



PRIVACY POLICY

ARIA HOTEL BUDAPEST

This Privacy Policy (the "Privacy Policy") provides information to the data subject regarding the personal data processed by the Controller in the course of its activities, in line with Regulation (EU) 2016/679 of the European Parliament and of the Council ("GDPR"). Should the Controller apply a special privacy policy relating to its special data processing activity, the provisions of such special privacy policy shall override the provisions of this general privacy policy.

1 Controllers and their contact details

IK Hotels Kft.

registered office: 1051 Budapest, Hercegprímás utca 5.

company registration number: 01-09-895537

Aria Projekt Kft.

registered office: 1051 Budapest, Hercegprímás utca 5.

company registration number: 01-09-280051

as the controllers operating Aria Hotel Budapest

Postal address of the controllers: 1051 Budapest, Hercegprímás utca 5.

E-mail address of the controllers: stay@ariahotelbudapest.com

IK Hotels Kft and Aria Projekt Kft hereinafter collectively and individually as "Controller(s)" or "Aria Hotel"

Name and contact details of the representative of the Controllers:

IK Hotels Kft:

Zoltán KECSKEMÉTHY

Postal address: 1051 Budapest, Hercegprímás utca 5.

E-mail address: zoltan.k@ariahotelbudapest.com

Phone: +36 30 227 8967

Aria Project Kft:

Roth George

Phone: +36 1 445 4055

Particulars of the Controller's data protection officer:

Name: Regina GALAMBOS-PARTI

Postal address: 1051 Budapest, Hercegprímás utca 5.

E-mail address: regina@ariahotelbudapest.com

Phone: +36 30 697 1544

The Data Protection Officer qualifies as the contact person of the Controllers, acting as joint controllers, as per Article 26(1) of the GDPR.

2 Processing of the data subject's data

2.1. The data subjects

The Controllers process the personal data of the following natural persons (hereinafter as: Data Subject):

- The hotel guests of Aria Hotel Budapest operated by the Controller
- The persons using the other services offered in Aria Hotel
- The persons subscribing to the newsletter of Aria Hotel
- Visitors of the following websites: www.ariahotelbudapest.com, www.harmonyspabudapest.com, www.highnoteskybar.hu, www.lisztrestaurant.hu, www.lisztrestaurant.com
- The persons contacting the Controller (via email, phone, post, or in person)
- The participants of the promotional lotteries announced by the Controller
- Controller's employees and contractual partners
- The persons applying for the jobs advertised by the Controller
- The persons staying on the premises of Aria Hotel (the recording of video footage)

2.2. Categories of the processed personal data

The below personal data of the Data Subject shall be processed by the Controller:

- (i) When hotel accommodation services are used by the data subject:
 - name, place and date of birth, address, e-mail address, phone number, invoicing data, data related to the accommodation, catering services, spa treatments and related services, personal preferences, allergies, intolerances, debit/credit card and payment data
- (ii) Data recorded by the cameras operated by the Controller:
 - The Data Subject's image
- (iii) For the purpose of sending of newsletters:
 - Name, e-mail address

(iv) For the purpose of the promotional lotteries:

- Name, contact details: e-mail address, address, phone number, user name used in social media

(v) Liaising with the Controller

- Data provided by the Data Subject to the Controller in the course of liaising

(vi) Automatically collected data: Those data of the connecting computer or mobile device of the person viewing the websites (Websites) at www.ariahotelbudapest.com, www.harmonyspabudapest.com, www.highnoteskybar.hu, www.lisztrestaurant.hu, www.lisztrestaurant.com that are generated in the course of the Website use and which are recorded by the Controller's system as the automatic result of the technical processes, hence, in particular, the Internet Protocol (IP) address, the browser type, the language setting, the operating system, the internet service provider (ISP) and the time stamp.

The automatically recorded data are automatically logged by the Website upon log-in and log-out, without the Data Subject's separate statement or action. These data shall not be matched with other personal user data, save for the cases made mandatory by law. Only the Controller can access the data.

The processing of the data of the Controller's employees are regulated under a separate policy.

The processed personal data are provided by the Data Subject directly to the Controller. The provision of the data may take place via any contact channel determined by the Controller, on an online space, or by direct delivery to the person acting on behalf of the Controller at the Controller's registered office or other at another location.

2.3. The purpose, legal basis, and period of processing

2.3.1 Preparations for conclusion of the contract subjecting the provision of the hotel accommodation service and related services provided by the Controller and performance of the contract

The personal data are required to be processed in order to make preparations for the conclusion of the contract (hereinafter as: "Contract") subjecting the provision of the hotel accommodation service and other related services provided by the Controller and to perform the Contract.

The detailed terms and conditions of the service provision as per the Contract are recorded and determined in the respective written confirmation and the other documents referenced therein.

In order to attain the above objective, the Controller shall carry out the below activities, in particular:

- Liaising with the Data Subject
- Provision of hotel accommodation and the related services (e.g.: spa, catering services)

The period of this processing (data retention time) shall commence as of the request for quotation and shall last for the duration of the period of preparing the Contract and the term of the Contract (as long as it is concluded).

With due consideration of the fact that the Controller could not prepare the execution of the Contract, or sign and perform the Contract without provision of the above personal data, therefore the Data Subject is obliged to provide the personal data to the Controller. If the data are not provided, the Controller has the right to refuse to enter into

the Contract with the Data Subject or refuse to perform the Contract, or provide the concerned service with a restricted content.

If the Contract is not concluded or if the Contract is cancelled or terminated, the Controller shall not erase the personal data but shall retain these data for the purpose and under the legal basis specified in Section 2.3.5, and similarly, it shall not erase these data if the Data Subject granted his/her explicit consent to the continuation of the processing of his/her personal data even after termination of the Contract, and also if the processing of the personal data is required by law.

2.3.2 Compliance with a legal obligation

The individual personal data of the Data Subject are processed by the Controller to comply with the following statutory obligations, for the duration specified by the respective piece of legislation. These statutory obligations shall include, in particular the following:

- pursuant to Article 73(2) of Act II of 2007 on the Entry and Stay of Third-Country Nationals, operators of commercial lodgings and other hotel establishments of legal persons shall keep records (guest books) on the prescribed forms of the information of their guests who are third-country nationals, as defined in the respective Subsection
- Article 169(2) of Act C of 2000 on Accounting stipulates that the accounting documents directly or indirectly supporting the bookkeeping records (including ledger accounts, analytical records and registers) shall be retained for minimum 8 years, shall be readable and accessible by code of reference indicated in the bookkeeping records

With due regard to the fact that the processing as per this Section constitutes a legal obligation of the Controller, the provision of the personal data is obligatory, and hence the failure of provision of the data may entail the refusal of conclusion of the Contract or the refusal of performance of the Contract.

2.3.3 Legitimate interest of the Controller AND/OR a third party

The Data Subject's personal data shall be processed by the Controller based on the below legitimate interests, for the below purposes and duration:

- A camera system is operated by the Controller in the public premises of Aria Hotel in order to guarantee the safety of the Data Subject and his/her personal property. Certain interests of the Data Subject (such as the protection of privacy) are restricted as a result of operation of the camera system to the necessary and proportionate extent. A separate notice is to be provided to the Data Subject about the operation of the camera system.

The purpose of the processing as per this Section is to ensure that the Controller is able to enforce its legitimate interests detailed above. The personal data shall be retained by the Controller for 72 hours, except if a longer retaining period is required or applied for by an authority.

2.3.4 Consent of the Data Subject

The personal data are processed on the basis of the Data Subject's consent (freely given, specific, informed and unambiguous indication of the Data Subject's wishes). The consent may be granted by the Data Subject

- (i) separately from other statements, in the course of the contract process (request for quotation, reservation, confirmation) with the Controller, aimed to secure the service provision
- (ii) in a separate statement



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- (iii) in his/her statements made at the following websites of the Controller: www.ariahotelbudapest.com,
www.harmonyspabudapest.com, www.highnoteskybar.hu, www.lisztrestaurant.hu,
www.lisztrestaurant.com.

The consent is voluntary and the Data Subject has the right to withdraw his/her consent at any time, without any restriction, by sending a notice addressed to the Controller. Such notice may be sent by the Data Subject to any of the contact addresses specified in Section 1 of the Privacy Policy.

Withdrawal of the consent shall not have any consequences for the Data Subject. However, the withdrawal of the consent shall not affect the lawfulness of the processing performed on the basis of the consent, before its withdrawal.

The processing of the Data Subject's personal data for purpose of sending the Newsletters is based on the Data Subject's consent as well.

Controller does not require the Data Subject to provide any personal data of special categories defined in Article 9 of the GDPR, hence the Data Subject is not required to provide these types of personal data in order to use the services provided by the Controller. Should the Data Subject provide to the Controller any data of special categories on a voluntary basis – in particular any health data concerning allergies and intolerances defined in Section 2.2(i) – then Data Subject gives his/her consent, by the very act of provision of these data, to the processing of these data by the Controller.

In addition to the above described cases, data of special categories may also be processed if the processing of such data are necessary for performance of a statutory obligation.

2.3.5 Establishment, exercise or defence of legal claims arising from the Contract

The Data Subject's personal data not erased after frustration of contract execution or after termination of the Contract pursuant to Section 2.3.1 shall be retained by the Controller for five years following frustration of contract execution or after termination of the Contract, in accordance with the limitation rules of Act V of 2013 on the Civil Code.

In addition to the above personal data, the Controller shall be entitled to process and retain those personal data of the Data Subject that are also accessible from publicly available databases, based on the Controller's legitimate interest, for the above duration.

2.4. The right to pass decisions on automated individual decision-making, including profiling

The Controller does not perform any automated decision-making, including profiling.

2.5. Relations between the Controllers, joint processing.

Controller informs the Data Subject that with due consideration of the fact that both IK Hotels Kft and Aria Projekt Kft are taking part in operation of Aria Hotel Budapest, they both qualify as joint controllers as per Article 26 of the GDPR. This Privacy Policy – also representing the provision of information required under Articles 13 and 14 of the GDPR – is provided to the Data Subject jointly by the Controllers.

Data Subject may contact any of the Controllers concerning any data processing actions related to Aria Hotel Budapest. If the other Controller has competence regarding the question – falling within the scope of processing – asked by the Data Subject upon contacting the Controller, the Controller contacted shall be obliged to inform the other Controller about the contacting.

Controllers inform the Data Subject that always the Controller qualifying as the actual employer of an employee shall have responsibility for the given employee employed by the Controller as employer.



Controllers inform the Data Subject that irrespective of the terms of the arrangement made by and between the Controllers, the Data Subject may exercise his or her rights under the GDPR in respect of and against each of the Controllers.

3 Recipients of the personal data

A. Data transfers

The Controller may transfer the Data Subject's personal data to its contractual partners in order to ensure the provision of the service to the Data Subject. Data can be transferred to third countries only to the below entities:

- Hotels belonging to the Library Hotel Collection

Data Subject gives his/her consent so that the Controller may transfer the Data Subject's personal data to the above recipients. All of the user's data may be involved in the data transfer, except for the data qualifying as data of special categories and the personal data found on the camera recordings.

The transfer is necessary for the performance of the contract between the Data Subject and the Controller. Recipients of the data transfer ensure that the personal data shall be processed by them in line with the rules of the Regulation.

B. Data processors:

Controller uses the following data processors

- H-Consulting Kft. (1211 Budapest, II. Rákóczi Ferenc út 107–115. building "A" ground floor III office), execution of bookkeeping and accounting tasks.
- Neucom Kft – IT service provider, as controller and data processor
- Contractual partners performing mediated services
- Authorities
- Legal representative company

4 Rights of the data subject

4.1 Right to access

The Data Subject shall have the right to obtain from the Controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and the following information:

- (i) the purposes of the processing regarding the given personal data,
- (ii) the categories of personal data of the Data Subject,
- (iii) the categories of those recipients to whom the Data Subject's personal data have been communicated or will be communicated, including in particular the third country recipients and international organisations (in the case of data transfer to third country recipients and international organisations, the Data Subject has

the right to request information to verify whether the data transfer is carried out with the appropriate safeguards),

- (iv) the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period,
- (v) the rights of the Data Subject (right to rectification, erasure or restriction, right to data portability, right to object against the processing of such personal data),
- (vi) the right to lodge a complaint with a supervisory authority,
- (vii) where the personal data are not collected from the Data Subject by the Controller, any available information as to their source,
- (viii) the existence of automated decision-making regarding the concerned personal data, including profiling; if any processing of this nature is carried out, the provided information must also include the logic involved, as well as the significance and the envisaged consequences of such processing for the Data Subject.

Where the Data Subject makes the request by electronic means, and unless otherwise requested by the Data Subject, the requested information shall be provided in a commonly used electronic form.

Prior to fulfilment of the request, the Controller may request from the Data Subject the clarification of the Data Subject's request, the exact definition of the requested information and data processing activities.

In the event the Data Subject's right to access as per this Section adversely affects the rights and freedoms of others, hence in particular their trade secrets or intellectual property, the Controller shall be entitled to refuse to perform the Data Subject's request to the necessary and proportionate extent.

Should the Data Subject request the above information in multiple copies, the Controller may charge a reasonable fee proportionate to the administrative costs of production of the extra copies.

If the personal data determined by the Data Subject is not processed by the Controller, the Controller shall be obliged to notify the Data Subject thereof, in writing.

4.2 Right to rectification

The Data Subject has the right to ask for the rectification of his/her personal data. If the Data Subject's personal data are incomplete, the Data Subject has the right to ask for supplementation of his/her personal data.

The Data Subject shall be obliged to specify in the course of exercising his/her right to rectification/supplementation which data are inaccurate or incomplete, furthermore he/she shall be obliged to provide to the Controller the accurate and complete data as well. In justified cases the Controller has the right to call upon the Data Subject to evidence the clarified data to the Controller in the appropriate manner, primarily by providing the necessary underlying deed.

The Data Subject shall perform rectification and supplementation of the data without undue delay.

Following fulfilment of the Data Subject's request for exercising his/her right to rectification, the Controller shall inform those persons, without delay, to whom the Data Subject's personal data have been communicated, as long as it is possible and does not require disproportionate efforts on the part of the Controller. The Controller shall inform the Data Subject about those recipients if the Data Subject requests it.

4.3 Right to erasure (right to be forgotten)



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The Data Subject has the right to initiate the erasure of his/her personal data by the Controller, without undue delay, as long as any of the below conditions are met:

- (i) the personal data indicated by the Data Subject are no longer necessary in relation to the purposes for which they were collected or otherwise processed by the Controller,
- (ii) the personal data (including sensitive data as well) were processed by the Controller based on the Data Subject's consent, and the Data Subject has withdrawn his/her consent in writing and the processing has no other legal basis,
- (iii) the Data Subject objects against the processing based on the Controller's legitimate interest, and the Controller has no such compelling legitimate ground for the processing which overrides the interests, rights and freedoms of the Data Subject or for the establishment, exercise or defence of legal claims,
- (iv) the personal data was processed by the Controller unlawfully,
- (v) the personal data processed by the Controller have to be erased for compliance with a statutory obligation in Union or Member State law to which the Controller is subject,
- (vi) the Data Subject objects to the processing and there are no overriding grounds for the processing.

The Data Subject's request for erasure shall be submitted in writing and the Data Subject shall be obliged to indicate the reason(s) underlying his/her intention of erasure of the specific personal data.

In the event the Controller approves the Data Subject's request for erasure, it shall erase the processed personal data from all of its records and registers and shall notify the Data Subject thereof in the required manner.

In the event the Controller is obliged to erase the Data Subject's personal data, the Controller shall make every reasonable measure – including technical measures as well – required to inform those controllers about the mandatory erasure of the personal data that have become acquainted with the Data Subject's personal data as a result of disclosure of such data. The Controller shall be obliged to inform the other controllers in its notice that erasure of the links to, or copies or replications of the Data Subject's personal data was requested by the Data Subject.

Following fulfilment of the Data Subject's request for exercising his/her right to erasure, the Controller shall inform those persons, without delay, to whom the Data Subject's personal data have been communicated, as long as it is possible and does not require disproportionate efforts on the part of the Controller. The Controller shall inform the Data Subject about those recipients if the Data Subject requests it.

The Controller is not obliged to erase the personal data if the data processing is necessary:

- (i) for exercising the right of freedom of expression and the right to information,
- (ii) for the performance of an obligation aiming to process personal data deployed onto the Controller under Hungarian or EU law,
- (iii) for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller,
- (iv) for the fulfilment of public interest affecting the area of public health,
- (v) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, provided that it is likely that the data processing would become impossible or seriously endangered as a result of exercising the Data Subject's right to be forgotten,

- (vi) for the establishment, exercise or defence of legal claims.

4.4 Right to restriction of processing

The Data Subject has the right to initiate the restriction of processing or use of his/her personal data by the Controller, as long as any of the below conditions are met:

- (i) the Data Subject disputes the accuracy of the personal data (in this case the restriction lasts until the Controller checks the accuracy of the data),
- (ii) the Controller processed the personal data unlawfully, but the Data Subject requests restriction instead of erasure,
- (iii) the Controller no longer has a purpose of data processing, but the Data Subject requests the data for the establishment, exercise or defence of legal claims,
- (iv) the Data Subject objects against the processing based on the Controller's legitimate interest, and the Controller has no such compelling legitimate ground for the processing which overrides the interests, rights and freedoms of the Data Subject or for the establishment, exercise or defence of legal claims; in this case the restriction holds until it is established whether the legitimate grounds of the Controller override those of the Data Subject or not.

Where processing has been restricted, the personal data shall, with the exception of storage, only be processed with the Data Subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of an EU Member State.

The Data Subject shall be informed by the Controller before the restriction of processing is lifted.

Following fulfilment of the Data Subject's request for exercising his/her right to restriction, the Controller shall inform those persons, without delay, to whom the Data Subject's personal data have been communicated, as long as it is possible and does not require disproportionate efforts on the part of the Controller. The Controller shall inform the Data Subject about those recipients if the Data Subject requests it.

4.5 Right to object

With due consideration of the fact that the Controller does not perform processing of data of public interest and does not have any official authority, does not perform scientific or historic research and the processing is not carried out for statistical purposes, therefore the right to object may only be exercised in the case of data processing performed on the grounds of legitimate interest.

If the Data Subject's data are processed on the grounds of legitimate interest, there is an important safeguard-type provision, namely that appropriate information and the right to object must be granted to the Data Subject. At the latest at the time of the first communication with the Data Subject, the right referred to in this Section shall be explicitly brought to the attention of the Data Subject.

Based on this, the Data Subject has the right to object against the processing of his/her personal data and in such an event the Controller can no longer process the Data Subject's personal data, except if it can be proven that

- (i) such compelling legitimate grounds justify the processing by the Controller which override the interests, rights and freedoms of the Data Subject or
- (ii) if the processing is related to the establishment, exercise or defence of legal claims of the Controller.

4.5.1 Right to object in the case of direct marketing

In the event of direct marketing activities carried out by the Controller, the Data Subject has the right to object against the processing of his/her personal data for that purpose, however, in this case, contrary to the processing based on other legitimate interest, the Controller does not have the right to consider (balance) whether to continue the processing in spite of the Data Subject's objection.

If the Data Subject objects against the processing for direct marketing purposes, the Controller shall no longer process the Data Subject's data for that purpose.

4.6 Right to data portability

The Data Subject shall have the right to receive the personal data concerning him or her, processed by the Controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller, without the Controller hindering or preventing this.

The right to data portability can be exercised in respect of those personal data that have been provided by the Data Subject to the Controller and

- (i) If processing is based on the Data Subject's consent or a contract and
- (ii) the processing is carried out by automated means.

Upon request by the Data Subject, the Controller shall transfer the personal data directly to another controller defined in the Data Subject's request, if doing so is technically feasible otherwise. The right to data portability stipulated in this Section does not create an obligation for the controllers to introduce or maintain processing systems that are technically compatible with each other.

Within the framework of data portability, the Controller is obliged to provide a data carrier to the Data Subject, free of charge.

In the event the Controller's right to data portability adversely affects the rights and freedoms of others, hence in particular their trade secrets or intellectual property, the Controller shall be entitled to refuse to perform the Data Subject's request to the necessary extent.

Any measure within the scope of data portability shall not mean the erasure of the data, and the Controller shall keep the respective data in its records right until the Controller has the appropriate purpose or legal basis for processing these data.

4.7 Right to legal remedy

4.7.1 Right to lodge a complaint

If the Data Subject considers that the processing of his/her personal data by the Controller infringes the provisions of the currently effective data protection legislation, in particular that of the GDPR, the Data Subject has the right to lodge a complaint to the Hungarian National Authority for Data Protection and Freedom of Information.

Contact details of the National Authority for Data Protection and Freedom of Information:

Website: <http://naih.hu/>

Address: 1125 Budapest, Szilágyi Erzsébet fasor 22/c.

Postal address: 1530 Budapest, Pf.: 5.

Phone number: +36-1-391-1400

Fax: +36-1-391-1410

E-mail: ugyfelszolgalat@naih.hu

The Data Subject has the right to lodge a complaint at another supervisory authority, in particular in the Member State of his or her habitual residence, workplace or the place of the alleged infringement.

4.7.2. The right to bring the case to court (right to initiate legal action)

The Data Subject – regardless of his/her right to lodge a complaint – may initiate legal action if his/her rights under the GDPR have been infringed in the course of processing of his/her personal data.

The action against the Controller – being a controller having a domestic establishment – can be brought before a Hungarian court.

Pursuant to Article 22(1) of the currently effective Information Act, the Data Subject may start the legal action at the regional court of his/her place of residence as well. The contact data of the regional courts in Hungary is available at <http://birosag.hu/torvenyszekek>.

With due consideration of the fact that the Controller is not a public authority of a Member State acting in the exercise of its public powers, the Data Subject may also bring the action before the court of competent jurisdiction of the Member State of his/her habitual residence, as long as the Data Subject's habitual residence is in another Member State of the European Union.

4.7.3. Other options for enforcement of claims

The Data Subject shall have the right to mandate a not-for-profit body, organisation or association which has been properly constituted in accordance with the law of a Member State, has statutory objectives which are in the public interest, and is active in the field of the protection of data subjects' rights and freedoms with regard to the protection of their personal data to lodge the complaint on his or her behalf, to initiate the judicial review of the decision of the supervisory authority on his or her behalf, to bring action before a court, and to exercise the right to receive compensation on his or her behalf.

5 Miscellaneous provisions

In the event the Controller has reasonable doubts concerning the identity of the natural person making the request referred to in Sections Hiba! A hivatkozási forrás nem található. – Hiba! A hivatkozási forrás nem található. of this Privacy



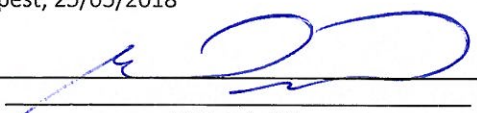
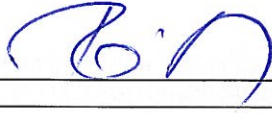
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Policy, the Controller may request the provision of additional information necessary to confirm the identity of the Data Subject.

Controller reserves the right to amend this Privacy Policy at any time. Controller shall notify the Data Subject about the amendment at least 5 days prior to the entry into force of the respective amendment, by publishing such amendment on the website.

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Budapest, 25/05/2018

 IK Hotels Kft. Represented by: Zoltán Gábor KECSKEMÉTHY Chief Executive	 Aria Projekt Kft. Represented by: Roth George Managing Director
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