

**Responsible entity**

Hotel National Zermatt AG

Matterstrasse 39

3920 Zermatt

Schweiz

E-Mail: info@nationalzermatt.ch

Authorized representatives

Metry Anna

Name of the company

Hotel National Zermatt AG

MwSt.: CHE-109.886.871

CH-ID: CH-600-3011584-7

General

Please read the following conditions carefully before continuing. Persons who log on to the nationalzermatt.ch website (and its subdomains) of Hotel National Zermatt AG signify their agreement to the following conditions.

We are pleased that you are interested in our offers – our Terms and Conditions form an integral part of every contract. You can find them under the link “Terms and Conditions” on our website.

We attach great importance to protecting your privacy and your personal data. For this reason, the collection and use of your data is always carried out in accordance with the provisions of the General Data Protection Regulation (EU) 2016/679 (GDPR), the Federal Data Protection Act (“Bundesdatenschutzgesetz” – DSG) and the Telemedia Act “Telemediengesetz” – (TMG). As the party responsible for data privacy, we hereby provide you with information as to which data is collected by us and how we process this data.

As a visitor to the nationalzermatt.ch website, you decide which personal data you are willing to disclose. However, we wish to call your attention to the fact that by visiting our website and reading the Newsletter you automatically provide us with information which enables us to determine how visitors use our website and Newsletter and which information and offers meet with particular interest. If you register personally or make bookings via our website or request information material or other services, we require personal information about you, such as your name and address. To the extent that such services are provided by third parties, we will pass your data on to the service providers concerned; by giving us your particulars, you automatically authorize us to do so. Otherwise we will treat your personal data in

confidence and only process it ourselves or release it to third parties in an anonymized form. Such third parties may also be located abroad. Data processing by ourselves or by third parties is performed solely for the purpose of giving individual information to our customers – save where it is used to provide services requested by you – and is designed to meet their interests and needs and also used for statistical and marketing purposes for ourselves and for tourism service providers in Switzerland. Data processing is intended to enable us to design our website and our own service offering to meet the needs of users. However, data processing is also effected, in particular, for market analysis and to ascertain interest in the wide-ranging tourist service offering in Switzerland thereby enabling us to reach conclusions as to the design of this tourist service offering in an appropriate way to satisfy needs and to enable Swiss tourist businesses to benefit from this knowledge. Any other use of your personal particulars, in particular their sale to third parties, is expressly excluded. As a registered customer you can ask us to provide information on the content of your customer data held by us.

This website uses cookies

Cookies are small text files that are stored permanently or temporarily in your computer when you visit this website. The purpose of cookies is, in particular, to analyze the use of this website for statistical evaluation and continuous improvement.

In your browser settings you can deactivate cookies partially or completely at any time. If you deactivate cookies, you may not have access to all features of this website.

Privacy Policy

1. Personal data

Personal data is defined by the GDPR as all information relating to an identified or an identifiable natural person; a natural person is regarded as identifiable if they can be identified directly or indirectly in particular by attribution to a means of identification such as a name, a code, location data, an online identifier or one or more features which reflect the physical, physiological, genetic, mental, economic, cultural or social identity of this natural person. Personal data is only saved insofar as this is necessary in order to render the service you have booked, comply with statutory requirements and serve the purpose specified below.

2. Anonymised files/logfiles

You can visit our website without the need for personal data to be collected. However, every time you visit our website, certain anonymised data is saved, for example which page or which product/service was accessed. This data is not personal and is therefore not subject to the statutory provisions of the GDPR or the BDSG.

The website operator or page provider collects data via visits to the web page and saves these as server logfiles. In this way, a protocol is compiled of the following data:

website visited, time of access, volume of data sent in bytes, source/reference

specifying the page from which access was made, browser used, operating system used, IP address used.

The data collected is used solely for the purpose of statistical analysis and to improve the website. However, the website operator reserves the right to examine the logfiles subsequently if there is any concrete indication of unlawful use.

Anonymous data is collected solely for the purpose of statistical analysis in order to improve our services. In this regard, please note the section "Right to information/right of cancellation".

3. Purpose of collecting personal data

However, collection of personal data is essential when you use our website to book a trip or other service, get in contact with us, subscribe to our newsletter or use other facilities offered by our website where personal data is required for handling purposes. This also includes buying vouchers and entering competitions, for example.

In compliance with statutory regulations and in the interests of data economy, this generally only involves collecting the data required for providing the service in question. If we ask you to provide additional information in our forms, this is always voluntary and is designated accordingly.

Temporary saving of the IP address by the system is necessary in order to allow the website to be delivered to the user's computer. For this purpose, the user's IP address has to be saved for the duration of the session. Saving of this information in logfiles also serves the purpose of ensuring the proper functioning of the website. In addition, this data helps us optimise the website and ensure our IT systems are secure. In this connection, there is no analysis of the data for marketing purposes. These purposes also constitute our legitimate interest in data processing according to Article 6 Paragraph 1 Letter f GDPR.

If a stay or other service is booked, the data collected in order to handle this booking is used according to statutory requirements for promotional purposes and for statistical purposes.

The legal basis for sending out the newsletter as a result of selling goods or services is Section 7 Paragraph 3 Unfair Commercial Practices Act ("Gesetz gegen den unlauteren Wettbewerb" – UWG).

If you subscribe to our newsletter, we then use the data you submitted concerning your person and your trip to be able to provide optimum support for you as a newsletter subscriber based on Article 6 Paragraph 1 Letter f GDPR.

If the user has given their consent after registering for the newsletter, the legal basis for processing the data is Article 6 Paragraph 1 Letter a) GDPR.

Otherwise we use the personal data saved by us to maintain customer relations, to provide customer support (e.g. information on how your trip was handled), to implement our own advertising and marketing measures (e.g. send out catalogues and other advertising mails within the legal limits, to assess customer satisfaction and to process orders.

For the facilitation and realisation of guest booking; the successful execution of the guest's stay; to coordinate the hotel stay according to the wishes and interests of the guest; to ensure the provision of future hotel services which correspond with the interests of the guest; for marketing purposes as pertaining to hotel performance and the improvement of this performance.

4. Legal basis for the processing of personal data

Insofar as we obtain the consent of the data subject to undertake processing of personal data, Article 6 Paragraph 1 Letter a EU General Data Protection Regulation (GDPR) serves as the legal basis.

When processing personal data is required in order to meet contractual obligations where the data subject is the contractual party, Article 6 Paragraph 1 Letter b GDPR serves as the legal basis. This also applies to processing measures required to implement pre-contractual measures.

Insofar as the processing of personal data is required in order to meet a statutory requirement to which our company is subject, Article 6 Paragraph 1 Letter c GDPR serves as the legal basis.

If it is the case that the vital interests of the data subject or another natural person make the processing of personal data necessary, Article 6 Paragraph 1 Letter d GDPR serves as the legal basis.

If processing is required in order to safeguard a legitimate interest of our company or of a third party and if the interests, fundamental rights and basic freedoms of the data subject do not override the first-mentioned interest, Article 6 Paragraph 1 Letter f GDPR serves as the legal basis for processing.

5. Disclosure of personal data to third parties

Your personal data is only made available within the limits of the relevant statutory provisions, in particular those of data privacy and competition law.

Insofar as is necessary for the service we are contractually required to provide or due statutory requirements, your data is also made available to subcontractors or service providers so as to enable them to render the service on our behalf or under our authority (e.g. technical handling of post and e-mails, payment handling, customer service).

In addition, the data is made available to persons or companies to handle your booking, in particular transport companies, travel operators, hotels, travel agencies, car rental companies, cruise lines, authorities etc. Please note in this connection that the data privacy provisions in force in the countries in which these persons and companies are located may differ from those that apply in Germany.

What is more, we disclose and transfer your data to third parties insofar as we are obliged to do so by law or based on a final court ruling.

You have the right to receive the personal data relating to you in a structured, commonly used and machine-readable format. You also have the right to have this

data sent to another responsible party without hindrance by the controller to whom the personal data was provided.

To contracted service providers who supply cloud-based software and data handling solutions to the hotel. These providers operate with the sole purpose of processing and analysing guest data for the aforementioned purposes.

6. Saving and deletion of data

Your personal data is saved in the context of the purposes stated in the section "Purpose of collecting personal data". The personal data of the data subject is deleted or blocked as soon as the purpose of saving no longer applies. Data can also be saved if this is required by European or national legislation as stipulated by EU directives or other provisions to which the controller is subject. The legislative authorities impose a diverse range of safekeeping obligations and periods. Data is also blocked or deleted when a safekeeping period required by the above-mentioned legal provisions expires, unless it is necessary to continue to save the data in order to conclude a contract or meet contractual obligations.

7. Provider and responsible party

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3920 Zermatt
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8. Google Tag Manager

Our website uses Google Tag Manager. The Tag Manager is used to manage tracking codes and other tools. The Tag Manager itself does not process any personal data of users but merely ensures that other tags are triggered, which in turn may collect data. In this context, Google may receive information (e.g., the IP address), which may also be processed on servers in the USA. The legal basis is your consent pursuant to Art. 6 (1) lit. a GDPR.

8.a) Google Analytics 4

We use Google Analytics 4 on this website, a web analytics service provided by Google LLC ("Google"). Google Analytics uses cookies and similar technologies to analyze how visitors use the website. The information collected in this process (including the truncated IP address) may be transmitted to and stored on Google servers in the USA.

With IP anonymization enabled, your IP address is shortened within the EU or the EEA. Google processes this information on our behalf to evaluate the use of the website, compile reports on website activities, and provide other services related to website and internet usage.

The legal basis for processing is your consent pursuant to Art. 6 (1) lit. a GDPR. You

may withdraw your consent at any time with future effect by adjusting your cookie settings.

8.b) SimpleBooking (Booking System)

For handling bookings, we use the service SimpleBooking, offered by QNT S.r.l., Italy. When you make a booking via our website, the data you provide (e.g., name, address, contact details, booking information) is transmitted to and processed by SimpleBooking in order to complete the booking.

SimpleBooking also uses its own cookies and tracking technologies to provide the booking process and analyze its usage. We have concluded a Data Processing Agreement with SimpleBooking pursuant to Art. 28 GDPR. The legal basis for processing is Art. 6 (1) lit. b GDPR (contract performance).

As part of so-called cross-domain tracking, technical information is exchanged between our domain and simplebooking.it to ensure that a booking can be correctly attributed to your session on our website.

8.c) Google Ads (Conversion Tracking and Remarketing)

Our website uses the Google Ads service, in particular conversion tracking and, if applicable, remarketing functions. The provider is Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland ("Google").

If you access our website via a Google advertisement, Google Ads sets a cookie on your device. These cookies expire after 30 days and are not intended to personally identify users. If you visit certain pages of our website, Google and we can recognize that someone clicked on the ad and was redirected to our site. With the help of the conversion cookie, we learn the total number of users who clicked on an ad and were redirected to a page with a conversion tracking tag. However, we do not receive any information that personally identifies users.

We may also use the remarketing function of Google Ads. This allows us to display interest-based advertising to visitors of our website on other websites within the Google Display Network. For this purpose, Google sets cookies that make it possible to analyze the use of our website and subsequently use it for personalized advertising.

Processing is carried out on the basis of your consent pursuant to Art. 6 (1) lit. a GDPR. You can withdraw your consent at any time with future effect via the cookie settings.

Further information on Google Ads and Google's privacy policy can be found at: <https://policies.google.com/privacy?hl=en>

9. reCAPTCHA

To protect your requests via online forms, we use the reCAPTCHA service of Google Inc. (Google). The query is used to distinguish whether the input is made by a human or by an abusive automated, mechanical process. The query includes the sending of the IP address and any other data required by Google for the reCAPTCHA service to Google. For this purpose, your input will be transmitted to Google and used there.

However, your IP address will be shortened beforehand by Google within the member states of the European Union or in other contracting states of the Agreement on the European Economic Area.

Only in exceptional cases the full IP address will be sent to a Google server in the US and shortened there. Google will use this information on behalf of the operator of this website to evaluate your use of this service. The IP address sent by your browser as part of reCaptcha will not be merged with other data provided by Google. This data is subject to the deviating privacy policies of Google. For more information about Google's privacy policy, please visit: <https://www.google.com/intl/en/policies/privacy/>

10. Facebook Social Plugin

This website uses plug-ins provided by the social network facebook.com, operated by Facebook Inc., 1601 S. California Ave, Palo Alto, CA 94304, USA ("Facebook"). The plug-ins can be identified by the Facebook logo (a white "f" on a blue tile or a "thumbs up" symbol) or else they bear the label "Facebook social plug-in". The list and appearance of Facebook social plug-ins can be viewed here: <http://developers.facebook.com/plugins>

If a page of this website is accessed that contains such a plug-in, the browser used establishes a direct connection with the Facebook servers. The content of the plug-in is sent directly by Facebook to the browser used and integrated by the browser in the web page. For this reason, we have no influence on the extent of the data collected by Facebook using this plug-in; we are therefore able to provide you with the following information according to our knowledge: as a result of integrating the plug-ins, Facebook is informed that the relevant page of our website has been accessed. If you are logged into Facebook, Facebook is able to establish a link between your visit to our website and your Facebook account. If you interact with the plug-ins (by activating the "Like" button or posting a comment, for example), this information is sent by your browser directly to Facebook, where it is saved. If you are not a member of Facebook, it is still possible for Facebook to find out your IP address and save it. For details of the purpose and extent of data collection and any further processing and use of the data by Facebook as well as your rights and settings options in this connection for the protection of your privacy, see the Facebook privacy policy: <http://www.facebook.com/policy.php>. If you are a member of Facebook and do not want data to be collected about you via our website and linked to data saved by Facebook about you as a member, you must log out of Facebook before visiting this website. It is also possible to block Facebook social plug-ins by means of add-ons for the browser used, such as the "Facebook Blocker".

11. Facebook conversion pixel

This website uses the "Facebook Pixel" provided by Facebook Inc., 1601 S. California Ave, Palo Alto, CA 94304, USA ("Facebook"). This enables users' behaviour to be tracked after they have viewed or clicked on a Facebook advertisement. This serves to analyse the effectiveness of Facebook advertisements for the purpose of statistics and market research and can help optimise future advertising.

The data collected is anonymous for us, so it does not allow any conclusions to be drawn as to users' identity. However, the data is saved and processed by Facebook, so in conjunction with the respective user profile, it is possible for Facebook to use the data for its own advertising purposes in line with the Facebook data policy (<https://www.facebook.com/about/privacy/>). The user can allow Facebook and its partners to place advertisements on Facebook and outside Facebook. What is more, Facebook can save a cookie on the user's computer for this purpose.

By visiting our website and our Facebook page, you agree to this practice. In order to prevent cookies being used on a computer in general, the internet browser can be set in such a way that no cookies can be saved on the computer at all in future and existing cookies are deleted. However, deactivation of all cookies can result in certain functions on our web pages no longer being available. The user can deactivate the use of cookies by third-party providers such as Facebook on the following website of the Digital Advertising Alliance: <http://www.aboutads.info/choices/>

12. Use of the Instagram button

This website uses social media plug-ins provided by the social network Instagram, operated by Instagram Inc., 1601 Willow Road, Menlo Park, California, 94025, USA. The Instagram plug-in can be recognised by the "Instagram button" on our homepage.

If you activate the Instagram button while you are logged into your Instagram account, content from our website can be linked to your Instagram profile. This allows Instagram to associate your visit to our pages with your user account.

We should expressly like to point out that as the provider of this website we are not aware of the content of the data sent nor how this data is used by Instagram. For further information on this, see the Instagram privacy policy at: <http://instagram.com/about/legal/privacy>

13. Transmission of our e-newsletter and emails

Hotel National AG sends out info newsletters containing further information, e.g. on updated websites or special offers by email. If you register for this service, we wish to call your attention to the fact that the emails are generally transmitted in non-encrypted form with the attendant risk that such data may be intercepted and read by third parties.

14. Newsletter cancellation

If you no longer wish to receive our newsletter or our advertising e-mails, please click on the "Unsubscribe newsletter" link which appears at the end of all e-mails sent out by us.

15. Right to information / right of cancellation; further rights of the data subject

You have the right:

- according to Article 15 GDPR to obtain information on the personal data concerning you which we process. In particular, you may obtain information on the purposes of the processing, the category of personal data, the categories

of recipient to whom your data has been disclosed, the envisaged retention period, the existence of a right to rectification, erasure, restriction of processing or objection, the existence of a right to lodge a complaint, the source of your data if it was not collected by us, and also the existence of any automated decision-making, including profiling and, if applicable, substantive details of how this works;

- according to Article 16 GDPR to obtain without undue delay the completion of your personal data saved by us or its correction if inaccurate;
- according to Article 17 GDPR to obtain erasure of your personal data saved by us, except where processing is required in order to exercise the right to freedom of expression and information, to comply with a legal obligation, for reasons of public interest or for the establishment, exercise or defence of legal claims;
- according to Article 18 GDPR to limit the processing of your personal data insofar as the accuracy of the data is disputed by you, processing is unlawful but you reject its erasure and we no longer require the data, and you require it for the establishment, exercise or defence of legal claims or you have filed an objection to the processing of the data according to Article 21 GDPR;
- according to Article 20 GDPR to receive your personal data which you have provided in a structured, commonly used and machine-readable format or to require it to be sent to another controller;
- according to Article 7 Paragraph 3 GDPR to withdraw your consent previously given to us at any time. The result of this is that we may no longer continue to process data based on this consent in the future
- according to Article 77 GDPR to lodge a complaint with a supervisory authority. For this purpose you can generally appeal to the supervisory authority at your usual place of residence or work or at the location of our registered offices.

Zermatt Tourism. Your booking data is also processed as follows:

- Your booking data (e.g. title, first name, last name, nationality, language, e-mail address, mobile telephone number, postal address, number of persons, arrival date, departure date, number of nights of stay and any visitor's tax exemption) are forwarded to Bonfire AG and Zermatt Tourism (either by us or via our electronic booking system).
- Your booking data is recorded in a central database by Bonfire AG and/or Zermatt Tourism. If accommodation providers take part in Zermatt Tourism e-mail marketing, the guest data is likewise stored with the third-party provider «Salesforce» and used as part of the business relationship between the accommodation provider and the guest.
- Your booking data is processed exclusively in Switzerland and the EU.
- Based on this, Zermatt Tourism settles the visitor's tax owed and collects the corresponding amount from the service partners.

- Zermatt Tourism also reports information to the Federal Statistical Office.
- Bonfire AG and Zermatt Tourism grant the police access to the database with booking data so that the police can access relevant booking data for missing persons, for example.
- Zermatt Tourism uses the booking data to collect statistics (in particular regarding occupancy, length of stay, number of arrivals, etc.).

The legal basis for this data processing is the fulfilment of a legal obligation within the meaning of Art. 6 para. 1 (c) GDPR (billing and collection of visitor's tax/reporting to the Federal Statistical Office) and in the sense of Art. 6 para. 1 (f) GDPR (granting access to the police/collection of statistics).

Your booking data is only used for direct marketing purposes (e.g. newsletter distribution) if you have given us your consent for this.

More information on the processing of your data by Zermatt Tourism or Bonfire AG can be found in the Zermatt Tourism privacy policy:

<https://www.zermatt.swiss/en/Media/Zermatt-Tourism-privacy-policy>.