

Data Protection Declaration Jennerbahn

Your personal data is important to us. Hence, we would like to inform you about data protection at our company.
(version 2/2018)

I. General information

Controller: Berchtesgardener Bergbahn AG
Jennerbahnstr. 18
83471 Schönau am Königsee
Chairman: Franz Moderegger
Phone: 08652 95810
Email: info@jennerbahn.de

Your data protection contact: rasp@jennerbahn.de

II. Individual data processing

a.) Ticket purchase (day ticket or weekly ticket)

Purpose: If you like to make use of our services – alone or as a family/group – you require a ticket. You can regularly purchase the ticket at one of our ticket counters. We normally do not store personal data for this, only rarely you are required to present an identification card (for example as a proof of age). When paying with a credit card, payment data will of course be processed too. The legal basis for this is Article 6 (1 b) of the EU's General Data Protection Regulation (GDPR).

Data transfer: We transfer your payment data to the respective credit card provider to have the validity of the credit card confirmed.

Storage period: We generally store credit card information according to the statutory provisions on the retention of records (ten years max.). Other personal data are not stored permanently.

Your rights: You have the right of **access**, meaning the right to obtain confirmation as to whether your personal data is being stored by us (Article 15 GDPR). In that case, you have the right to ask for further information. Furthermore, you have the right to **rectification** pursuant to Article 16 GDPR. You also have the right to the **erasure** of your data, unless the order is not yet completed or unless we still require your personal data for the establishment, exercise or defence of legal claims (Article 17 GDPR). Neither are we obliged to erase your data if the erasure should entail a disproportionate effort; or if it is impossible due to a specific form of storage; or if your concern may be considered of limited relevance, Article 35 of the German Federal Data Protection Act (in German: Bundesdatenschutzgesetz or BDSG). You have the right to demand the **restriction** of processing (Art. 18 GDPR). Where technically feasible, you have the right to data portability (Art. 20 GDPR).

Right to lodge a complaint: Your right to lodge a complaint derives from Art. 14 (1) Sentence 1 no. 6 BDSG.

Your obligations: You are not obliged to provide personal information. However, by not providing them, you may not be able to benefit from every discount.

b.) Ticket purchase (season ticket or annual ticket)

Purpose: By purchasing a season ticket or an annual ticket, we additionally store personal data like your name, date of birth and address. In specific cases, the presentation of an ID is required (for example as a proof of age). This has the advantage that, in case you lose your ticket, we can identify you and replace your ticket. When paying with a credit card, payment data will of course be processed too. The legal basis for this is Article 6 (1 b) of the EU's General Data Protection Regulation (GDPR).

Data transfer: We transfer your payment data to the respective credit card provider to have the validity of the credit card confirmed. Your personal data will be stored in our system.

Storage period: We generally store credit card information according to the statutory provisions on the retention of records (ten years max.). Other personal data is normally stored for three years (statutory limitation period).

Your rights: You have the right of **access**, meaning the right to obtain confirmation as to whether your personal data resulting from the purchase of a season ticket is being stored by us (Article 15 GDPR). In that case, you have the right to ask for further information. Furthermore, you have the right to **rectification** pursuant to Article 16 GDPR. You then have the right to the **erasure** of your data, unless the order is not yet completed or unless we still need your personal data for the establishment, exercise or defence of legal claims (Article 17 GDPR). Neither are we obliged to erase your data, if the erasure should entail a disproportionate effort; or if it is impossible due to a specific form of storage; or if your concern may be considered of limited relevance, Article 35 BDSG. You have the right to demand the **restriction** of processing (Art. 18 GDPR). Where technically feasible, you have the right to data portability (Art. 20 GDPR).

Right to lodge a complaint: Your right to lodge a complaint derives from Art. 14 (1) Sentence 1 no. 6 BDSG.

Your obligations: You are obliged to provide the required information. Otherwise, it is not possible for you to purchase a season ticket.

c.) Use of the ticket and Photocompare

Purpose: If you like to ride the cable cars of the Jennerbahn with your ticket, you need to pass the access gates at the lifts. In order to do so, just hold the bar code – imprinted on your ticket – on the scanner. The turnstile will then allow you to pass. On first entrance, a reference photograph will be additionally taken at some of the turnstiles. By passing the turnstile again, the lift personnel will randomly compare the photo with the passenger for identity control. With this technique, we intend to prevent fraudulent use of the tickets. The legal basis for this is Article 6 (1 f) GDPR (legitimate interests).

Please note: If you do not wish that Photocompare is being used, we kindly ask you to communicate this before purchasing a ticket. You then will be provided with a unconfigured card. You should though expect random ticket controls without cause when using the turnstiles.

Data transfer: We will not transfer any personal data. Exception: When using a ski combo ticket, the time and place of entrance recorded on the lift card are shared with the other ski areas.

Storage period: The usage data is only stored temporarily (30 minutes max.). Unless there is a cause (suspicion of wrongful transfer of tickets etc.) justifying the evaluation of the photo data in order to clarify the facts. The reference photo taken as part of the ticket purchase process will be erased immediately after the validity of the lift card has expired.

Your rights: You have the right of **access**, meaning the right to obtain confirmation as to whether your personal data is being stored by us (Article 15 GDPR). In that case, you have the right to ask for further information. Furthermore, you have the right to **rectification** pursuant to Article 16 GDPR. You then have the right to the **erasure** of your data, unless the order is not yet completed or unless we still need your personal data for the establishment, exercise or defence of legal claims (Article 17 GDPR). Neither are we obliged to erase your data if the erasure should entail a disproportionate effort; or if it is impossible due to a specific form of storage; or if your concern may be considered of limited relevance, Article 35 BDSG. You have the right to demand the **restriction** of processing (Art. 18 GDPR). Where technically feasible, you have the right to data portability (Art. 20 GDPR).

Right to lodge a complaint: Your right to lodge a complaint derives from Art. 14 (1) Sentence 1 no. 6 BDSG.

Your obligations: You are not obliged to take part in the ticket control “Photocompare”, see also the information above.

d.) Vouchers

Purpose: If you would like to ride our cable cars by using a voucher, we store the following data

- of the giver of the gift/the purchaser: Name, date of birth, address, payment details, email address (in order to duly execute the payment). Photos you uploaded are also stored for technical reasons.
- of the user of the voucher: If you would like to use a previously purchased voucher, we will only check the payment of the voucher with the provider’s server. Your personal data will only be stored as above described in a.), b.) and c.).

The legal basis for this is Article 6 (1 b) GDPR (contract or initiation of contract).

Data transfer: We give data to and take data from our voucher provider INCERT, based in Linz. For the data protection declaration of INCERT, please follow this link: <https://www.incert.at/unternehmen/datenschutz/>

Data transfer to Austria: Personal data is transferred to and respectively collected from a third country: Austria is secure third country in compliance with Article 13 (1f) GDPR.

Credit assessment: By choosing “Klarna” as your method of payment, the payment service provider will check your credit worthiness and your purchase history. We will not use this data, nor will we receive information about the completion or failure of the transaction. For more information, see <https://www.klarna.com/de/datenschutz/>

Change of purpose: As the giver of the gift, you have provided us with the data necessary to purchase vouchers. We will not further process your data, only the purchased product will be used for another purpose (riding the ski lift). Therefore, we do not hold that Article 13 (3) GDPR is applicable.

Storage period: The data collected from the purchase of the voucher is stored for not more than three years (statutory limitation period). Further personal data, like the photo you uploaded, will be immediately deleted after processing.

Your rights: You have the right of **access**, meaning the right to obtain confirmation as to whether your personal data is being stored by us (Article 15 GDPR). In that case, you have the right to ask for further information. Furthermore, you have the right to **rectification** pursuant to Article 16 GDPR. You then have the right to the **erasure** of your data, unless the order is not yet completed or unless we still need your personal data for the establishment, exercise or defence of legal claims (Article 17 GDPR). Neither are we obliged to erase your data, if the erasure should entail a disproportionate effort; or if it is impossible due to a specific form of storage; or if your concern may be considered of limited relevance, Article 35 BDSG. You have the right to demand the **restriction** of processing (Art. 18 GDPR). Where technically feasible, you have the right to data portability (Art. 20 GDPR).

Right to lodge a complaint: Your right to lodge a complaint derives from Art. 14 (1) Sentence 1 no. 6 BDSG.

Your obligations: As user of the voucher, you are not obliged to provide personal data, see also a.), b.) and c.).

d.) Ticket purchase (online shop)

Purpose: If you like to ride the Jennerbahn’s cable cars – alone or as a family/group – you require a ticket. You can also purchase tickets online. We collect personal data like age, address and bank details. When paying with a credit card, the payment data will also be processed. The legal basis for this is Article 6 (1 b) GDPR.

Data transfer: We transfer your payment data to the respective EC card provider to have the validity of your card confirmed. We organize the sales process with our partner Axess, see his Data Protection Declaration here: <https://www.teamaxess.com/de/nutzungsbedingungen>

Data transfer to Austria: Personal data is transferred to and collected from a third country: Austria is secure third country in compliance with Article 13 (1f) GDPR.

Storage period: We generally store the data in compliance with the statutory provisions on the retention of records (ten years max.). Other personal data are not stored permanently, normally for three years at the most.

Ticket information: The ticket is used as described in c.).

Your rights: You have the right of **access**, meaning the right to obtain confirmation as to whether your personal data is being stored by us (Article 15 GDPR). In that case, you have the right to ask for further information. Furthermore, you have the right to **rectification** pursuant to Article 16 GDPR. You also have the right to the **erasure** of your data, unless the order is not yet completed or unless we still need your personal data for the establishment, exercise or defence of legal claims (Article 17 GDPR). Neither are we obliged to erase your data if the erasure should entail a disproportionate effort; or if it is impossible due to a specific form of storage; or if your concern may be considered of limited relevance, Article 35 BDSG. You have the right to demand the **restriction** of processing (Art. 18 GDPR). Where technically feasible, you have the right to data portability (Art. 20 GDPR).

Right to lodge a complaint: Your right to lodge a complaint derives from Art. 14 (1) Sentence 1 no. 6 BDSG.

Your obligations: You are not obliged to provide personal information. However, by not providing them, you may not be able to benefit from every discount or even to purchase a ticket.

e.) Contact via email or telephone/fax

Purpose: When contacting us via phone, fax or email, your data is processed for our customer database, so that we can offer you our services. The legal basis for this is Article 6 (1 b) GDPR (contract or initiation of contract).

Data transfer: We do not transfer your personal data to an external third party. Exception: Upon your request, we deposit group tickets and/or delivery notes at the place of your choice (usually a hotel).

Storage period: For us to be always able to be at your service, we store the data permanently.

Your rights: You have the right of **access**, meaning the right to obtain confirmation as to whether your personal data is being stored by us (Article 15 GDPR). If your data is being stored, you have the right to ask for further information. We can only refuse this if the data is stored solely due to data retention regulations or for security purposes; Article 34 (1) Sentence 1 no. 2 BDSG. Furthermore, you have the right to **rectification** pursuant to Article 16 GDPR. You have the right to the **erasure** of your data, unless the order is not yet completed; or unless we still need your personal data for the establishment, exercise or defence of legal claims (Article 17 GDPR). Neither are we obliged to erase your data if the erasure should entail a disproportionate effort; or if it is impossible due to a specific form of storage; or if your concern may be considered of limited relevance, Article 35 BDSG. In that case, you have the right to demand the restriction of data processing pursuant to Article 35 of the German Federal Data Protection Act (BDSG). You have the right to demand the **restriction** of processing (Art. 18 GDPR). Where technically feasible, you have the right to data portability (Art. 20 GDPR).

Right to lodge a complaint: Your right to lodge a complaint derives from Art. 14 (1) Sentence 1 no. 6 BDSG.

Your obligations: You are not obliged to provide us with information, nor will you in this case suffer any disadvantage.

f.) Newsletter

Purpose: By subscribing to our newsletter, you'll always be informed about the latest news from the Jennerbahn. The purpose of our newsletter is to increase awareness and to update our customers faster and more efficiently. The legal basis for this is Article 6 (1 A) GDPR (legitimate interests).

Data transfer: We will not forward your email address.

Storage period: Your email address is being stored until you unsubscribe from the newsletter or until we are notified that your email address does not exist anymore. To unsubscribe from the newsletter, just click on "Abmelden" ("Unsubscribe") at any time. We will then delete your email address automatically.

Your rights: You have the right of **access**, meaning the right to obtain confirmation as to whether your personal data is being stored by us (Article 15 GDPR). Only if your data is being stored, you have the right to ask for further information. We can only refuse this if the data is stored solely due to data retention regulations or for security purposes; Article 34 (1) Sentence 1 no. 2 BDSG. In case your address or similar data changes, you have the right to **rectification** pursuant to Article 16 GDPR. You have the right to the **erasure** of your data, unless the order is not yet completed; or unless we still need your personal data for the establishment, exercise or defence of legal claims (Article 17 GDPR). You have the right to demand the **restriction** of processing (Art. 18 GDPR). Where technically feasible, you have the right to data portability (Art. 20 GDPR).

Right to lodge a complaint: Your right to lodge a complaint derives from Art. 14 (1) Sentence 1 no. 6 BDSG (German Federal Data Protection Act).

Your obligations: You are not obliged to provide us with your email address. For you to receive the newsletter, it is necessary though.

g.) Further transfer of data

aa.) Google Maps

We use Google Maps for you to find the Jennerbahn more easily.

Purpose: The pursuing of legitimate interests, namely the higher probability of being found by customers.
Legal basis: Article 6 (1f) GDPR (legitimate interests).

Data transfer: Your location and your IP address will be transferred to Google Maps according to your browser settings. Google also partially uses pixel tags for statistical purposes, this, however, is done anonymously. For more information: https://www.google.com/intl/de_de/help/terms_maps.html

Storage period: We do not store the data.

Your rights: You have the right of **access**, meaning the right to obtain confirmation as to whether your personal data was transferred (Article 15 GDPR). You have the right to demand the **restriction** of processing (Art. 18 GDPR). Where technically feasible, you have the right to data portability (Art. 20 GDPR).

Right to lodge a complaint: Your right to lodge a complaint derives from Art. 14 (1) Sentence 1 no. 6 BDSG.

bb.) Facebook and Instagram

Our company is present on Facebook and Instagram, so that you can contact us or get to know our services. Of course, you can also simply share personal thoughts and amusing facts with us. When using the above-mentioned social media networks, the respective terms and conditions of business and data protection provisions apply.

<https://www.facebook.com/privacy/explanation>

<https://help.instagram.com/155833707900388>

Outside of these platforms, we will not process your data. Should the contrary be the case, the above-mentioned provisions determine how the data ought to be handled.

Purpose: The pursuing of legitimate interests, namely the interaction with customers on social media channels. Legal basis: Article 6 (1f) GDPR (legitimate interests).

Data transfer: Facebook is based in Dublin, Ireland (Ireland Ltd., 4 Grand Canal Square, Grand Canal Harbour, Dublin 2).

If a user requests a page of this service containing a Facebook plug-in, his browser directly establishes a connection to the Facebook servers. Facebook directly transmits the content of the plug-in to your browser; the browser then integrates the content into the website. The provider therefore has no influence over the extent of data being collected with Facebook plug-ins and therefore informs users according to his state of knowledge.

Thanks to plug-ins, Facebook collects the information that a user has requested one of his domains. If the user is logged in on his Facebook account, Facebook can allocate this request to his account. If the user interacts with plug-ins, for example by clicking on the “like” button or by commenting, the respective information will be directly transferred from the user’s browser to Facebook and stored there. In case the user has no Facebook account, there still is a possibility that his IP address can be collected and stored by Facebook. According to Facebook, IP addresses in the European Union are only stored anonymously.

Please note: If a user has a Facebook account and does not wish Facebook collecting data concerning our services and linking it to his account data stored by Facebook, he must log out before visiting our Facebook presence. Settings can also be changed in the Facebook profile mask. Furthermore, you can object to the use of data for advertising purposes. <https://www.facebook.com/settings?tab=ads>.

Storage period: We do not store the data.

Your rights: You have the right of **access**, meaning the right to obtain confirmation as to whether your personal data was transferred (Article 15 GDPR). You have the right to demand the **restriction** of processing (Art. 18 GDPR). Where technically feasible, you have the right to data portability (Art. 20 GDPR).

Right to lodge a complaint: Your right to lodge a complaint derives from Art. 14 (1) Sentence 1 no. 6 BDSG.

h.) Applications (jobs)

Purpose: Should you apply for a job at our company, we will process your personal data, so that we can communicate with you, register you in our applicant database and maybe find you a suitable position. Uploaded documents will be stored on our applicant database. The legal basis for this is Article 6 (1 b) GDPR (contract or initiation of contract) and Article 26 (1) BDSG.

Please note: Should your application documents comprehend sensitive data as defined in Article 9 (1) GDPR (data concerning health or disabilities etc.), we will of course process this data according to the standards of social security pursuant to Article 9 (2) GDPR.

Data transfer: Documents are regularly evaluated but will not be transferred to a third party.

Storage period: If no employment relationship is established, personal data will be stored for ten months in accordance with the obligation to provide proof pursuant to the German General Equal Treatment Act (Allgemeines Gleichbehandlungsgesetz, AGG). If an employment relationship is established, personal data will be stored up to three years after the termination of employment (statutory limitation).

Your rights: You have the right of **access**, meaning the right to obtain confirmation as to whether your personal data is being stored by us (Article 15 GDPR). If your data is being stored, you have the right to ask for further information. We can only refuse this if the data is stored solely due to data retention regulations or for security purposes; Article 34 (1) Sentence 1 no. 2 BDSG. Furthermore, you have the right to **rectification** pursuant to Article 16 GDPR. You have the right to the **erasure** of your data, unless the order is not yet completed; or unless we still need your personal data for the establishment, exercise or defence of legal claims (Article 17 GDPR). You have the right to demand the **restriction** of processing (Art. 18 GDPR). Where technically feasible, you have the right to data portability (Art. 20 GDPR).

Right to lodge a complaint: Your right to lodge a complaint derives from Art. 14 (1) Sentence 1 no. 6 BDSG.

Your obligations: You are not obliged to provide us with information. However, we may be unable to recruit you in that case.

III. Website

a.) Server and log files / internet hosting service

Introduction: Our hosting provider records every access to the server on which the service is installed (the so called “server log files”). The access data comprises: the name of the requested page, file, date and time of the request, the quantity of data transmitted, the status report (if the query was successful), browser model and version, the user’s operating system and URL referrer.

Purpose: To ensure computer performance, to improve our online services and to guarantee data processing security. The legal basis for this is Article 6 (1 f) GDPR (legitimate interests).

On our server, we process inventory data, contact data, content data, contractual data and communications data of customers, prospective customers and visitors of our online service.

Purpose: To ensure computer performance, to improve our online services and to guarantee data processing security. The legal basis for this is Article 6 (1 f) GDPR (legitimate interests).

Data transfer: Server and log file data are not transferred to third parties, except for hosting providers based in the EU. Hosting data will not be transferred.

Storage period: The data is stored in order to guarantee the system’s security. Log files saved on our servers are stored up to ten years for security reasons. Only data that can be assigned to one of the aforementioned categories mentioned before will be stored according to the respective regulation.

Your rights: You have the right of **access**, meaning the right to obtain confirmation as to whether your personal data is being stored by us (Article 15 GDPR). If data is being stored: You have the right to demand the **restriction** of processing (Art. 18 GDPR). You have the right to the **erasure** of your data, unless your order is not yet completed or unless we still need your personal data for the establishment, exercise or defence of legal claims (Article 17 GDPR). Neither are we obliged to erase your data if the erasure should entail a disproportionate effort or if the storage’s only purpose is to insure the data security; or if your concern may be considered of limited relevance (for example in the case of log file data), Article 35 (1) BDSG.

Right to lodge a complaint: Your right to lodge a complaint derives from Art. 14 (1) Sentence 1 no. 6 BDSG (German Federal Data Protection Act).

b.) Cookies

We would like to remark that, strictly speaking, the following does not concern personal data processing. Nonetheless, we would like to provide you with the following information:

When visiting our website, cookies will possibly be set. “Cookies” are small pieces of data stored on the user’s computer. Cookies can record different types of data. A cookie primarily records information about the user (or about the device on which the cookie is stored) during or even after his visit to a website. Temporary cookies,

also called “session cookies” or “transient cookies”, are cookies which are deleted when the user leaves a website or when he closes his browser. This type of cookie for example records the content of a shopping cart of an online shop or a log-in status. Cookies that stay stored even after the browser is closed are called “permanent” or “persistent”. That’s for example how the log-in status can be recorded if the user requests a page again after several days. Furthermore, this type of cookie can record the activities and interests of the user. These data can then be used for reach measurements or marketing purposes. “Third-party cookies” are cookies sent by another provider, not the responsible domain administrator (cookies sent only by the domain administrator are called “first-party cookies”). The legal basis for this is Article 6 (1 f) GDPR (legitimate interests). Our legitimate interest consists in the improved applicability of our website services.

Data transfer: Personal data will not be read or transferred.

Your rights: If you do not wish cookies to be stored on your computer, we kindly ask you to deactivate the respective option in the system settings of your browser. Stored cookies can be deleted in the browser settings. The deactivating of cookies can result in a limited function of our online services.

A general objection to the use of cookies for online marketing purposes can be declared for a great number of services, mainly in tracking cases, via the American website <http://www.aboutads.info/choices/> or the EU website <http://www.youronlinechoices.com/>. Furthermore, the storage of cookies can be blocked by deactivating them in the browser settings.

Please note that this could result in the limited access to our online services.

IV. Technical and organisational measures

Naturally, we meet all the requirements pursuant to Article 25 GDPR and operate our domain and online services using state-of-art technology. We have obtained safety guarantees from all our processors. When acting as processors ourselves, a contract with our customers is concluded in compliance with Article 28 GDPR. Our staff is trained in accordance with the GDPR requirements. Personal data is neither transferred by us nor otherwise marketed. Our technology is constantly maintained and meets the GDPR requirements (data security, data availability, data economy). We regularly check our data protection efforts. Your personal data is important to us.