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## GUEST PRIVACY POLICY


### Information Obligation

This document ("**Guest Privacy Policy**") has been prepared by PHH Hotele spółka z ograniczoną odpowiedzialnością (hereinafter referred to as "**Controller**" or "**we**" or "**PHH Hotele**")

The purpose of this Privacy Policy is to provide information about the terms, conditions and rules applied to the processing of personal data of guests using the services of hotels and facilities managed by PHH Hotele sp. z o.o.

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## 1. Data Controller

The Controller of your personal data is PHH Hotele Sp. z o.o. with its registered office in Warsaw, ul. Żwirki i Wigury 1, 00-906 Warszawa, entered in the Register of Entrepreneurs of the National Court Register kept by the District Court for the Capital City of Warsaw in Warsaw, XIV<sup>th</sup> Economic Department of the National Court Register under the number 0000219989, NIP: 6762278406, Regon: 356882180, share capital: PLN 132,155,842.

## 2. Contact with the Data Controller

In matters relating to the processing of your personal data by the Controller, including the exercise of your rights, we invite you to contact the Controller by e-mail at [iod@phh.pl](mailto:iod@phh.pl), or at postal address: Data Protection Officer, Polski Holding Hotelowy sp. z o.o. with its registered office at ul. Komitetu Obrony Robotników 39G, 02-148 Warszawa.

## 3. Legal basis and purposes of data processing

The processing of your personal data is carried out for at least one of the following purposes:

- a) on the basis of Article 6(1)(b) of GDPR, as necessary for the performance of the contract for hotel services to which you are a party;
- b) on the basis of Article 6(1)(a) of GDPR and Article 9(2)(a) of GDPR in order to avoid negative health effects as a result of an allergic reaction to the meals served and to meet special needs in the hotel service provided adapted to the degree of disability,
- c) on the basis of Article 6(1)(c) of GDPR, as necessary to perform a legal obligation incumbent on the Controller, in particular to ensure compliance of the Controller's activities with the applicable financial, accounting, tax and statistical regulations, exercise of rights under the GDPR and consumer rights;
- d) on the basis of Article 6(1)(f) of GDPR, in order to realize the legitimate interests pursued by the Controller (protection of persons and property, establishment, pursuing and defense of possible claims, providing commercial information and conducting direct marketing, i.e. sending advertising and promotional offers in a form other than that indicated in point (f) below);
- e) on the basis of Article 6(1)(f) and Article 9(2)(f) of GDPR, in order to establish, pursue or protect claims, related to the specific (sensitive) data processed;
- f) on the basis of a separately granted consent and Article 10(2) of the Act on Provision of Electronic Services of July 18, 2002 (i.e. Journal of Laws of 2017, item 1219 as amended) or Article 172 of the Act of July 16, 2004, Telecommunications Law (i.e., Journal of Laws of 2017, item 1907 as amended) – for the purpose of sending commercial information

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(sending advertising and promotional offers) by an e-mail or telephone using terminal equipment.

#### 4. Processing of sensitive personal data

Certain categories of personal data are considered sensitive under data protection laws and as such are subject to a higher level of protection and security. According to the regulations, the following categories of personal data are considered sensitive: (1) race or ethnicity; (2) political views; (3) religious or philosophical beliefs; (4) trade union membership; (5) sex life or sexual orientation; (6) physical or mental health or conditions; and (7) genetic and biometric data. The Controller does not collect and process your sensitive data, except when you provide this data yourself, e.g. in connection with a request to customize hotel services according to your needs and preferences, and only when permitted by law.

#### 5. Source of personal data

The data are obtained directly from you, but may also be obtained from a person making a reservation on your behalf, family members, your employer, from the franchisor's reservation system, or by an intermediary in booking a hotel or facility, such as hotel booking portals or through travel agencies.

The data we may process include: full name, address, including country of residence, e-mail, phone number, dates and places of use and type of services; in the event of payments for services by credit card: type, card number and expiration date, amount and date of transaction, transaction confirmation number, user's name, sometimes user's signature, user's address; in the event of payments for services by bank transfer: amount and date of transaction, bank account number, account holder's full name, health data (if you consented to their processing), VAT number, name of business and its address, image.

#### 6. Recipients and categories of recipients of personal data

Your personal data may be transferred to the following recipients:

- a) persons authorized by the Controller, employees and associates, members of the Controller's bodies who need to have access to personal data in order to perform their duties,
- b) service providers, including those supplying the Controller with technical and organizational solutions to manage the Controller's organization (in particular, providers of ICT, postal, shipping, legal, accounting, auditing, data security and storage as well as legal and tax and accounting services), on the basis of relevant data processing agreements; entities that support the Controller
- c) Franchisors.

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## 7. Data transfer to third countries

In the event of transferring of your data to the franchisor or franchisor's group company located in the United States (or any other so-called "third country" not providing an adequate level of protection), in connection with the central booking system for hotel services, service quality control of the hotel services and facilities implemented by the franchisor, control of franchise fees, assessment of your satisfaction with hotel services, your participation in the franchisor's loyalty program, the Controller will transfer the data using mechanisms that comply with applicable law, which include, among others, the EU "Standard Contractual Clauses" and applying possible additional safeguards. The transfer of data in accordance with the preceding sentence is necessary for the conclusion and performance of the contract.

## 8. Data retention period

The Controller stores your personal data:

- a) for the purposes of contract performance and service provision – data will be kept for the duration of the execution, duration and performance of the contract concluded with you for the provision of hotel services,
  - b) for the purposes of possible establishment, pursuing and defense of claims – for the period specified by law for the statute of limitations for the particular type of claim,
  - c) for the purposes of performing legal obligations – for the time required by applicable law or until such obligations are fulfilled, not longer than the time during which the Controller may suffer legal consequences of non-fulfillment of the obligation,
  - d) for the purpose of protection of persons and property – for a period of 30 days after the end of the stay at the hotel, unless the video surveillance equipment has recorded an event related to the violation of the security of persons and property – in which case the data storage period may be extended by the time necessary to complete the proceedings whose subject is the event recorded by the video surveillance,
  - e) for the purpose of providing commercial information and conducting direct marketing, i.e. sending advertising and promotional offers – until the withdrawal of the consent or filing an objection, but no longer than for a period of 3 years from the date of provision of the data,
- with effect calculated at the end of the calendar year in question.

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## 9. Your entitlements

(a) Access to personal data. You may exercise your right to access your data at any time.

(b) Correction and completion of data. You have the right to request the Controller to promptly correct your personal data that are incorrect, as well as to request the completion of incomplete personal data.

(c) The right to erasure. You have the right to request the Controller to immediately delete your personal data in any of the following cases:

- personal data are no longer necessary for the purposes for which they were collected or otherwise processed;
- personal data are processed illegally;
- when personal data must be deleted in order to comply with a legal obligation under European Union or Polish law.

However, the Controller will not be able to delete your personal data to the extent that the processing is necessary (i) to exercise your right to freedom of expression and information, (ii) to comply with a legal obligation requiring processing under European Union or Polish law, (iii) to establish, pursue or defend claims.

(d) The right to restrict data processing. You have the right to request the Controller to restrict processing in cases where:

- you question the accuracy of your personal data – for a period that allows the Controller to verify the accuracy of the data;
- processing is unlawful, and you object to the deletion of your personal data, requesting instead a restriction on their use;
- the Controller no longer needs the personal data for the purposes of processing, but the data are needed by the data subject to establish, pursue or defend claims.

(e) The right to withdraw consent. To the extent that the processing of your data is based on your consent, you have the right to withdraw your consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent given before the withdrawal.

(f) The right to data portability. You have the right to receive from the Controller, in a structured, commonly used machine-readable format, your personal data that you have provided in connection with your use of hotel services. You also have the right to send this personal data to another controller.

(g) The right to complain. You have the right to lodge a complaint about the processing of personal data by the Controller to the supervisory authority, which in Poland is the President of the Personal Data Protection Office.

The rights referred to in items a)-g) above can be exercised by contacting the Controller.

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## 10. Information on the existence of an obligation to provide data

Your provision of personal data is necessary for the conclusion and performance of the contract with PHH Hotele and incomplete provision of such data may result in not receiving all the benefits offered by our network of hotels and facilities.

## 11. Automated decision making

The Controller does not perform automated decision-making, including profiling, based on the personal data you provide.