

# Hotel “Elounda Gulf Villas”, Elounda, Crete

## Privacy Policy - Data Protection Guide

### 1. Preamble

- 1.1. The operator of **Elounda Gulf Villas** (hereinafter referred to as Hotel) as Data Controller hereby draws the attention of its all customers, Guests, as well as visitors (hereinafter referred to collectively as Guest(s) or Data subject(s)) of the website that if you want to be the user of the website, or wishes to be the customer of the Data controller, then carefully read the present Data Protection Guide, and the General Terms and Conditions.
- 1.2. The **Elounda Gulf Villas** is dedicated to protecting the privacy of the Data subject. This Data Protection Guide explains the Data Controllers’ policies and practices regarding to the personal information it manages.

### 2. Data Controller

According to the present Data Protection Guide, the Data Controller is:

- 2.1 The operator of **Elounda Gulf Villas**, "KAPA TECHNIKI S.A."
  - 2.1.1 Address of the Hotel: Mesa Pigadakia Schisma Eloundas, Elounda 72053, Crete, Greece
  - 2.1.2 Company reg. number: 077086127000
  - 2.1.3 Tax-number: 094086651
  - 2.1.4 Phone: +30 2810 342393
  - 2.1.5 Email: dpo@premiuminfosys.com
  - 2.1.6 Fax: +30 2810 227811
  - 2.1.7 Website: <https://www.eloundavillas.com>
  - 2.1.8 Social networking website:  
<https://www.facebook.com/eloundagulfvillas>
  - 2.1.9 General Manager: Mrs. Dimitrios Lentzos
- 2.2 Every employee of the **Elounda Gulf Villas** "KAPA TECHNIKI S.A."

### 3. The aim of the Data Protection Guide

- 3.1 The Data Controller respects the personal rights of its users, visitors and Guests; hence, it created this DPG, which is available in electronic format at the Data Controller's website as well as in print format in the Hotel.
- 3.2 Therefore, the aim of the DPG is to regulate the data management procedures, methods to protect the privacy of the Data subjects.
- 3.3 The Data Controller hereby states that it observes the provisions of
  - 3.3.1 The Regulation (EU) 2016/679 of the European Parliament and of the Council (hereinafter: “GDPR”),
  - 3.3.2 The Act 112 of 2011 on the rights for information management and freedom of information (hereinafter: "Data Protection Act") and
  - 3.3.3 Other Greek acts and regulations.

#### 4. Definitions

- 4.1 Data subject: an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person, primarily data subjects are the visitors of the Hotel, the Guests and the Contracting Parties.
- 4.2 Guest means an individual that uses accommodation. Guests also include those persons that are accommodated together with such Party (e.g. family members, friends etc.).
- 4.3 Contracting party means the natural person as party in the Accommodation Contract (see GTC).
- 4.4 Hotel means the **Elounda Gulf Villas** operated by the Data Controller.
- 4.5 GTC means the General Terms and Conditions of Accommodation Contract, available on the website and at the reception desk.
- 4.6 DPG means the present Data Protection Guide, available on the website and at the reception desk.
- 4.7 Personal data means any information relating to an identified or identifiable natural person ('data subject');
- 4.8 Consent: voluntary and specific expression of the data subject's intention, which is based on proper information and by which the data subjects provide a clear and unambiguous consent to managing their personal data comprehensively or for particular operations;
- 4.9 Objection: a statement by the data subjects in which they object to the management of their personal data and request the termination of data management and/or the deletion of the data managed;
- 4.10 Data Controller: the natural or legal persons or organizations not having a legal personality, who or which determine the purpose of data management on its own or together with others, and make and carry out the decision regarding data management (including the equipment used), or have the data processor entrusted by them to carry out such decisions;
- 4.11 Data management: regardless of the procedure applied; any operation or the whole of operations performed on data, specifically including the collection, recording, systematization, storage, modification, application, query, transfer, publication, harmonization or linking, blockage, deletion and destruction of data, as well as the prevention of the further usage of such data, photographing, audio or visual recording, as well as the recording of physical attributes suitable for the identification of a person (e.g.: finger- or palm prints, DNA samples, iris scans);
- 4.12 Data transfer: rendering data accessible for certain third parties;
- 4.13 Publication: rendering data accessible for the general public;

- 4.14 Data deletion: rendering data unrecognizable in such a manner that their restoration is no longer possible;
- 4.15 Tagging data: applying an identifying mark to the data in order to distinguish them;
- 4.16 Data blocking: applying an identifying mark to the data in order to block their management for a defined period of time or for good;
- 4.17 Data processing: performing any technical tasks related to data management operations, regardless of the method and equipment applied for the performance of such operations as well as of the place of application, provided that the tasks are performed in terms of data;
- 4.18 Data processor means a natural or legal person, public authority, agency or other body, which processes personal data on behalf of the Data Controller;
- 4.19 Third party means a natural or legal person, public authority, agency or body other than the Data subject, Data Controller, Data Processor and persons who, under the direct authority of the Data Controller or Data Processor, are authorized to process personal data.

## **5. The Scope of the DPG**

- 5.1 The DPG applies for all data managements in or related to the Hotel executed by the Data Controller.
- 5.2 According to the section 1, the present DPG regulates the methods of the data management.
- 5.3 The personal scope of the DPG is: the Data Controller and the Data subject, every person whose rights or legitimate interests are affected by data management.
- 5.4 The present DPG valid from September 25<sup>th</sup> 2019
- 5.5 Special, unique conditions do not constitute part of the indicated GTC, but do not exclude the drawing up of special agreements with tour operators and organizers from time to time with conditions adjusted according to the type of business.

## **6. Rights**

Data subjects have rights related to the data and data management.

Data subjects may enforce their rights by sending request(s) to the Data controller's postal address (Mesa Pigadakia, Schisma Eloundas, Elounda 72053, Crete, Greece) or address by e-mail the DPO (dpo@premiuminfosys.com), or by phone (+30 2810 342393), or personally, or by any available contact form.

Upon requests, the Data controller shall immediately take the necessary steps based on the request and inform the Data subjects about the taken steps within 25 days.

## **6.1 Right to information**

- 6.1.1 Upon requests sent by the Data subjects to the e-mail addresses in each chapter or addressed to the Data controller, the Data controller shall provide information regarding the particular subject's data managed by the Data controller; the source of such data; the purpose, legal basis and duration of the data management; the names and addresses of data processors as well as their activities related to data management; and (in the case of a transfer of the data subject's personal data) the legal basis and recipient of data transfer. Such information shall be provided within 25 days, free of charge once a year for identical data, and for a fee for all additional requests.
- 6.1.2 If the provision of information is denied, the Data controller shall inform the Data subject in writing as to which provision of which law was the legal basis to deny the information, and inform the data subject regarding options for legal remedy.

## **6.2 Corrections**

- 6.2.1 If the personal data are incorrect, and the correct data are available to the Data controller, he shall correct such personal data.
- 6.2.2 The Data controller shall inform the Data subject regarding the correction as well as all parties that may potentially have received the data from the Data controller for data management purposes. Such notice is omissible if the rightful interest of the data subject is not violated in terms of the purpose of data management.
- 6.2.3 Corrections upon request, deadline for administration and legal remedy are governed by the present DPG

## **6.3 Right to erasure**

- 6.3.1 The Data subject shall have the right to obtain from the Data controller the erasure of personal data concerning him or her without undue delay.
- 6.3.2 Where the Data controller has made the personal data public and is obliged pursuant to paragraph 1 to erase the personal data, the Data controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that the Data subject has requested the erasure by such controllers of any links to, or copy or replication of, those personal data.

## **6.4 Right to restriction of processing**

- 6.4.1 The Data subject shall have the right to obtain from the Data controller restriction of data processing.

## **6.5 Right to data portability**

6.5.1 The Data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a Data controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another data controller without hindrance from the controller to which the personal data have been provided, where:

6.5.1.1 The processing is based on consent/contract pursuant and

6.5.1.2 The processing is carried out by automated means.

6.5.2 Data controller does not use automated data management, therefore the Data subject cannot enforce her/his right.

## **6.6 Right to object**

6.6.1 The Data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her, including profiling.

## **6.7 Automated individual decision-making, including profiling**

6.7.1 The Data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.

6.7.2 Data controller do not use automated individual decision-making, or profiling, therefore the Data subject cannot enforce her/his right.

## **7. Remedy**

7.1 If their privacy rights are probably breached or breached, Data subjects may request an investigation from the Greek Data Protection Authority. The contact details:

1-3 Kifisias Ave, Athens 115 23, Greece

Tel.: +30 210 647 5600

Fax: +30 210 647 5628

E-mail: [contact@dpa.gr](mailto:contact@dpa.gr)

7.2 If their privacy rights are breached, data subjects may file a lawsuit against the Data controller. The court procedure shall be governed by the Data Protection Act, the Civil Code, and other relevant legal provisions.

7.3 The Data Controller shall provide information on the legal regulations laid out in the Acts upon requests sent to [dpo@premiuminfosys.com](mailto:dpo@premiuminfosys.com)

## **8. Compensation and injury claims**

8.1 If the Data controller causes injury or violates the Data subject's privacy rights through handling the Data subject's data in an unlawful manner or through

violating its data security requirements, then the affected party may demand an injury claim from the Data controller.

- 8.2 The Data controller shall be exempt from liability for the damage caused and from its obligation to compensate an injury claim, if it can prove that the damage or violation of the privacy rights of the affected party was caused by an unavoidable force falling outside the scope of data management.
- 8.3 The Data Controller shall be exempted from liability and its obligation to compensate an injury claim, if it can prove that an unavoidable force outside the scope of data management caused the damage or violation of the privacy rights of the affected party. The damage may not be compensated and an injury claim may not be demanded, if it was due to the willful or grossly negligent misconduct of the damaged party.

## **9. Principles**

### **9.1 Personal data shall be:**

- 9.1.1 Processed lawfully, fairly and in a transparent manner in relation to the Data subject ('lawfulness, fairness and transparency');
  - 9.1.2 Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes ('purpose limitation');
  - 9.1.3 Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimization');
  - 9.1.4 Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy');
  - 9.1.5 Kept in a form which permits identification of Data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes ('storage limitation');
  - 9.1.6 Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures ('integrity and confidentiality').
- 9.2 The Data controller shall be responsible for, and be able to demonstrate compliance with section 1 ('accountability').

## 10. Legal basis

- 10.1 The legal basis of the personal data management is the following. Processing shall be lawful only if and to the extent that at least one of the following applies:
  - 10.1.1 The data subject has given consent to the processing of his or her personal data for one or more specific purposes;
  - 10.1.2 Processing 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;
  - 10.1.3 Processing is necessary for compliance with a legal obligation to which the controller is subject;
  - 10.1.4 Processing is necessary in order to protect the vital interests of the data subject or of another natural person;
  - 10.1.5 Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
  - 10.1.6 Processing 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, in particular where the data subject is a child.
- 10.2 Consent should be given by a clear affirmative act establishing a freely given, specific, informed and unambiguous indication of the Data subject's agreement to the processing of personal data relating to him/her, such as by a written statement, including by electronic means.
- 10.3 Guest shall expressly consent to this DPG by
  - 10.3.1 Accepting the DPG in an electronic way, or in writing or
  - 10.3.2 Using the services of the website or of the Data Controller.
- 10.4 If the management or processing of personal data based on mandatory by law, then the relevant rules are determining the purpose, the period of time, the handled data, the rights and obligations.
- 10.5 The Data controller shall only manage personal data for pre-determined purposes, for the necessary period of time and in order to exercise its rights and fulfill obligations. The Data controller shall only manage such personal data that are indispensable and suitable for fulfilling the objective of the particular data management activity.
- 10.6 If the Data controller uses the received data for any other purpose than the original purpose of data collection, the Data controller shall inform the Data subjects in each case and ask for their specific, prior consent and/or shall provide an opportunity for them to disallow such usage.
- 10.7 Personal data communicated to the Data controller during the data management process shall only be disclosed to such persons contracted or employed by the Data controller entrusted with duties in relation to the given data management process.

## 11. The period of data management

- 11.1 Data controller shall manage the data until
  - 11.1.1 The purpose of the data management is fulfilled;
  - 11.1.2 The withdrawal of the voluntary consent;
  - 11.1.3 Erasing the personal data.

## 12. Data management - Using hotel services

- 12.1 The management of any personal data related to the Data subject and the provision of services are based on voluntary consent, with the purpose of such data management to provide services and/or maintain contact.
- 12.2 The term of the management of the data shall terminate upon the withdrawal of the consent of the relevant Data subject. Such declaration on the withdrawal of the consent to data management shall be sent via mail to the registered seat of the company: KAPA TECHNIKI S.A., St. Demetriou Square, Heraklion 71202, Crete, Greece, or via e-mail to the address [dpo@premiuminfosys.com](mailto:dpo@premiuminfosys.com)
- 12.3 Providing the required data by the Guests is a precondition for using hotel services.
- 12.4 In the case of particular services, additional data can be provided in the comments section, which allows for a complete assessment of the Guests' needs. Making room reservations and using other services, however, shall not depend upon the provision of such additional data.
- 12.5 Guests consent to the Data controller managing and/or archiving the personal data in order to
  - 12.5.1 Verify that the contract was concluded and/or performed, possibly enforce a claim and/or;
  - 12.5.2 Contact Guest in the term of the management of the data.
- 12.6 If you have any further questions regarding the management of data related to room reservations, please send your enquiry to [reservations@eloundavillas.com](mailto:reservations@eloundavillas.com).

## 13. Data management – *Request for information*

In the case of information request, the Data controller requests/may request that the Guest makes the following data available with the following aim:

name*	identification*	
phone number	contact	
email address*	contact	
question*	answer	* mandatory

Closed: September 25th, 2019

**Elounda Gulf Villas**

Mr. George Sainidis / Data Protection Officer