

Privacy policy of Hotel UTO KULM AG

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1. WHAT IS THIS PRIVACY POLICY ABOUT?

Hotel UTO KULM AG, Uetliberg ("UTO KULM"), collects and processes personal data, in particular personal data about our guests, associated persons, contracting parties, visitors to our website, event participants, recipients of newsletters and other bodies or their respective contact persons and

employees (hereinafter also referred to as "**you**"). We provide information about this data processing in this privacy policy. In addition to this privacy policy, we may inform you separately about the processing of your data (e.g. in the case of forms or contractual conditions).

If you provide us with data about other persons (e.g. family members), we assume that you are authorised to do so, that this data is correct and that you have ensured that these persons have been informed about this disclosure where a legal obligation to provide information applies, (e.g. by bringing this data protection declaration to their attention in advance).

2. WHO IS RESPONSIBLE FOR PROCESSING YOUR DATA?

The data controller is responsible for the processing described in this privacy policy:

Hotel UTO KULM AG
Uetliberg 652
8143 Uetliberg
info@utokulm.ch

3. WHAT CATEGORIES OF DATA DO WE PROCESS?

We process various categories of personal data about you. The most important categories are as follows:

- **Master data:** This is general personal data such as name, contact details, personal data, photos, guest history, authorisations, declarations of consent and information about your relationship with us (e.g. guest, supplier) as well as information about third parties (e.g. contact persons).
- **Contractual and financial data:** This is data that we obtain and process as part of the provision of our services and when concluding contracts, such as data on contractual services or concerning the provision of services, feedback (e.g. information on customer satisfaction) and on processing (e.g. customer care) as well as data in connection with the initiation and conclusion of contracts, or financial data (e.g. creditworthiness).
- **Communication data:** This is data that arises in connection with communication between us and third parties (e.g. by email, telephone, letter or other means of communication). This includes, for example, the content of e-mails or letters, your contact details and electronic communication edge data.
- **Registration data:** This is data (e.g. user name, e-mail) you provide to us as part of a registration process (e.g. an online registration, such as registering for a newsletter), as part of entering a competition or when you redeem our vouchers. This also includes access data collected as part of access controls.
- **Technical data:** This is data that is generated as part of the use of our electronic services (e.g. website), such as IP address, information about the operating system of your end device, the region and the time of use. Technical data alone cannot draw any conclusions about your identity. However, it can be linked to other data categories (e.g. registration data) and thus possibly also to your person.
- **Behavioural and preference data:** This is data about your behaviour and preferences, such as responses to electronic communications, website navigation, interactions with our social media profiles and details of participation in competitions or events etc. We may also supplement and link this with data from third parties (e.g. from publicly available sources).

- **Applicant data:** This is data which we process as part of applications we receive and which is contained in your application documents among other things, such as professional background, training, further education and references. We may also obtain data from public sources, such as job-related social networks, the internet or the media.
- **Other data:** This includes, in particular, data that is processed in connection with official or judicial proceedings (e.g. files, evidence, etc.), data that is collected for the purpose of health protection (eg. protection procedures), photos, videos or audio recordings that we produce or receive from third parties and in which you are recognisable (e.g. at events, through security cameras, etc.), access data or rights (e.g. visitor lists) and event participation.

4. FOR WHAT PURPOSE DO WE PROCESS EACH CATEGORY OF YOUR DATA?

When you use our services, **visit our website www.utokulm.ch** (hereinafter "**website**") or otherwise deal with us, we process various categories of your personal data (see Section 3. 3). In particular, we may obtain and process this data for the purposes of:

- **Communication:** We process your data in order to communicate with you and third parties by e-mail, telephone, letter or otherwise (e.g. to respond to enquiries, as part of a consultation or to initiate or process a contract). If we need or want to establish your identity, we collect additional data (e.g. a copy of an identity document).
- **Initiation, conclusion, administration and fulfilment of contracts:** We process personal data in connection with the provision of our services (e.g. hotel and catering) or the initiation, conclusion, administration or processing of contracts with our customers or other contractual partners (e.g. suppliers, service providers, project partners). This includes processes to check creditworthiness, the ability to provide customer support and to fulfil contractual services (which also includes the involvement of third parties). This also includes the enforcement of legal claims arising from contracts (debt collection, legal proceedings, etc.), accounting, the termination of contracts and public communication.
- **Relationship management and marketing:** We process your personal data to maintain relationships and for marketing purposes, namely to send our guests, other contractual partners and other interested parties personalised advertising (e.g. on our website, as printed matter, by email or via other channels) about products, services and other news from us and from third parties (e.g. from product partners) and in connection with free services (e.g. invitations, vouchers) or as part of individual marketing campaigns (e.g. events, competitions). You can refuse such contact at any time or withdraw your consent to being contacted for advertising purposes by notifying us (see contact details in section 2. 2) or revoke your consent.
- **Market research, improvement of our services and operations, and product development:** In order to continuously improve our services (including our website), we

collect data about your behaviour and preferences, for example by analysing how you navigate through our website, how you interact with our social media profiles, which services are requested and used by what groups of people and in what way. If necessary, we may supplement this information with data from third parties (including from publicly accessible sources).

- **Operation of our website:** In order to operate our website securely and in a stable manner, we also process personal data (in particular technical data). For further information, see para. 9.
- **Registration:** In order to access certain offers and services (e.g. login areas, free WLAN, newsletter), you must register either directly with us or via our external login service providers. For the purpose of this access, we process data provided during the registration process. We may also collect personal data about you while you are using the offer or service.
- **Security purposes and access controls:** We obtain and process personal data in order to ensure and continuously improve the appropriate security of our IT and other infrastructure (e.g. buildings). This includes monitoring and controlling electronic access to our IT systems and physical access to our premises, analyses and tests of our IT infrastructures, system and error checks and the creation of backup copies. For documentation and security purposes (to prevent and to investigate incidents), we also keep access logs and lists of visitors in relation to our premises and we use surveillance systems (e.g. security cameras).
- **Compliance with laws, orders and recommendations from authorities and internal regulations ("compliance"):** We may process personal data in the context of compliance with laws (e.g. combating money laundering, tax obligations or for the implementation of health and safety procedures). In addition, data may be processed during internal and external investigations (e.g. by a law enforcement body, supervisory authority or an authorised private body). Legal obligations may relate to Swiss law, but also to foreign regulations to which we are subject, as well as to self-regulation, industry standards, our own corporate governance and official instructions and requests.
- **Risk management and corporate governance:** We obtain and process personal data as part of risk management (e.g. to protect against criminal offences) and corporate governance. This includes our business organisation (e.g. resource planning) and corporate development (e.g. acquisition and sale of business units or companies).
- **Job applications:** If you apply for a job with us, we obtain and process relevant data for the purpose of checking the application, carrying out the application procedure and, in the case of successful applications, for the preparation and conclusion of a contract.
- **Other purposes:** Other purposes include, for example, training and education, administrative purposes (e.g. bookkeeping) or the organisation of events. We may also process personal

data in relation to the organisation, implementation and any follow-up after events, such as participant lists, the content of presentations and discussions, and image and audio recordings made during these events. Other purposes include the protection of other legitimate interests, which cannot be listed exhaustively.

5. WHERE DOES THE DATA COME FROM?

- **From you:** You (or your end device) provide us with much of the data we process (e.g. in connection with our services, the use of our website or communication with us). You are not obliged to disclose your data, with exceptions in individual cases (e.g. legal obligations). However, if you wish to conclude contracts with us or utilise our services, for example, you must disclose certain data to us .
- **From third parties:** We may also obtain data from publicly accessible sources (e.g. debt collection registers, land registers, commercial registers, media or the Internet including social media) or receive such data from (i) public authorities, (ii) your employer or client who either has a business relationship with us or is otherwise involved with us, as well as from (iii) other third parties (e.g. credit agencies, data brokers, associations, contractual partners and internet analysis services). This includes the following categories in particular: General personal data (master data), contract data and other data, but also all other categories of data in accordance with para. 3 as well as data from correspondence and meetings with third parties. If you work for an employer or client or someone else who has a business relationship with us or is otherwise in contact with us, they may also provide data about you to us.

6. TO WHOM DO WE DISCLOSE YOUR DATA?

In connection with the measures described in para. 4 we may transfer your personal data to the following categories of recipients in particular:

- **Service providers:** We work with service providers in Switzerland and abroad who (i) process data on our behalf (e.g. IT providers), (ii) process data for which we are jointly responsible or (iii) process data for which they are solely responsible, which they have received from us or collected for us.
- **Customers and other contractual partners:** First of all this refers to customers and other contractual partners of ours for whom the transfer of your data is as a result of a contract (e.g. because you work for a contractual partner or they provide services for you). This category of recipient also includes contractual partners with whom we co-operate or who advertise for us. The recipients generally process data for which they are solely responsible.
- **Authorities:** We may pass on personal data to offices, courts and other authorities in Switzerland and abroad if we are legally obliged or authorised to do so or if this appears

necessary to protect our interests. These recipients process data for which they are solely responsible.

- **Other persons:** This refers to cases where the inclusion of third parties arises from the purposes set out in para. 4. This applies, for example, to recipients or payment recipients specified by you, third parties in the context of agency relationships (e.g. your lawyer or your bank) or persons involved in official or court proceedings. If we co-operate with the media and transmit material to them (e.g. photos), you may also be affected. As part of our corporate development, we may sell or acquire businesses, parts of businesses, assets or companies or enter into partnerships, which may also result in the disclosure of data (including from you, e.g. as a guest or supplier or as their representative) to the persons involved in these transactions. In the course of communication with our competitors, industry organisations, associations and other bodies, data relating to you may also be exchanged.

All these categories of recipients may in turn involve third parties, so that your data may also become accessible to them. We can restrict processing by certain third parties (e.g. IT providers), but not by other third parties (e.g. authorities, banks, etc.).

We also enable certain third parties to collect personal data about you for which they are solely responsible from our website and at events organised by us (e.g. media photographers, providers of tools that we have integrated into our website, etc.). These third parties alone are responsible for data processing, unless we play a decisive role in these data collection activities. Please contact these third parties directly if you have any concerns or wish to assert your data protection rights.

7. IS YOUR PERSONAL DATA TRANSMITTED ABROAD?

We process and store personal data mainly in Switzerland and the European Economic Area (EEA), but in exceptional cases - for example via sub-processors of our service providers - potentially in any country in the world.

If a recipient is located in a country without adequate data protection, we contractually oblige the recipient to comply with an adequate level of data protection (we use the revised Standard Contractual Clauses of the European Commission, which can be accessed [here](#) ; including supplements

required for Switzerland), unless the recipient is already subject to a legally recognised set of rules to ensure data protection and we cannot rely on an exemption clause. In particular, an exception may apply in the case of legal proceedings abroad, but also in cases of overriding public interest; If the performance of a contract that is in your interest requires such disclosure, if you have given your consent, or if it is not possible to obtain your consent within a reasonable period of time and the disclosure is necessary to protect your life or physical integrity or that of a third party, or if you have made the data in question generally accessible and you have not objected to its processing. We may

also rely on an exception in relation to data from registers which are required by law (e.g. HR) to which we have been legitimately granted access.

8. WHAT RIGHTS DO YOU HAVE?

You have certain rights in connection with our data processing. In accordance with applicable law, you may in particular request information about the processing of your personal data, have incorrect personal data corrected, request the erasure of personal data, object to data processing, request the disclosure of certain personal data in a commonly used electronic format or its transfer to other controllers.

If you wish to exercise your rights against us, please contact us; you will find our contact details in Section. 2. So that we can rule out misuse, we must identify you (e.g. with a copy of your ID, if necessary).

Please note that conditions, exceptions or restrictions apply to these rights (e.g. to protect third parties or business secrets). We reserve the right to redacting copies for reasons of data protection or confidentiality or only to supply extracts.

9. HOW ARE COOKIES, SIMILAR TECHNOLOGIES AND SOCIAL MEDIA PLUG-INS USED ON OUR WEBSITE AND OTHER DIGITAL SERVICES?

When using our website (including newsletters and other digital offers), data is collected that is stored in logs (in particular technical data). We may also use cookies and similar technologies (e.g. pixel tags or fingerprints) to recognise website visitors, evaluate their behaviour and identify preferences. A cookie is a small file that is transmitted between the server and your system and enables a specific device or browser to be recognised.

You can set your browser so that it automatically rejects, accepts or deletes cookies. You can also deactivate or delete cookies in individual cases. You can find out how to manage cookies in your browser in the help menu of your browser.

Neither the technical data we collect nor cookies generally contain any personal data. However, personal data that we or third-party providers commissioned by us store about you (e.g. if you have a user account with us or these providers) may be linked to the technical data or to the information stored in and obtained from cookies and thus possibly to your person.

We also use social media plug-ins, which are small pieces of software that establish a connection between your visit to our website and a third-party provider. The social media plug-in informs the third-party provider that you have visited our website and may send the third-party provider cookies that it has previously placed on your web browser. For more information on how these third-party providers use your personal data collected via their social media plug-ins, please refer to their respective privacy policies.

We also use our own tools and third party services (which in turn may use cookies) on our website, in particular to improve the functionality or content of our website (e.g. integration of videos or maps), to compile statistics and to place adverts.

Some of the third-party providers we use may be located outside Switzerland. Information on the disclosure of data abroad can be found in Section **Fehler! Verweisquelle konnte nicht gefunden werden..** In terms of data protection law, some of them are "only" processors on our behalf and some are controllers. Further information on this can be found in the data protection declarations.

10. HOW DO WE PROCESS PERSONAL DATA ON OUR SOCIAL NETWORK PAGES?

We operate pages and other online presences on social networks and other platforms operated by third parties and process data about you in this context. In doing so, we receive data from you (e.g. when you communicate with us or comment on our content) and from the platforms (e.g. statistics). The providers of the platforms can analyse your use and process this data together with other data that they have about you. They also process this data for their own purposes (e.g. marketing and market research and to manage their platforms), and act as their own data controllers for this purpose. For further information on processing by the platform operators, please refer to the privacy policies of the respective platforms.

We currently use the following platforms; the identity and contact details of the platform operator can be found in the privacy policy:

- **Facebook**
www.facebook.com
Privacy Policy: www.facebook.com/privacy/policy
- **Instagram**
www.instagram.com
Privacy policy: <https://privacycenter.instagram.com/policy>
- **Youtube**
www.youtube.com
Privacy policy: <https://policies.google.com/privacy?hl=de>
- **LinkedIn**
www.linkedin.com
Privacy Policy: <https://de.linkedin.com/legal/privacy-policy>

We are authorised, but not obliged, to check third-party content before or after its publication on our online presences, to delete content without notice and, if necessary, to report it to the provider of the platform in question.

Some of the platform operators may be located outside Switzerland. Information on the disclosure of data abroad can be found in Section **Fehler! Verweisquelle konnte nicht gefunden werden..**

11. WHAT ELSE NEEDS TO BE CONSIDERED?

We assume that the EU General Data Protection Regulation ("GDPR") is generally not applicable in our case. However, should this apply in exceptional cases for certain data processing, this section 11 shall also apply exclusively for the purposes of the GDPR and the data processing subject to it.

We base the processing of your personal data in particular on the fact that:

- as described in para. 4 it is necessary for the initiation and conclusion of contracts and their administration and enforcement (Art. 6 para. 1 lit. b GDPR),
- it is necessary for the purposes of the legitimate interests pursued by us or by third parties as described in Section 3, in particular for communication with you or third parties, to operate our website, to improve our electronic offerings and registration for certain offerings and services, for security purposes, for compliance with Swiss law and internal regulations, for our risk management and corporate governance and for other purposes such as training and education, administration, preservation of evidence, quality assurance, organisation, implementation and follow-up of events and other legitimate interests (Section 4. 4) (Art. 6 para. 1 lit. f GDPR),
- it is required or permitted by law on the basis of our mandate or our position under the law of the EEA or a member state (Art. 6 para. 1 lit. c GDPR) or is necessary to protect your vital interests or those of other natural persons (Art. 6 para. 1 lit. d GDPR);
- you have separately consented to the processing, e.g. via a corresponding declaration on our website (Art. 6 para. 1 lit. a and Art. 9 para. 2 lit. a GDPR).

We would like to point out that we will process your data for as long as it is necessary for our **processing** purposes (see Section 4. 4), statutory retention periods and our legitimate interests, in particular for documentation and evidence purposes, or if storage is technically necessary (e.g. in the case of backups or document management systems). If there are no legal or contractual obligations or technical reasons to the contrary, we will generally delete or anonymise your data after the storage or processing period has expired as part of our normal processes and in accordance with our retention policy.

If you do not provide certain personal data, this may mean that it is not possible to provide the associated services or conclude a contract. As a matter of principle, we indicate if personal data requested by us is mandatory.

The procedure described in para. 8 applies in particular to data processing for the purpose of direct marketing.

If you do not agree with our handling of your rights or data protection, please let us know (see contact details in point. 2). If you are located in the EEA, you also have the right to lodge a complaint with the data protection supervisory authority in your country. A list of authorities in the EEA can be found here: https://edpb.europa.eu/about-edpb/board/members_de.

12. CAN THIS PRIVACY POLICY BE AMENDED?

This privacy policy is not part of any contract with you. We may amend this privacy policy at any time. The version published on this website is the current version.