. 6 para. 1 p. 1 lit. f) GDPR. The overriding legitimate interests of our company result from our obligation to ensure a safe stay at the hotel for our guests. Furthermore, we have a legitimate interest in enforcing our material and immaterial claims against third parties. Furthermore, we also have a legitimate interest in exercising our rights and defending ourselves against unjustified claims.

b) Persons concerned

The group of persons affected by the video surveillance measure are the following categories: Guests, visitors, employees of the Steigenberger Icon Wiltcher's, employees of contractors, service providers and other persons who are in the area of the video surveillance.

c) Duration of the storage of personal data

If a recording of the surveillance sequences is made, the corresponding recordings are deleted after 30 days at the latest. After this retention period has expired, only the data that is required to clarify specific incidents or to enforce claims based on a specific event (e.g. a criminal offence) is retained. This data is also deleted after the purpose for which it was stored has ceased to exist.

d) Recipient categories

Possible recipients of the data are law enforcement authorities as well as persons or companies we commission to exercise our rights (e.g. lawyers). We do not intend to transfer the data to a third country or an international organisation.

e) Rights of the data subjects

Depending on the processing and the legal basis, you have various possibilities to control your personal data: Right to access your data; Right to rectify your data; Right to object to the processing of your personal data; Right to restrict the processing of your data; Right to erase your

data; Right to withdraw your consent. We refer to the explanations on the individual data subject rights under point 6. To exercise these rights, please use our contact details above (see point 1).

f) Further information on your right to object in accordance with Article 21 GDPR.

You have the right to object to the processing at any time on grounds relating to the specific situation of video surveillance. If you object, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms. This also applies if the processing demonstrably serves the assertion, exercise or defence of legal claims. The objection is possible informally and must be addressed to the contact details above.

11. Newsletter and advertising

a) Newsletter

Our newsletter informs you regularly about offers and services of the hotels of the Deutsche Hospitality Group, depending on the preferences you have indicated.

If you would like to receive the newsletter by e-mail, we require a valid e-mail address from you. We use the so-called double opt-in procedure to register for our newsletter. After registration, we will send you an e-mail to the e-mail address you have provided in which we ask you to confirm that you would like to receive our newsletter. If you fail to confirm your subscription within two weeks, your information will be blocked and automatically deleted after one month. We also store the IP addresses you use and the date and time of registration and confirmation. This serves as proof of your registration and, if necessary, to clarify any possible misuse of your personal data.

As a subscriber to the newsletter, you have the right to revoke your consent to the processing of your e-mail address for the purpose of receiving the newsletter by e-mail at any time. The revocation can be made via the corresponding link in each newsletter.

b) Advertising

We reserve the right to send our guests offers from our range of services by e-mail as a promotional measure. With these promotional measures, we want to provide our guests with targeted individual offers based on a past booking or transaction or an existing customer relationship.

We may process your personal data, which you provide to us when making a booking, within twelve months of a past transaction in order to send you advertising. If you do not make a new booking or other transaction within this period, your personal data will no longer be processed for promotional purposes and will be deleted, unless you have subscribed to a newsletter or in cases where your personal data must be retained due to another regulation.

You can object to the use of your e-mail address for the sending of advertising at any time without incurring any costs other than the transmission costs according to the basic rates. Further information on exercising your right to object to the use of your e-mail address for direct marketing purposes can be found in this chapter of this privacy policy.

12. Right of appeal to the authority

You have the right to lodge a complaint with a supervisory authority if you believe that the processing of your personal data is not permitted under data protection law. The complaint to the supervisory authority can be submitted informally. In Belgium, the competent supervisory authority is:

Data protection authority
Pressestraat 35 / Drukpersstraat 35
1000 Bruxelles / Brussel

Phone: +32 (0)2 274 48 00
E- Mail: contact@apd-gba.be

Annex I: List of service providers/subcontractors

	Name of the sub-contractor	Country	Processing keywords
Subcontractor	ACCESS AG	Belgium	Management and maintenance of the hotel's security facilities; management, support and maintenance of the CCTV system.
Subcontractor	Direct Way	Belgium	Offering transport/transfer services to our customers Direct Way may access certain data with the consent of STAG Belgium.
Subcontractor	Opera	Germany	Administration of the customer database
Subcontractor	Six Payment	Germany	Management of the payment system for credit cards and terminals
Subcontractor	Deutsche Hospitality Steigenberger Hotels GmbH	Germany	Management of the hotel via the parent company
Subcontractor	Planet Payment (3C Payment)	Germany	Management of the payment system for credit cards and terminals
Subcontractor	Alliance	Belgium	Insurance for clients' cars
Subcontractor	Amlin	Belgium	Civil liability