

# Privacy Statement of the Edinburgh Residence

## 1. Introduction

Thank you for visiting our website and for your interest in the Edinburgh Residence. We take the protection of your personal data seriously and act in accordance with the applicable legal provisions on data privacy and data security.

Under the European General Data Protection Regulation (GDPR), personal data refers to any information relating to an identified or identifiable natural person. Personal data refers to information assigned to you personally (hereinafter the “data subject”) and may convey something about you.

The Edinburgh Residence is operated by Hapimag Resorts & Residences (UK) Ltd., a subsidiary of Hapimag AG, Switzerland (hereinafter "Hapimag").

## 2. Legal basis for processing

The legal basis for processing personal data is deemed to be the Data Protection Act 2018 and Article 6 (1) GDPR, specifically

- a) if the data subject has given consent;
- b) if processing is necessary for the performance of a contract to which the data subject is party. This also applies to the steps required prior to entering into a contract.
- c) if our company must comply with a legal obligation;
- d) if the compelling interests of the data subject or another natural person are to be protected;
- e) if processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in our company;
- f) if processing is required for the purposes of the legitimate interests pursued by our company or a third party, and the interests or fundamental rights and freedoms of the data subject will not be overridden. The legitimate interest of our company lies in carrying out our business activity.

## 3. Collection and processing of personal data

We use the data you have given without your explicit consent solely for the necessary performance and processing of the services offered and on the basis of legitimate interests. On completion of the services, your data are excluded from further use and are deleted after the storage time limits have expired under tax and commercial law, provided you have not expressly given your consent for your data to be used further or there is no other legal justification.

The user is made clearly aware of the scope of any consent to be given upon registration for the respective service and that consent is recorded. The content of the consent given will be kept available for the user within the service. If you do not give your consent, we trust you will understand that you may not be able to take part in the respective service.

If you record personal data of other persons in connection with the use of our services, it is your responsibility to ensure that these persons are aware of this process and have accepted how Hapimag uses their information.

### *3.1. Visiting our website*

You may visit the Edinburgh Residence website without disclosing your identity. However, our web servers automatically save technical information of the device used for the visit, including the IP address, type of web browser, operating system, domain name of your internet service provider, date and duration of your visit to our internet pages and the website you came from to visit us. This information is evaluated anonymously for statistical purposes only.

These data are processed for the purpose of making navigation of the website easier (connection set-up), system security, technical administration of the network infrastructure as well as for optimising the internet offering, and as such on the basis of our legitimate interests under Article 6 (1) f GDPR and to protect users and prevent unauthorised use. We do not pass on these data to third parties or make any other kind of evaluation. We do not create a personal user profile.

### *3.2. Registration for our newsletter*

Personal data are processed when you register for our newsletter. The data you give for this (e.g. name and e-mail address) are used by us for our own marketing purposes and for other electronic notifications with marketing information on our products, offers, actions and our company for our newsletter after you have expressly given us your consent to do so.

You can unsubscribe from the newsletter at any time using a link in the newsletter e-mail or by sending us a corresponding message telling us that you are withdrawing your consent. By unsubscribing, your e-mail address will be automatically deleted from our newsletter distribution list.

## **4. Compliance with legal provisions or public interest (Article 6 (1) c, e GDPR)**

Like everyone involved in the economic process, we are also subject to a wide range of legal obligations. The primary ones are statutory requirements (e.g. commercial and tax law), but sometimes provisions of supervisory and other authorities too. The fulfilment of control and reporting requirements under tax law as well as the archiving of data for the purposes of data protection and data security plus audits by tax and other authorities are actions deemed to be for the purposes of processing. Personal data may also have to be disclosed under judicial and official measures for the purposes of collecting evidence, law enforcement or implementing claims under civil law.

## **5. Use of cookies (cookie policy)**

Cookies are used on various pages of our website. A cookie is a small text file stored on your hard drive by a website. Cookies do not cause any damage to your computer and do not contain any viruses. The cookies from our internet pages do not collect any kind of

personal data. We use the information contained in cookies to make navigation on our websites easier for you and to tailor the information to your needs.

This website uses browser cookies (hereinafter “cookie”) to simplify the use of this website and to obtain indicators about improving the information and services accessible via the website. This cookie policy gives you information about the use of cookies on the website.

### **How cookies work**

Cookies are small text files that the browser stores on the user’s computer in a specific directory. For example, cookies enable text that has been input once to be saved in form fields on the website so that you do not have to enter this text again when you next visit the website or switch between individual functions.

### **Cookie settings**

You can decide yourself whether our website’s web server can save cookies on your computer or not. You can choose at any time to set your browser to not accept or save cookies. Alternatively, before accepting a cookie, you can have a warning message appear or set the browser so that only cookies from certain websites are accepted. You can also delete cookies you have saved at any time.

We would like to point out that the use of some functions on our website may be limited or locked if you reject cookies from the website. To make it easier to use the website, we therefore recommend that you set your browser to accept cookies from the website.

### **Web analysis services, online marketing networks, third-party content**

On the basis of our legitimate interests under Article 6 (1) f GDPR, we use web analysis services, online marketing networks and third-party services for the analysis, optimisation and commercial operation of our sites.

Web analysis services use cookies to collect data. The information they generate (e.g. IP address and browser type) may be transmitted in anonymised form to a server at the web analysis service in Switzerland or abroad for saving and processing. You can prevent the respective web analysis service from setting cookies on your computer and collecting data by setting your browser accordingly or setting an opt-out cookie.

Hapimag uses international online marketing networks such as DoubleClick to run its online marketing activities (e.g. for banners or affiliate programs). These networks use cookies to tailor marketing activities to the identifiable needs of customers. By setting opt-out cookies, you can prevent such online marketing networks from setting cookies on your computer and collecting data.

By using third-party services, third-party providers may become aware of the IP address of the users of third-party content, i.e. this is necessary to carry out offers of third-party providers. The commissioned third-party providers may also use pixel tags to evaluate information on visitor traffic or for statistical or marketing purposes. Furthermore, this information may be saved in cookies and on user devices. These cookies may therefore contain technical information on the browser used, operating system, time of visit and other details on the use of our websites and also be linked with this information from other sources.

## 6. Web analysis services - data privacy at Google Analytics, Google Ads, Conversion Tracking and Google Remarketing

This website uses Google Analytics, Google AdWords, Conversion Tracking and Google Remarketing. These are services of Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland (“Google”). Google uses cookies saved on your computer to analyse website usage. The information generated by the cookie (including your IP address) is transferred to a Google server in the USA where it is stored. Google then abbreviates the IP address to the last three characters, which means the IP address can no longer be clearly assigned. Google observes the data protection requirements of the US Privacy Shield Framework and has registered with the US Department of Commerce for the Privacy Shield program.

Google uses this collected information to evaluate your website activity, to compile reports on website activities for the website operators and to supply us with further services related to website usage and internet usage. If necessary, Google will also transmit this information to third parties if this is legally required or if third parties are processing these data on behalf of Google.

Third-party providers, including Google, display advertisements on websites on the internet. Third parties, including Google, use stored cookies in order to display advertisements based on a user’s previous visits to our website.

You can opt out of the use of cookies by Google by accessing the page for [Opt out of Google Advertising](#).

Alternatively, users may opt out of the use of cookies by third parties by accessing the [Opt out page of the Network Advertising Initiative](#). You can also prevent the data related to your website activity (including your IP address) and data generated by the cookie from being recorded by Google and these data from being processed by Google. To do so, download and install the browser plug-in available at the following link: <https://tools.google.com/dlpage/gaoptout?hl=en-GB>.

However, we would like to point out that if you do so, you may not be able to use all functions of this website in full. By using this website, you agree to Google processing the data it has collected about you in the manner described above and for the aforementioned purpose. Consent for data collection and storage may be withdrawn at any time with effect for the future. You can find further information in Google’s terms and conditions here: <https://policies.google.com/privacy?hl=en-GB>.

## 7. Online marketing networks

### 7.1. Use of Google Maps

This website uses Google Maps to display maps and generate route maps. Google Maps is operated by Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland. By using this website, you agree to Google, one of its representatives or third-party providers recording, processing and using automatically collected data or data you have given. For more information, please go to [Terms of use](#) of Google Maps and the opt-out procedure at: <https://www.google.com/settings/ads/>.

### 7.2. Use of Facebook Ads

We use communication tools of the social network Facebook, particularly the Custom Audiences and Website Custom Audiences product operated by Facebook Inc., 1601 S. California Ave, Palo Alto, CA 94304, USA (“Facebook”). In doing so, an irreversible and non-

personal hash total is generated from your usage data that can be transmitted to Facebook for analysis and marketing purposes. The Facebook cookie is used for the Website Custom Audiences product. Please read Facebook’s data privacy guidelines for further information on the purpose and scope of data collection and further processing and use of data by Facebook as well as your privacy setting options, which can be found at [https://www.facebook.com/ads/website\\_custom\\_audiences/](https://www.facebook.com/ads/website_custom_audiences/) and <https://www.facebook.com/privacy/explanation> . If you would like to reject Facebook Website Custom Audiences, you can do so at [https://www.facebook.com/ads/website\\_custom\\_audiences/](https://www.facebook.com/ads/website_custom_audiences/).

### *7.3. Use of SiteMinder channel manager*

For bookings and queries via external booking platforms, our website uses techniques of the channel manager of SiteMinder Distribution Limited, Waterfront, Hammersmith Embankment, Manbre Road, London W6 9RH, United Kingdom (“SiteMinder”). Your data are neither sold, leased or made available in any other way to third parties. Please visit the website of SiteMinder Distribution Limited at <https://www.siteminder.com/en/> for more information on the terms of use and information on data protection.

## **8. Third-party services - information on the use of Facebook, Twitter and TripAdvisor**

On the basis of our legitimate interests under Article 6 (1) f GDPR, we use the plug-ins listed below to analyse and optimise our offers.

Our website uses social plug-ins (“plug-ins”) of the social networks Facebook, the microblogging service Twitter as well as the service TripAdvisor. These services are offered by the companies Facebook Inc., Twitter Inc. and TripAdvisor LLC (“providers”).

Facebook is operated by Facebook Inc., 1601 S. California Ave, Palo Alto, CA 94304, USA (“Facebook”). You can obtain an overview of Facebook plug-ins and their structure here: <https://developers.facebook.com/docs/plugins>

Twitter is operated by Twitter Inc., 1355 Market St, Suite 900, San Francisco, CA 94103, USA (“Twitter”). You can find an overview of Twitter buttons and what they look like here: <https://dev.twitter.com/web/overview>

TripAdvisor is operated by TripAdvisor LLC, 400 1<sup>st</sup> Avenue, Needham, MA 02494, USA (“TripAdvisor”). You can find further information on TripAdvisor here: <https://www.tripadvisor.com/hc/en-gb>

If you access one of our website pages containing a plug-in of this type, your browser establishes a direct connection to the servers of Facebook, Twitter or TripAdvisor. The content of the plug-in is transferred from the respective provider directly to your browser, which incorporates it in the website. By incorporating the plug-in, the providers are notified that your browser has visited the corresponding page of our website, even if you do not have a profile or you are not even logged in. This information (including your IP address) is transmitted directly to the USA to a server of the respective provider and stored there.

If you are logged in to one of the services, the providers can directly assign your visit to our website to your profile on Facebook, Twitter or TripAdvisor. If you interact with the plug-ins, for example if you press the “Like” or “Twitter” buttons, the corresponding information is also transferred directly to the server of one of the providers where it is stored there. The information is also published and shown to your contacts on the social networks on Facebook, Twitter or TripAdvisor. Please consult the data privacy statements of those providers for the purpose and scope of data collection and for the further processing and use of data by the providers as well as your rights and privacy setting options:

Privacy statement of Facebook: <http://www.facebook.com/policy.php>

Privacy statement of Twitter: <https://twitter.com/privacy>

Privacy statement of TripAdvisor: <https://tripadvisor.mediaroom.com/UK-privacy-policy>

If you do not want Facebook, Twitter or TripAdvisor to assign the data collected through our website to your profile in the respective service, you must log out of the relevant service before visiting our website. You can also fully prevent the loading of plug-ins with add-ons for your browser, e.g. with the script blocker “NoScript” (<http://noscript.net/>).

## 9. Usage and disclosure of collected data to third parties

We use the personal data you have made available solely on an internal basis for the advised and agreed purposes:

- operation of our internet websites
- as a ETOA member, for processing contracts concluded with you on the exercising of your rights of residence
- or very generally for answering your queries.

As such, data may be forwarded to the following recipients:

- public bodies or authorities that request data under statutory regulations (e.g. tax authorities, social security agencies, municipal administrations, courts)
- internal functions involved in the execution and performance of the respective business processes (e.g. HR, Accounting, Marketing, Sales, IT, Legal) as well as Hapimag subsidiaries, if data subjects have given their written consent or transmission is permitted out of overriding legitimate interests
- external contractors (service companies) under Article 28 GDPR
- other external bodies (e.g. banks, debt collection agencies, credit card companies, travel and indemnity insurance companies).

If you use our services, we only collect the personal data we need to provide the requested services. Any additional data collection is made on a voluntary basis and solely to safeguard our own legitimate business interests.

We only process and use your data with your express consent, or if there is legal justification, for the purposes of advice, marketing and market research. You may withdraw your declaration of consent at any time. Your data are neither sold, leased nor made available in any other way to third parties. Any processors specifically remain reserved. The transmission of personal data to government institutions and authorities is carried out solely within the framework of compulsory national legal provisions.

## **10. Guaranteeing security in data processing**

Hapimag uses dedicated technical and organisational measures in accordance with relevant legal provisions to protect your data, which we manage against unlawful or unintended manipulation, loss, destruction or access by unauthorised persons. Our security measures are being constantly improved in line with technological developments to guarantee the protection aims of confidentiality, integrity and availability of your data.

## **11. Time limits for deleting data**

Your personal data are only saved for as long as the purpose for which they were collected and processed has been fulfilled. Statutory storage obligations and time limits remain reserved. After these time limits expire, personal data are routinely deleted and, if they are in paper form, destroyed according to data protection requirements and in observance of specific precautions.

## **12. Data transmission to other countries**

Data may only be transmitted to other countries as part of contract fulfilment, necessary communication as well as due to other exceptions expressly provided for in the relevant data protection laws.

Currently there is an exchange of guest master data between resorts in Great Britain and the Hapimag headquarters in Steinhausen (Switzerland).

The exchange of data between the European Union and Switzerland is carried out in compliance with similarly high-level data protection laws in a data-compliant framework. The exchange of data within the European Union is carried out solely on the basis of the corresponding data protection guidelines of the European Union and/or applicable data protection laws of participating EU Member States. No data are transmitted to other countries, particularly those where data protection is deemed to be low, and there are currently no plans to do so.

## **13. Rights of data subjects**

Under GDPR, the data subject has the following rights over how his or her personal data are handled:

- Article 15: Right of access
- Article 16: Right to rectification
- Article 17: Right to erasure
- Article 18: Right to restriction of processing
- Article 20: Right to data portability
- Article 21: Right to object

There is also a right to lodge a complaint with a responsible data protection supervisory authority (Article 77 GDPR).

You may withdraw your consent for us to process your personal data at any time. This also applies to the withdrawal of declarations of consent that were given to us before the effective date of the GDPR, i.e. before 25 May 2018. Please note that withdrawal is only effective for the future. Processing carried out prior to the withdrawal is not affected by this.

## **14.Right to object under Article 21 GDPR**

### *14.1.Specific right to object*

You have the right to enter an objection (for reasons based on your particular situation) at any time against the processing of personal data concerning you that is carried out on the basis of Article 6 (1) e GDPR (data processing in the public interest) and Article 6 (1) f GDPR (data processing on the basis of the balance of interests).

If you enter an objection, we will no longer process your personal data, unless we can prove compelling legitimate reasons to do so that override your interests, rights and freedoms or the processing is used for asserting, exercising or protecting legal claims.

### *14.2.Right to object to processing of data for the purposes of direct marketing*

In specific cases, we process your personal data to carry out direct marketing. You have the right at any time to object to the processing of data related to you for the purposes of such marketing.

## **15.Changes to this privacy statement**

We reserve the right to periodically amend or update this privacy statement. Users are asked to regularly inform themselves about the content of the privacy statement.

## **16.Controller and contact for data protection**

Controller and owner of the data collection:

Hapimag Resorts & Residences (UK) Limited  
Burnside Park, The Lodge  
Kendal Road  
Bowness-on-Windermere, Cumbria  
LA23 3EW  
United Kingdom

If you have any questions or queries, you may contact our Data Protection Coordinator as follows:

Tel                   +44 (0) 15394 46624  
E-Mail:             [dpc-uk@hapimag.com](mailto:dpc-uk@hapimag.com)