

## Important legal information

Please read the following privacy policy carefully before proceeding. Persons who access the website [www.lenkerhof.ch](http://www.lenkerhof.ch) declare their agreement to the following conditions.

Hotel Lenkerhof AG, Badstrasse 20, 3775 Lenk (thereinafter "us") is the operator of the website [www.lenkerhof.ch](http://www.lenkerhof.ch) and is thus responsible for the collection, processing, and use of your personal data and for processing data in compliance with applicable data protection laws.

Responsible body for data protection:

**Hotel Lenkerhof AG**

Represented by: Jan Stiller

Badstrasse 20

3775 Lenk

[welcome@lenkerhof.ch](mailto:welcome@lenkerhof.ch)

## Privacy statement

Hotel Lenkerhof AG (Badstrasse 20, 3775 Lenk, Schweiz), an Institute of Swiss Public Law (CHE-100.919.033), operates the website [www.lenkerhof.ch](http://www.lenkerhof.ch) and is therefore responsible for the collection, processing and use of your personal data and the compliance of the said data processing with Swiss law.

Your trust is important to us; therefore, we take data protection seriously and take care to provide proper security. In doing so, as a matter of course we comply with the legal provisions of the Swiss Federal Act on Data Protection (FADP), the Swiss Ordinance to the Federal Act on Data Protection (OFADP), the Swiss Telecommunications Act (TCA) and other applicable data protection provisions under Swiss or EU law, in particular the General Data Protection Regulation (GDPR).

Please read the following information to know what personal information we collect from you and for what purpose we use it.

## 1. Processing data in connection with our website

### 1.1. Accessing our website [www.lenkerhof.ch](http://www.lenkerhof.ch)

When you visit our websites, our server temporarily stores each access in a protocol file. The following technical data is recorded automatically at that time, as is usually the case when you connect to any web server, and stored by us until the next automatic erasure after no more than 12 months:

- The IP address of the computer sending the query
- The date and time of access
- The name and URL of the file accessed
- The operating system of your computer the browser you used
- The website from which access was gained (referrer URL) with the search term used if applicable
- Your user name if you registered/logged in

This data is collected and processed to allow users to use our websites (to establish a connection), to ensure permanent system security and stability, to enable us to optimise our online offering and for internal statistical purposes. This is the basis for our legitimate interest in processing the data within the meaning of Art. 6 para. 1 letter f GDPR.

The IP address is also analysed together with the other data to investigate and prevent attacks on our network infrastructure or other unauthorised use or abuse of the websites and, if applicable, during criminal proceedings for identifying and prosecuting the relevant users under civil and criminal law. This

is the basis for our legitimate interest in processing the data within the meaning of Art. 6 para. 1 letter f GDPR..

## 1.2. Signing up for our newsletter

Where you have the option on our websites to subscribe to our newsletter, you need to register. The following data must be submitted during the registration process:

- Title
- First name and surname
- E-mail address
- Language

The data above is required for data processing. We only process this data to personalise the information and offers sent to you and to better match them to your interests.

When you register, you give us your consent to process the data provided to regularly send the newsletter to the address you specified, to statistically analyse your usage behaviour and to optimise the newsletter. This consent constitutes our legal basis for processing your e-mail address within the meaning of Art. 6 para. 1 letter a GDPR. We are entitled to commission third parties with the technical implementation of advertising initiatives and to pass on your data for this purpose (see no. 4.4 below).

At the end of every newsletter, there is a link for you to unsubscribe from the newsletter at any time. When you unsubscribe you can give a reason if you wish. After you have unsubscribed from the newsletter, your personal data will be erased. It will only be processed further in an anonymised form to optimise our newsletter.

## 1.3. Booking on the website or by calling or corresponding with us

If you book overnight stays, leisure activities, spa services or medical services and/or purchase vouchers via our websites, by corresponding with us (by e-mail or letter) or by calling us, we generally require the following data to process the contract:

- Title
- First name and surname
- Postal address
- Telephone number
- Credit card information
- E-mail address

The information that is required to process your booking smoothly is marked as a mandatory entry or – if you book by telephone – requested from you in person. Entering other information is optional. We will only use other information you provide voluntarily (e.g. date of birth, expected arrival time, vehicle number plate, preferences, comments) to process the contract unless otherwise specified in this privacy statement or unless you have given separate consent. In particular, we will process the data to enter your booking as required, to provide the booked services, to contact you in the event of problems or if anything is unclear, and to ensure that the payment is correct. Please note that we may pass your data on to third parties insofar as this is required for the use of the websites and for processing the contract, for example when purchasing vouchers (see no. 4.4).

The legal basis for processing the data for this purpose is the performance of a contract in accordance with Art. 6 para. 1 letter b GDPR.

## 1.4. Cookies

Cookies help to make your visit to our website easier, more pleasant and more useful in many ways. Cookies are information files placed automatically on your computer's hard drive by your web browser when you visit our website.

For example, we use cookies to temporarily store your entries and chosen services when you fill in a form on the website so that you do not need to enter them again when you access another subpage. Cookies may also be used to identify you as a registered user once you have registered on the website so that you do not need to log in again when you access another subpage.

Most Internet browsers accept cookies automatically. However, you can configure your browser so that no cookies are placed on your computer or a message always appears when you receive a new cookie.

## 1.5. Tracking tools

### 1.5.1. Google Analytics

We use the web analytics service from Google Analytics to design our websites to meet users' needs and optimise them continuously. User profiles with pseudonyms are created and cookies placed on your computer are used for this purpose. The information generated by the cookie is transmitted to the Google Analytics server where it is stored and processed for us. In some cases, we may receive the following information in addition to the data listed in no. 1 as a result:

- Navigation path taken by a user on the site
- Time spent on the website or a subpage
- The subpage from which the webpage is left
- The country, region or city from which a website is accessed
- Device (type, version, colour depth, resolution, width and height of the browser window)
- Returning or new visitor

The information is used for evaluating use of the website, compiling reports on website activity and providing other services relating to website activity and Internet usage for market research and designing our website to meet users' needs. This information may also be transmitted to third parties if required by law or if third parties process this data on our behalf (see also no. 4.1 ff.).

Google Analytics is provided by Google Inc., a company of the holding company Alphabet Inc., which is based in the USA. For the Member States of the European Union or for other parties to the Agreement on the European Economic Area, the IP address is truncated before the data is transmitted to the provider due to the activation of IP anonymisation ("anonymizeIP") on our website. Google does not associate the anonymised IP address transmitted by your browser for Google Analytics with any other data held by Google. Only in exceptional cases will the full IP address be sent to and shortened by Google servers in the USA. In such cases, we ensure that Google Inc. maintains an adequate level of data protection by means of contractual safeguards. Google Inc. states that the IP address will not be associated with other data concerning users under any circumstances.

Visit the Google Analytics website to find out more about the web analytics service we use. You can find instructions on how to prevent your data being processed by the web analytics service [here](#).

## 1.6. Re-targeting

"Re-targeting" technology may be used on the websites. This technology analyses your user behaviour on our websites to offer you tailor-made advertising on later visits, including to partner websites. Your user behaviour is recorded with a pseudonym. Most re-targeting technology operates using cookies (see no. 1.4). You can prevent re-targeting at any time by refusing or deactivating the relevant cookies in your web browser's menu bar.

## 1.7. Links to our social media pages

We have included links to our social media profiles on our websites. The links may lead to the following networks:

- Facebook Inc., 1601 S California Ave, Palo Alto, CA 94304, USA
- Twitter Inc., 1355 Market Street, Suite 900, San Francisco, CA 94103, USA
- Instagram Inc., 1601 Willow Road, Menlo Park, CA 94025, USA
- YouTube, a service operated by Google Inc.
- Tripadvisor Inc., 400 1st Avenue, Needham, MA 02494, USA
- HolidayCheck AG, Bahnweg 8, 8598 Bottighofen, CH

If you click on the relevant symbols of the social networks, you will automatically be redirected to our profiles on the respective networks. You may have to log in to your user account to use the relevant network's functions. If you open a link to one of our social media profiles, a direct connection will be established between your browser and the server of the relevant social network. The network will then receive the information that you are visiting our websites with your IP address and have opened the link. If you open a link to a network while you are logged into your account with the relevant network, the content of our website can be linked to your profile on the network, which means that the network can directly associate your visit to our websites with your user account. If you want to prevent this, you should log out before clicking on these links. However, this association will be made anyway if you log into the relevant network after clicking the link.

## 2. Processing data in connection with your stay

### 2.1. Processing data to comply with statutory notification obligations

When you arrive at our hotels, we may require the following information from you and the people accompanying you:

- First name and surname
- Postal address and canton
- Date of birth
- Place of birth
- Nationality
- Official form of identification and number
- Arrival and departure day, number of nights
- Booked room category incl. room number and average room rate

We collect this information to comply with statutory notification obligations arising from hotel and catering industry and police legislation in particular. Insofar as we are obliged to do so by the applicable provisions, we will forward this information to the relevant police authority. Our legitimate interest within the meaning of Art. 6 para. 1 letter f GDPR is to comply with the legal requirements.

We also require a copy of the official form of identification for international guests. We collect this information to comply with our contractual and post-contractual obligations towards you.

The processing of this data is necessary for processing the contract with us within the meaning of Art. 6 para. 1 letter b GDPR.

### 2.2. Recording services received in the spa and wellness area

If you receive services from our spa and wellness area during your stay at our hotels, the service (e.g. single entrance) and the time it was received will be recorded and processed by us for billing purposes and to provide the booked service. As a general rule, we require the following information for this purpose:

- First name and surname
- Postal address
- E-mail address
- Telephone number
- Room number (if available)

You also have the option of joining our 7sources beauty&spa as member. To process your request to become a member and in particular to contact you, we need to have the following information:

- First name and surname
- E-mail address
- Telephone number

The processing of this data is necessary for processing the contract with us within the meaning of Art. 6 para. 1 letter b GDPR.

### **2.3. Recording leisure services received and booked activities**

If you receive leisure services or book activities during your stay at our hotels, the service (e.g. fitness analysis or cinema visit) and the time it was received will be recorded and processed by us for billing purposes and to provide the booked service. As a general rule, we require the following information for this purpose:

- First name and surname
- E-mail address
- Telephone number
- Room number (if available)

The processing of this data is necessary for processing the contract with us within the meaning of Art. 6 para. 1 letter b GDPR.

## **3. Processing data in connection with our PMS system**

The personal data mentioned in the sections above is stored centrally in our PMS system. The data in the central PMS system is processed by us to manage the customer relationship and for advertising purposes, in particular to offer you personalised services and products.

The legal basis for data processing as part of customer management is the processing of the contract within the meaning of Art. 6 para. 1 letter b GDPR. With regard to data processing as part of advertising activities, the legal basis is also the processing of the contract (the existing customer relationship justifies data processing for advertising activities), as well as the consent you gave within the meaning of Art. 6 para. 1 letter a GDPR when you registered for the newsletter (see no. 1.2).

## **4. Storing and exchanging data with third parties**

### **4.1. Booking platforms**

If you book via a third-party platform, we receive various personal information from the relevant platform operator (e.g. if you book a table via the external platforms "bookatable" and "LaFourchette"). This is generally the data listed in no. 5 of this privacy statement. Any requests concerning your booking are also forwarded to us. In particular, we will process the data to enter your booking as required and to provide the booked services. The legal basis for processing the data for this purpose is the performance of a contract in accordance with Art. 6 para. 1 letter b GDPR.

Finally, we may be informed by the platform operators about disputes in connection with a booking. If so, we may also receive data concerning the booking process in some cases, which may include a copy of the booking confirmation to serve as evidence of the booking actually being completed. We process this data to safeguard and enforce our claims. This is the basis for our legitimate interest within the meaning of Art. 6 para. 1 letter f GDPR.

Please also observe the privacy information of the relevant provider.

## 4.2. Central storage and combination of data

We store the data submitted in a central electronic data processing system. Your personal data is systematically recorded and combined to process your bookings and perform the contractual services. We use software from Oracle Corporation, 500 Oracle Parkway, Redwood Shores, CA 94065, USA to do this. This data is processed using the software based on our legitimate interest within the meaning of Art. 6 para. 1 letter f GDPR in customer-friendly and efficient customer data management.

## 4.3. Retention period

We only store personal data for as long as is necessary to use the tracking services mentioned above and to make use of the further processing for our legitimate interests. Contract data is stored by us for longer as this is required by statutory retention obligations. Retention obligations that oblige us to retain data arise from provisions regarding notification legislation and accounting and from tax legislation. In accordance with these provisions, business communications, contracts concluded and booking documents must be retained for up to 10 years. If we no longer require this data to perform services for you, the data will be blocked. This means that the data may then only be used for accounting and tax purposes.

## 4.4. Passing data on to third parties

We only pass on your personal data if you have explicitly given your consent, if there is a statutory obligation to do so or if it is necessary to enforce our rights, in particular to enforce claims arising from the contractual relation. We also pass your data on to third parties if it is required for using the website and processing the contract (including outside of the website), in particular for processing your bookings, for example when you purchase vouchers.

One service provider to which the personal data collected via the website is passed on, or which has or may have access to the personal data, is our web hosting provider DimasterSoftware GmbH, Sellenbüren 59A, 8143 Stallikon, Switzerland. The website is hosted on servers in Switzerland. The data is passed on for the purpose of providing and maintaining our website's functions. This is the basis for our legitimate interest within the meaning of Art. 6 para. 1 letter f GDPR.

Finally, we forward your credit card information to your credit card issuer and the credit card acquirer when you pay by credit card on the website. If you choose to pay by credit card, you will be asked to enter all the necessary information each time. The legal basis for passing on the data is the performance of a contract in accordance with Art. 6 para. 1 letter b GDPR. For information about the processing of your credit card information by these third parties, please also read the general terms and conditions and privacy statement of your credit card issuer.

## 4.5. Transmitting personal data to another country

We are entitled to transmit your personal data, including to external companies (commissioned service providers) in another country, for the data processing described in this privacy statement. These companies are subject to the same data protection obligations as we are. If the level of data protection in a country is not equivalent to that of Switzerland or Europe, we ensure by means of a contract that the protection of your personal data is equivalent to the protection provided in Switzerland and/or in the EU at all times.

## 5. Further information

### 5.1. Right to access, rectification, erasure and restriction of processing; right to data portability

You have the right to receive access to the personal data that we store about you on request. You also have the right to rectification of incorrect data and the right to erasure of your personal data if this is not precluded by any statutory retention obligation or permission which allows us to process the data.

In addition, you have the right to ask us to return the data you have submitted to us (right to data portability). We will also pass the data on to a third party of your choice on request. You have the right to receive the data in a commonly used file format.

You can contact us using the e-mail address [welcome@lenkerhof.ch](mailto:welcome@lenkerhof.ch) for the purposes specified above. We reserve the right to ask for proof of your identity to process your requests.

### 5.2. Data security

We implement technical and organisational security measures that are suitable for us to protect your personal data that we store from manipulation, partial or total loss and unauthorised access by third parties. Our security measures are improved on an ongoing basis in line with technological development.

You should always keep your login details confidential and close the browser window when you have finished communicating with us, especially if you share your computer with others.

We also take data protection within the company very seriously. Our employees and the service providers commissioned by us are subject to confidentiality obligations and are obliged to comply with data protection provisions.

### 5.3. Note on transmitting data to the USA

For the sake of completeness, we wish to point out to users residing or established in Switzerland that, in the USA, US authorities carry out monitoring activities which allow all personal data belonging to all persons whose data has been transmitted from Switzerland to the USA to be stored as a general rule. These activities are carried out without differentiation, restriction or exception based on the aim pursued and with no objective criterion that makes it possible to restrict the US authorities' access to the data and its subsequent use to specifically defined, strictly limited purposes which are able to justify the intrusion associated with both access to this data and to its use. We also wish to point out that, in the USA, there are no legal remedies available to the data subjects from Switzerland that enable them to receive access to the data concerning them and to have it rectified or erased, and no effective judicial protection from the general access rights of US authorities. We explicitly make data subjects aware of these facts and the legal situation so that they can make a suitably informed decision about giving their consent to the use of their data.

We wish to point out to users residing in a Member State of the EU that, from the perspective of the European Union, the USA does not have an adequate level of data protection due to the issues mentioned in this section, among other points. Insofar as we have specified in this privacy statement that data recipients (e.g. Google) are based in the USA, we will ensure that your data is protected to an adequate level by our partners, either by means of contractual regulations imposed on these companies or by making sure these companies are certified under the EU- or Swiss-US Privacy Shield framework.

### 5.4. Social media plugins

The social plugins described below are used on our website. The plugins are disabled on our website as standard and therefore do not send any data. By clicking on the corresponding social media button, you can enable the plugins (known as the Shariff solution). If these plugins are enabled, your browser establishes a direct connection with the servers for the relevant social networks as soon as you call up one of our websites. The content of the plugins is transferred from the social network to your browser directly



and integrated by your browser into the website. The plugins can of course be disabled again with just a click of the mouse.

## 5.5. Social plugins from Facebook

Social plugins from Facebook are used on our website to make our online presence more personal. We use the "LIKE" or "SHARE" buttons for this purpose. This is an offering from US company Facebook Inc. (1601 S. California Ave, Palo Alto, CA 94304, USA). By integrating the plugin, Facebook receives the information that your browser has called up the corresponding website, even if you do not own a Facebook account or are not logged in to Facebook. This information (including your IP address) is transferred by your browser to one of Facebook's servers in the United States and stored there. If you are logged in to Facebook, Facebook may assign the visit to our website to your Facebook account directly. If you interact with the plugins, for example the "LIKE" or "SHARE" button, the corresponding information is likewise transferred to one of Facebook's servers directly and stored there. The information is published on Facebook and shown to your Facebook friends. Facebook may use this information for the purposes of advertising, market research and needs-based design for Facebook pages. For this reason, usage, interests and relationship profiles are created by Facebook, e.g. in order to analyse your use of our website with respect to the advertisements placed on Facebook, to inform other Facebook users about your activity on our website and to provide other services associated with your use of Facebook. If you do not want Facebook to assign the data collected about your online presence to your Facebook account, you must log out of Facebook before visiting our website. The purpose and scope of data collection and further processing and use of the said data by Facebook as well as your rights in this respect and settings options in order to protect your privacy can be found in [Facebook's privacy policy](#).

## 5.6. Social plugins from Twitter

Plugins from the short messaging network Twitter Inc., 795 Folsom St., Suite 600, San Francisco, CA 94107, USA are integrated into our website. The Twitter plugin (tweet button) is recognisable by the Twitter logo on our website. An overview of the tweet button can be found [here](#). If you activate the social plugins, a direct connection is established between your browser and the Twitter server. Through this connection, Twitter receives the information that you have visited our website with your IP address. If you click on the Twitter tweet button while you are logged in to your Twitter account, you may link the content of our websites to your Twitter profile. Twitter can attribute the visit to our websites to your user account as a result. We would like to point out that, as the provider of these websites, we are not made aware of the content of the transferred data or its use by Twitter. Further information about this can be found in [Twitter's privacy policy](#)

## 5.7. Social Plugins from Instagram

Plugins from Instagram are integrated into our website. The Instagram plugin is recognisable by the "Instagram camera" logo on our website. An overview of the Instagram button and its functions can be found [here](#). If you activate the social plugins, a direct connection is established between your browser and the Instagram server. Through this connection, Instagram receives the information that you have visited our website with your IP address. If you click on the Instagram button while you are logged in to your Instagram account, you may link the content of our websites to your Instagram profile. Instagram can attribute the visit to our websites to your user account as a result. We would like to point out that, as the provider of these websites, we are not made aware of the content of the transferred data or its use by Instagram. Further information about this can be found in Instagram's privacy statement: <https://help.instagram.com/155833707900388/>

## 5.8. Social Plugins von Youtube

This website contains at least one plugin from Youtube, owned by Google Inc., situated in San Bruno, Kalifornien, USA. If you activate the social plugins, a direct connection is established between your browser and the Youtube server. Through this connection, Youtube receives the information that you have visited our website with your IP address. If you click on the Youtube button while you are logged in to your Youtube account, you may link the content of our websites to your Youtube profile. Youtube can attribute



the visit to our websites to your user account as a result. We would like to point out that, as the provider of these websites, we are not made aware of the content of the transferred data or its use by Youtube. Further information about this can be found in Youtube's privacy statement: <http://www.youtube.com>.

## **5.9. Right to lodge a complaint with a data protection authority**

You have the right to lodge a complaint with a data protection authority at any time.

## **5.10. Disclaimer**

### **5.10.1. Content of the online offer**

The author assumes no liability for the currentness, correctness and completeness of the information presented on these pages. Any liability claims against the author of this website are strictly excluded, including damages of a material or intellectual nature, damages resulting from the use or non-use of the presented information, or from incorrect or incomplete information, insofar as no deliberate or gross negligence on the part of the author can be proven. All offers are free and non-binding. The author expressly reserves the right to change, expand or remove parts of a page or the whole offer without any special announcement, or to temporarily or permanently discontinue this publication.

### **5.10.2. References and hyperlinks**

Liability for direct and indirect references to external websites (links) which lie outside the responsibility of the author, would only apply if the author is aware of the contents and it were technically possible and reasonable to prevent use in the case of unlawful contents. The author expressly declares that no unlawful contents were discernible at the time the links were created to the pages in question. The author has no influence whatsoever on the current or future design, the presented contents or the authorship of the linked pages. For this reason, the author distances himself from all contents on the linked pages which have been changed after the creation of the link. This statement is valid for all of the references and links created within our own Internet offer, as well as for external entries in guest books and mailing lists set up by the author. For any unlawful, false or incomplete contents, and especially for possible damages resulting from the use or non-use of such presented information, all liability lies exclusively with the author of the pages to which the link refers.

### **5.10.3. Copyright and trademarks**

In all of the publications throughout this site the author takes care to acknowledge the copyrights of the images, sounds, video sequences and texts that are used; in all other cases he has taken care to use images, sounds, video sequences and texts that are either self-produced or are license-free. Insofar as protected trademarks and brands are used within this website, or happen to be named by third parties, they are without exception covered by the specifications of the relevant law on trademarks and the ownership rights of the respective registered owners. Under no circumstances should it be assumed that simply by naming such trademarks, these are not protected by the rights of third parties. The copyright for published and self-produced objects lies solely with the author of the website. Reproducing and using these images, sounds, video sequences and texts in other electronic or printed publications is not permitted without the express agreement of the author.

### **5.10.4. Data protection and privacy**

Whenever the option is offered within the website to enter personal or business details (email addresses, names, addresses), the user does this expressly on a voluntary basis.

### **5.10.5. Legal validity of this disclaimer**

This disclaimer must be regarded as an integral part of the online presence which directed the user to these pages. Should any individual sections or formulations in this text be deemed no longer in keeping with current law or incomplete, all other parts of the document will remain in full effect regarding their content and its validity.

Updated: June 2018