

# **Privacy policy for visitors of the Facebook fan page / Instagram profile (M10)**

## **1. General and scope**

This privacy policy applies to the processing of personal data in the context of accessing and using the Facebook fan page and the Instagram profile of our hotel. The fan page and the Instagram profile are user accounts of our company, which are provided to us by Facebook Ireland Ltd. (hereinafter referred to as “Facebook”). Through these platforms, we have the opportunity to present ourselves to the users of these platforms and other people who visit the channels and to get in touch with you. So called insight data are collected when our fan page and the Instagram profile are accessed. Such data are anonymous data, which enables us as operators to view statistical evaluations of the use of our fan page. Where insight data are collected, personal data are also processed. Facebook and we are jointly responsible for this processing in accordance with Art. 26 GDPR. The main content of the agreement concluded between Facebook and us is explained below.

### **1.1 Personal data (Art. 4 (1) GDPR)**

The subject of privacy are personal data (hereinafter referred to as “data”), including any information relating to an identified or identifiable natural person such as a name, address, occupation, e-mail address, state of health, income, marital status, genetic characteristics, telephone number and, where appropriate, user data such as the IP address.

### **1.2 Controller (Art. 4 (7) GDPR, Art. 26 GDPR)**

Responsible for the processing of your personal data within the scope of the use of the Facebook fan page and the Instagram profile is the Business Hotels GmbH (hereinafter referred to as “we”, “operator” or “controller”) together with Facebook.

#### **Our contact details are:**

The controller for the processing of personal data is the Business Hotels GmbH, Konrad-Adenauer-Ufer 5-7, 50668 Köln, represented by Anders Braks. You can reach the controller at the following contact details: +49 (0) 221 – 9730560, [info@eventhotels.com](mailto:info@eventhotels.com). You can reach the data protection officer at [datenschutz@eventhotels.com](mailto:datenschutz@eventhotels.com).

#### **The contact details of Facebook are:**

Facebook Ireland Limited  
Board of Management: Gareth Lambe, Shane Crehan  
4 Grand Canal Square  
Dublin 2, Ireland  
Commercial register number 462932  
Registered in Ireland (Companies Registration Office)  
Facebook has designated a data protection officer who is reachable at the following link:  
<https://www.facebook.com/help/contact/540977946302970>

### **1.3 Level of responsibility**

Facebook takes primary responsibility for processing the insight data on our social media profiles: [https://www.facebook.com/legal/terms/page\\_controller\\_addendum](https://www.facebook.com/legal/terms/page_controller_addendum)

Facebook decides on the purposes and means of data processing.

You will find further information here:

<https://www.facebook.com/about/privacy/update/printable>

### **1.4 Right to object**

If you want to object to the processing of your data by us on our social media profiles entirely or for individual measures, you can use the contact details mentioned above. Moreover, you can object to the processing of insight data in relation to Facebook. By contacting us, you can also object to data processing by Facebook. We will forward your objection immediately. Please note that in the event of such an objection, the use of the fan page and the access to the services and information offered may only be possible to a limited extent or not at all.

## **2. Access and use of our social media profiles, purposes and legal basis**

### **2.1 Facebook Insights**

When accessing and using our social media profiles, Facebook insight data (statistics on access to our social media profiles) are made available by means of the tool Facebook Insights and processed by us. There is no way for us to personally identify you or assign you to your account. This function is an integral part of the user agreement with Facebook. This means that we cannot unilaterally decide whether the insight data are collected or not.

The personal data are collected by using cookies. They are small data packets, usually consisting of letters and numbers, which are stored on a browser when you visit our social media profiles. Cookies do not contain any data that identifies you personally, but the information concerning you stored by the operator can be assigned to the data received from and stored in the cookies. In addition, cookies can be used to store information about users who do not have a Facebook account.

You will find further information on the “Facebook Insights” tool, the use of cookies and the setting options at:

<https://www.facebook.com/business/a/page/page-insights>

<https://de-de.facebook.com/policies/cookies/>

In your browser settings you can restrict or completely prevent the setting of cookies. Furthermore, you can arrange for the automatic deletion of cookies when closing the browser window.

If you are using the Facebook app, you can change settings for setting cookies by apps in the settings of your mobile device. Information on the legal basis and the purpose of the processing by Facebook as well as the respective storage period can be viewed at:

[https://www.facebook.com/about/privacy/legal\\_bases](https://www.facebook.com/about/privacy/legal_bases)

<https://de-de.facebook.com/policy.php>

Insofar as we process your personal data by visiting our social media profiles, the admissibility of this processing is based on Art. 6 (1f) GDPR. According to this provision, processing is lawful if it is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental

rights and freedoms of the data subject which require protection of personal data. The legitimate interest lies in evaluating the anonymised insight data in order to trace the usage behaviour of our followers and, as a result, to optimise the range of services on our social media profiles. The insight data collected via our social media profiles are made available to us in an anonymous form. The personal data collected are modified in such a way that they can no longer be assigned to an identified or identifiable natural person or can only be assigned with a disproportionate large amount of time, costs and effort.

The provision of your personal data for registered users is prescribed contractually by Facebook. The provision of your data is therefore obligatory. If you do not provide your data, you will not be able to use your Facebook account. Non-registered users are not obliged to provide their data. However, if you do not provide your data, you may not be able to access our social media profiles properly.

## **2.2 Communication through our social media profiles**

Through our social media profiles, it is possible to contact us via the message function, the like buttons and the possibility to comment on posts on our social media profiles. If you contact us, the operator will be shown the name that is stored in your user profile as your user name. The admissibility of this processing is based on Art. 6 (1f) GDPR, according to which the processing is lawful if it is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data. The use of data for purposes of communication in the context of using the fan page with the users of our social media profiles constitutes a legitimate interest of the operator according to Art. 6 (1f) GDPR.

Under certain circumstances, the data transmitted by you will be stored in our customer management system. Usually, this happens whenever you send us a request that serves to prepare or perform a contract with us.

The admissibility of this processing is based on Art. 6 (1b) GDPR, according to which the processing is lawful if it is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract. The data processed by the operator are required to respond to your message.

The provision of your data is neither prescribed by law nor contractually nor necessary for the conclusion of a contract. You are not obliged to provide your data. However, the provision of the data is necessary to enable you to contact the operator in the manner described above.

The processed personal data will be erased after expiry of the legal retention obligations, unless the controller has a legitimate interest in further storage. In any case, only those data that are absolutely necessary for the achievement of the respective purpose are stored. As far as possible, the personal data are anonymised.

## **3. Right of access, to rectification, to erasure, to restriction, to object and to data portability**

When using our social media profiles, you have the right to assert all the rights described in this chapter against Facebook and against us. In the context of the agreement that exists be-

tween us as the operator of our social media profiles and Facebook, we will immediately forward your request to Facebook, where Facebook is responsible for fulfilling your data subject rights.

### **3.1 Right of access (Art. 15 GDPR)**

On request, the operator will provide you with information as to whether data concerning you are processed. The operator makes every effort to process requests for information quickly.

### **3.2 Right of rectification (Art. 16 GDPR)**

You have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning you.

### **3.3 Right to erasure (Art. 17 GDPR)**

You have the right to obtain from the operator the erasure of personal data concerning you without undue delay and the operator is obliged to erase personal data without undue delay where one of the grounds specified in Art. 17 (1a-f) GDPR applies.

### **3.4 Right to restriction (Art. 18 GDPR)**

You have the right to obtain from the operator restriction of processing where one of the requirements specified in Art. 18 (1a-d) GDPR applies.

### **3.5 Right to object (Art. 21 GDPR)**

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on Art. 6 (1e or f) GDPR, including profiling based on those provisions. The operator shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims. Where personal data are processed for direct marketing purposes, you have the right to object at any time to processing of personal data concerning you for such marketing, which includes profiling to the extent that it is related to such direct marketing. Please use the contact address mentioned above for your message.

### **3.6 Right to data portability (Art. 20 GDPR)**

You have the right to receive the personal data concerning you, which you have provided to the operator, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the operator to which the personal data have been provided, where the processing is based on consent pursuant to Art. 6 (1a) GDPR, Art. 9 (2a) GDPR or on a contract pursuant to Art. 6 (1b) GDPR, and the processing is carried out by automated means.

## **4. Withdrawal of your consent**

If you have given your consent to the processing of your personal data and withdraw it, the processing remains unaffected until withdrawal.

## **5. Right to lodge a complaint**

You have the right to lodge a complaint with the competent supervisory authority at any time (Art. 77 GDPR).

## **6. Recipients**

The data collected when you access and use our social media profiles and the information you provide when you contact us are transmitted to Facebook and stored there. In addition, your data may be transferred to the following categories of recipients:

- People who are involved in the processing (e.g. marketing department, personnel management, customer service, secretariat)
- Processors (e.g. computer centre, IT service provider, software support)
- Contractual partners of the controllers (e.g. shipping service providers, banks, tax consultants)
- Public bodies (e.g. authorities)

Your personal data collected via the website are transferred by Facebook to the USA and stored there. This transfer is lawful according to Art. 44-46 GDPR, as there is an adequacy decision for transfers of personal data to Facebook in the USA.

## **7. Links to third-party websites**

When you visit our social media profiles, content may be displayed that is linked to third-party websites. The operator has no access to the cookies or other functions used by third-party websites nor can control them. Such third-party websites are not subject to the operator's privacy policy.

Status of the privacy policy: 26.08.2022