

## **PRIVACY POLICY**

### **MOUNTAIN MED RESORT BETRIEBS GMBH**

The protection of your personal data is important to us. Personal data is any information relating to an identified or identifiable natural person. In this privacy policy, we explain how we process personal data within our company.

Please read this statement carefully. Our privacy policy is divided into the following sections:

- **Rights of data subjects**  
Here we explain which rights the people whose data we process are entitled to under data protection law.
- **Processing of personal data**  
Here we state which personal data we process from which groups of people, for what purpose we do this, how long we store the personal data and why the processing of the personal data is lawful.
- **Integration of third-party services and content**  
Here we explain which third-party services and content we use.
- **Protection of personal data**  
Here you can find out more about how we protect your personal data from unauthorized, unlawful or accidental access, processing, loss, use and manipulation.
- **Transmission of personal data**  
Here we provide information about our data processors and also state to whom we transfer data, apart from our data processors.
- **Updates to our privacy policy**  
Here you can find out how to stay informed about updates to our privacy policy.
- **Person responsible**  
Here you can find contact information about us.

## **1. RIGHTS OF DATA SUBJECTS**

### **RIGHT OF ACCESS (ARTICLE 15 GDPR)**

Upon request, we must provide you with information about the personal data processed and the purpose of the processing within one month.

### **RIGHT TO RECTIFICATION (ARTICLE 16 GDPR)**

If the data is incorrect or incomplete, you can request that it be corrected.

### **RIGHT TO ERASURE (ARTICLE 17 GDPR)**

We must delete data if it is no longer necessary for the purposes of processing, if you withdraw your consent (unless there is another, additional basis for permission to process it) or if the data has been processed unlawfully.

### **RIGHT TO RESTRICTION OF PROCESSING (ARTICLE 18 GDPR)**

You can request that processing be restricted if, for example, your data should only be used for specific purposes.

### **RIGHT TO DATA PORTABILITY (ARTICLE 20 GDPR)**

You can request that the data processed by you be received in a structured, common and machine-readable format and that it be transmitted to other responsible parties.

### **RIGHT TO OBJECT (ARTICLE 21 GDPR)**

You can object to processing based on a public interest or our legitimate interest.

### **RIGHT OF WITHDRAWAL (ARTICLE 7 (3) GDPR)**

You can revoke your consent at any time and without giving reasons for the future. You can do so by sending a message to our email address [datenschutz@mountmedresort.com](mailto:datenschutz@mountmedresort.com) or send a letter to the postal address of our data protection officer, RA Dr. Stefan Warbek, Schöpfstraße 15, A-6020 Innsbruck .

### **COMPLAINT TO THE DATA PROTECTION AUTHORITY (ARTICLE 77 GDPR)**

If you believe that the processing of personal data concerning you violates the GDPR, you have the right to lodge a complaint with a supervisory authority (in Austria this is the Data Protection Authority; in Germany this is the respective data protection supervisory authority in your federal state).

Further details on these rights can be found in the English version of the GDPR at the following link: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679>.

Please note that to exercise these rights, you must provide appropriate proof of your identity. Without this proof, there is a risk that unauthorized persons could access or dispose of your data.

## **2. PROCESSING OF PERSONAL DATA**

We generally collect personal data from the following groups of people:

### **GUESTS/PATIENTS**

We process the following data from our guests:

- Personal master data
- (name, (billing) address, date of birth, social security number, academic degree, occupation/education, gender, nationality, code name, health, vehicle registration number)
- Contact details  
(telephone number, email address)
- Contract master data  
(booked date, room)
- Customer history  
(historical addresses, previous stays)
- Contract billing and payment data  
(payment receipts, invoices (including for medical services), means of payment, direct debit authorizations, bank transactions, credit cards)
- Image data (video recordings, photos)
- Other data  
(notes, correspondence, documents, comments)

The processing serves the purpose of processing bookings and orders relating to our range of services.

Providing the above-mentioned data is necessary to conclude a contract. If this data is not provided, we cannot conclude a contract with you.

We will store the above-mentioned data for at least 7 years (as provided for in Section 132 of the Federal Fiscal Code (BAO)), or for a maximum of 30 years (statute of limitations).

The legal basis for data processing is the performance of a contract pursuant to Art. 6 (1) (b) GDPR, the consent of the data subject pursuant to Art. 6 (1) (a) GDPR, and our

legitimate interest pursuant to Art. 6 (1) (f) GDPR. Our legitimate interest lies in the above-mentioned purpose.

## **GUESTS – HEALTH-RELATED DATA**

We process the following health-related and therefore special categories of personal data from our guests:

- Contract master data with medical reference  
(assigned persons, equipment, medical history form, booked package, appointments, treatment contract, invoices, accounting for medical services)
- Health-related data  
(Diagnoses and measurements, treatments, examination results, weekly schedule, services provided, nutritional program, nutritional level, additional services booked, price for additional services, documentation of consultations, reason for treatment, initiator of treatment, medical condition during treatment, special risk factors (e.g. allergies), medical history and associated findings, (suspected) diagnoses during the course of treatment, description of the course of the disease, data on the prescription, dispensing and use of medicines, medical devices and aids)
- Diagnostic results  
(Laboratory diagnostics: standard blood laboratory, urinalysis; vital sign diagnostics: pulse oximetry, blood pressure measurement, 3D body composition analysis; cardiovascular diagnostics; Mylife Changer Metabolic Testing; blood, tissue, or other samples taken)
- Data from holistic services  
(Services, assigned therapist, treatment documentation including photo documentation)

The processing serves the purpose of processing bookings and orders relating to our range of services.

Providing the above-mentioned data is necessary to conclude a contract. If this data is not provided, we cannot conclude a contract with you.

We will store the above-mentioned data for at least 7 years (as provided for in Section 132 of the Federal Fiscal Code (BAO)), or for a maximum of 30 years (statute of limitations).

The legal basis for the processing of the data is the consent of the data subject in accordance with Art. 7 (2) (a) GDPR, the individual provision of healthcare in accordance with Art. 7 (2) (h) GDPR and the pursuit of legal claims in accordance with Art. 7 (2) (f) GDPR.

Medical services are provided exclusively by physicians who, as their own controllers, process the documents they compile. These physicians submit their own privacy statements.

### **FINE DINING GUESTS**

We process the following data from our guests:

- First & Last Name
- Billing address
- Telephone number
- e-mail address
- Academic degree
- Gender
- vehicle registration number
- Remarks, notes
- booked date
- booked offer
- Invoices
- Means of payment
- Credit cards
- correspondence
- Documents, if applicable

The processing serves the purpose of processing orders relating to our own range of services.

Providing the above-mentioned data is necessary to conclude a contract. If this data is not provided, we cannot conclude a contract with you.

We will store the above-mentioned data for at least 7 years (as provided for in Section 132 of the Federal Fiscal Code (BAO)), or for a maximum of 30 years (statute of limitations).

The legal basis for data processing is the performance of a contract pursuant to Art. 6 (1) (b) GDPR, the consent of the data subject pursuant to Art. 6 (1) (a) GDPR, and our

legitimate interest pursuant to Art. 6 (1) (f) GDPR. Our legitimate interest lies in the above-mentioned purpose.

#### **BUSINESS PARTNERS, DOCTORS**

We process the following data from our business partners:

- Company details  
(name, address, company information, VAT number, contact person)
- Personal master data  
(name, address, date of birth)
- Contact details  
(telephone, mobile, fax, email address)
- Contract master data  
(special agreements, discounts)
- Other data  
(notes, correspondence, documents)
- Services provided  
(treatments performed, fees, treatments to be billed, outstanding fees)

The processing of business partner data is carried out for the purpose of fulfilling the obligations arising from the business relationship with our business partners.

Providing the above-mentioned data is necessary to conclude a contract. If this data is not provided, we cannot conclude a contract with you.

We will store the above-mentioned data for at least 7 years (as provided for in Section 132 of the Federal Fiscal Code (BAO)), or for a maximum of 30 years (statute of limitations).

The legal basis for this is the fulfillment of a contract in accordance with Art. 6 (1) (b) GDPR and the fulfillment of a legal obligation in accordance with Art. 6 (1) (c).

#### **SUPPLIERS**

We process the following data from our suppliers:

- Company details  
(name, address, company information, VAT number, name of contact person)
- Contact details  
(telephone, mobile, fax, email address)
- Contract master data  
(special agreements, discounts)
- Other data

(notes, correspondence, documents)

Supplier data is processed for the purpose of fulfilling the obligations arising from the business relationship with our suppliers.

Providing the above-mentioned data is necessary to conclude a contract. If this data is not provided, we cannot conclude a contract with you.

We will store the above-mentioned data for at least 7 years (as provided for in Section 132 of the Federal Fiscal Code (BAO)), or for a maximum of 30 years (statute of limitations).

The legal basis for this is the fulfillment of a contract in accordance with Art. 6 (1) (b) GDPR and the fulfillment of a legal obligation in accordance with Art. 6 (1) (c).

## **EMPLOYEES**

We process the following data from our employees:

- Master data  
(name, address, email, date of birth, telephone/mobile)
- Bank details
- Social security number
- Profession/Education
- Academic degree
- Gender
- Place of birth
- nationality
- Marital status
- Number of children
- disability
- Driving license type
- CV
- Training
- Insurance data extract
- School & final certificates
- Service certificates
- Single earner/parent
- commuter
- Salary
- religion

- Sick leave, care leave
- Holidays, special leave
- Pregnancy announcements
- Work accident reports
- Image data (photos and videos)
- Emergency contact person (name, relationship, email, phone)
- Training
- Short description of the training
- vehicle registration number
- Other skills
- Language skills
- PC skills
- Area of application

The processing serves the purpose of employee administration and payroll accounting. The above data will be stored until the basis for processing no longer applies.

The legal basis for data processing is the performance of a contract pursuant to Art. 6 (1) (b) GDPR, the consent of the data subject pursuant to Art. 6 (1) (a) and Art. 9 (1) (a) GDPR, and our legitimate interest pursuant to Art. 6 (1) (f) GDPR. Our legitimate interest lies in the above-mentioned purpose.

#### **APPLICANTS**

We process the following data from our applicants:

- Personal master data  
(name, gender, address, date of birth, contact details (e.g. telephone, mobile, email address))
- Social security number
- desired employment
- Profession/training, further education
- Stays abroad
- Professional experience
- photo
- Knowledge, skills
- Academic degree
- Gender
- Place of birth
- nationality



- Marital status
- Number of children
- disability
- Driver's license
- Military service
- CV
- School & final certificates
- Service certificates
- religion

The processing serves the purpose of using and keeping records of applications for the internal or external recruitment of employees.

We will store the above data for 6 months.

The legal basis for the processing of the data is our legitimate interest in accordance with Art. 6 (1) (f) GDPR and the consent of the data subject in accordance with Art. 6 (1) (a) and Art. 9 (1) (a) GDPR.

#### **NEWSLETTER RECIPIENTS**

We process the following data from our newsletter recipients:

- E-mail address
- Title, if specified
- First name, if given
- Last name, if specified
- Selected interests

The processing serves the purpose of informing users, interested parties, and business partners. We will store the above-mentioned data until you unsubscribe from the newsletter. You can unsubscribe from the newsletter at any time.

The legal basis for this data processing is the consent of the data subject pursuant to Art. 6 (1) (a) GDPR. Consent is given by consenting to the newsletter dispatch directly upon registration for the newsletter dispatch, as well as by renewed consent following registration after receiving an automated email, which the data subject receives after registration.

### **3. VIDEO SURVEILLANCE**

Several video cameras are installed at the controller's location. Video surveillance particularly affects all entrances to the hotel, hotel-owned areas outside the hotel, publicly accessible rooms and open spaces within the hotel building, as well as the kitchen, garages, swimming pool, and similar areas. These surveillance measures serve the preventive protection of the property, integrity, and safety of our hotel guests, customers, our business, and our employees. Surveillance is conducted exclusively to the extent absolutely necessary and is also limited in time. Recordings are stored for a maximum of 72 hours, unless circumstances warrant a longer storage period.

### **4. PROTECTION OF PERSONAL DATA**

Your personal data is protected by appropriate organizational and technical measures. These measures particularly concern protection against unauthorized, unlawful, or accidental access, processing, loss, use, and manipulation.

Despite our efforts to maintain an appropriately high level of due diligence, we cannot rule out the possibility that information you provide to us via the Internet may be viewed and used by other persons.

Please note that we therefore assume no liability whatsoever for the disclosure of information due to errors in data transmission not caused by us and/or unauthorized access by third parties (e.g. hacker attacks on e-mail accounts or telephones, interception of faxes).

### **5. TRANSMISSION OF PERSONAL DATA**

#### **PROCESSOR**

We sometimes use processors to process personal data. We have concluded a data processing agreement with all of our processors in accordance with Article 28 (3) GDPR. We have also ensured that we only work with processors who have implemented appropriate technical and organizational measures to ensure data processing in compliance with the requirements of the GDPR and the protection of the rights of the data subjects.

We use software for medical data and the processing of medical services. With regard to the sensitive data processed, we would like to explicitly point out that we have

concluded a data processing agreement with this software provider, which also stipulates appropriate data security measures.

#### **TRANSMISSION TO THIRD PARTIES/DATA RECIPIENTS**

The personal data of guests mentioned under point 2 will be transmitted to the doctors working at our resort.

Depending on the circumstances, the personal data referred to in point 2 may also be transferred to the following third parties who are not our data processors:

- Tax authorities, social security institutions, courts, legal representatives, tax advisors, debt collection agencies, partners/suppliers
- Payment service providers
- Accounting service provider
- Shipping service provider

The legal basis for the transmission of data is the fulfillment of a contract pursuant to Art. 6 (1) (b) GDPR, the consent of the data subject pursuant to Art. 6 (1) (a) GDPR, and our legitimate interest pursuant to Art. 6 (1) (f) GDPR. Our legitimate interest lies in the above-mentioned purpose.

The legal basis for the transmission of the special category of data is the consent of the data subject in accordance with Art. 7 (2) (a) GDPR and the individual provision of healthcare in accordance with Art. 7 (2) (h) GDPR.

### **6. UPDATES TO THE PRIVACY POLICY**

We reserve the right to change this privacy policy at any time in compliance with applicable data protection regulations. You will always find the most current version on this page. Please visit this page regularly to stay informed about the current status of our privacy policy. If we make material changes to this privacy policy, we will notify you. This may be done by prominently posting a notice on our website, by direct notification, or by other appropriate means. If the changes require new processing of your personal data that is based on your consent, we will obtain your consent again before such changes take effect.

## **7. PERSON RESPONSIBLE**

You can reach us by email at [datenschutz@mountmedresort.com](mailto:datenschutz@mountmedresort.com) or by post to the attention of our data protection officer, Dr. Stefan Warbek, Schöpfstraße 15, A - 6020 Innsbruck.