

I approve:

\_\_\_\_\_ «\_\_\_» \_\_\_\_\_ 2018

CEO

JSC "GC" Sochi-Magnolia "

Vernigora I.A.

## POSITION

About processing and protection of the personal data of the clients living in hotel

«Magnolia-Sochi»

"JSC" GC "Sochi-Magnolia"

### 1. General Provisions

1.1. These Regulations are governed by the Constitution of the Russian Federation, the Federal Law "On Information, Information Technologies and Information Protection" No. 149-Φ3 of July 27, 2006, Federal Law "On Personal Data" No. 152-Φ3 of July 27, 2006 and other normative- legal acts, including taking into account the provisions of the Regulation of the European Union on the processing of personal data of citizens of the European Union, which entered into force on 25.05.2018.

### 1.2. Basic concepts used in the Regulation:

hotel - an organization that provides hotel services to the client;

☐ client - individual, consumer of hotel services, subject of personal data;

☐ hotel services - actions of the Hotel for accommodation of Clients in the accommodation facility, as well as other activities related to accommodation and accommodation, which includes basic and additional services provided to the Client;

☐ personal data - information stored in any format related to a certain individual (personal data subject) determined or determined on the basis of such information, which alone or in combination with other information available to the Hotel allows identification of the Client's identity;

☐ personal data processing - actions (operations) with personal data, including collection, systematization, accumulation, storage, updating (updating, modification), use, distribution (including transfer), depersonalization, blocking, destruction of personal data;

☐ distribution of personal data - actions aimed at the transfer of personal data to a certain circle of persons (transfer of personal data) or for acquaintance with personal data of an unlimited number of persons, including the disclosure of personal data in the media, placement in information and telecommunications networks or provision of access to personal data in any other way;

☒ use of personal data - actions (operations) with personal data made by the operator for the purpose of making decisions or committing other actions that produce legal consequences with respect to the subject of personal data or other persons or otherwise affecting the rights and freedoms of the subject of personal data or other persons;

☒ confidentiality of personal data - a requirement for the operator or other person who has access to a personal data to comply with the requirement not to allow their distribution without the consent of the subject of personal data or the presence of other legal grounds;

Controller - a person who determines the goals and means of collecting and using the collected personal data.

☒ data operator - an individual or a legal entity, a government agency, agency or other institution that independently or together with other persons determines the purposes and methods of processing personal data.

☒ EU privacy law - The Regulation on the protection of individuals in connection with the processing of personal data and the free movement of these data ("GDPR"), as well as any legislation and / or regulatory act aimed at the implementation or created on the basis of the GDPR and legislation on confidentiality and electronic means of communication, or changing, replacing, restoring or combining any such laws and acts, as well as all other provisions of the current national legislation in respect of Personal data and confidentiality.

☒ Data handler - an individual or a legal entity, a government agency, an agency or other agency that handles personal data on behalf of the data operator.

☒ the recipient of the data - a natural or legal person, a public authority, an agency or other institution to which personal data is provided, whether it is a third party.

☒ third party - an individual or a legal entity, a government body, an agency or an agency that is not a subject, controller, data processor, or persons who, under the direct instruction of the operator or data processor, are authorized to process personal data.

☒ The supervisory authority is an independent public body established by the relevant EU country under Article 51 of the GDPR.

☒ Personal data - any information related to an identified or identifiable individual ("data subject"). An identifiable individual is a person who can be directly or indirectly identified, including identifiers such as name, ID number, location information, online identifier, and one or more factors of physical, physiological, genetic, mental, economic, cultural or social belonging of that individual.

☒ data processing - any operation or a set of operations performed with personal data or sets of personal data using automation or manual means. Such operations include collection, registration, organization, streamlining, storage, adaptation or modification, extraction, use as reference materials or otherwise, disclosure by transmission, distribution or otherwise, synchronization or consolidation, classification, erasure or destruction of data.

1.3. The present Regulations establish the procedure for processing personal data of Clients for whom the Hotel provides the full range of services for reception and accommodation in the hotel.

1.4. The purpose of the Regulation is to ensure the protection of the rights and freedoms of a person and citizen, including an EU citizen, when processing his personal data.

1.5. Personal data are processed for the purpose of executing a contract for the provision of accommodation or temporary accommodation services, of which the Client is one of the parties. The hotel collects data only in the amount necessary to achieve this goal.

1.6. Personal data cannot be used for the purpose of causing property and moral harm to citizens, difficulties in realizing the rights and freedoms of citizens of the Russian Federation.

1.7. This Regulation is approved by the General Director and is binding for all employees who have access to the Client's personal data.

## 2. Composition and receipt of personal data of clients

2.1. The personal data collected and processed by the Hotel are:

Personal data (surname, name, patronymic, date, month, year of birth, etc.);

passport data;

registration address;

address of residence;

contact phone number;

e-mail address;

data on the place of work;

for foreign citizens, visa and migration card data.

2.2. All personal data are collected directly from the subject of personal data - Clients and only with their personal consent.

2.3. Source of data retrieval

Directly from you when registering with the reservation program;

Directly from you from the online booking form;

From the online reservation system you used to make your reservation

From your travel agent

From our call center

From our email analysis service provider;

Directly from you when booking additional services / facilities at the hotel reception or at the concierge

## 3. Processing and storage of personal data of clients

3.1. Processing of personal data The Hotel is in the interests of the Customers to receive, systematize, accumulate, store, update (update, modify), use, distribute, depersonalize, block, destroy and protect the Customer's personal data from unauthorized access.

3.2. The consent of the Clients to the processing of personal data is not required, since the processing of personal data is carried out for the purpose of executing a contract, one of the parties to which is the subject of personal data - the Client.

3.3. Processing of personal data of clients is conducted by the method of mixed processing.

3.4. To the processing of the personal data of the Clients, only hotel employees authorized to work with the Client's personal data and who have signed an agreement on the nondisclosure of the Customer's personal data may be accessed.

3.5. The list of employees of the Hotel having access to the personal data of the Clients is determined by the order of the General Director.

3.6. Personal data of Clients on paper carriers are stored in the Placement Service.

3.7. Personal data of Clients in electronic form is stored in the local computer network of the Hotel, in electronic folders and files in the personal computers of the hotel director and employees admitted to processing personal data of the Clients at their workplaces.

#### 4. Use and transfer of personal data of clients

4.1. The use of the Customer's personal data is carried out by the Hotel solely to achieve the objectives defined by the agreement between the Client and the Hotel, in particular for the provision of accommodation or temporary accommodation services, as well as additional services.

4.2. When transferring the personal data of the Customers, the Hotel must comply with the following requirements:

4.2.1. Warn the persons receiving the personal data of the Clients that these data can be used only for the purposes for which they are communicated and to require these persons to confirm that this rule is observed. Persons receiving personal data of Clients are obliged to comply with the confidentiality regime. This provision does not apply in the case of depersonalization of personal data and with respect to publicly available data.

4.2.2. Permit access to personal data of Clients only to specially authorized persons, and these persons should have the right to receive only those personal data that are necessary for performing specific functions.

4.2.3. In case of cross-border transfer of personal data, the Hotel must ensure that the foreign state, to which the personal data is transferred, adequately protects the rights of subjects of personal data.

4.2.4. Tran boundary transfer of personal data on the territory of foreign states that do not provide adequate protection of the rights of subjects of personal data may be carried out in the following cases:

☐ availability of consent in writing to the Client;

☒ provided for by international treaties of the Russian Federation on the issue of visas, international treaties of the Russian Federation on the provision of legal assistance in civil, family and criminal cases, as well as international treaties of the Russian Federation on readmission;

☒ provided for by federal laws, if necessary in order to protect the foundations of the constitutional system of the Russian Federation, ensure the country's defense and state security;

☒ performance of a contract to which the subject of personal data is a party;

☒ protection of life, health, other vital interests of the subject of personal data or other persons when it is impossible to obtain consent in writing to the subject of personal data.

4.3. It is not allowed to answer questions related to the transfer of information containing personal data by phone or fax.

4.4. The hotel has the right to provide or transfer personal data of the Clients to third parties in the following cases:

☒ if the disclosure of this information is required to comply with the law, the execution of the judicial act;

☒ to assist in conducting investigations conducted by law enforcement or other government bodies;

☒ to protect the legitimate rights of the Client and the Hotel.

4.5. In accordance with the Federal Law of the Russian Federation "On Personal Data" No. 152-FZ, we collect, record, systematize, store, store and update (update and change), and we extract personal data from Russian citizens using databases located on the territory of the Russian Federation . If you indicate that you are a citizen of the Russian Federation, we will process your personal data in accordance with this requirement, and your profile will be stored in databases in the Russian Federation. If you do not specify that you are a citizen of the Russian Federation, we will not be able to process and store your personal data in accordance with these requirements and will not be held responsible for this. You are solely responsible for indicating the country of your citizenship. Information containing personal data of citizens of the Russian Federation can be transferred from the Russian Federation to countries that provide an appropriate level of protection of personal data, including the countries of the European Union and other countries where, according to Russian law, an adequate level of data protection is provided, as well as to other countries, which may not provide an appropriate level of protection for personal data. By providing us with information about yourself on our sites and in our applications, by sending us profiles or registering on our sites, in our programs and applications, and by making a reservation, you grant us your consent to the processing of your personal data.

5. Protection of personal data of Clients against unauthorized access

5.1. The hotel is obliged to take necessary organizational and technical measures to protect personal data from unauthorized or accidental access to them, processing, destruction, modification, blocking, copying, distribution of personal data, as well as other illegal actions;

5.2. For effective protection of personal data of Clients it is necessary:

5.2.1. comply with the procedure for obtaining, recording and storing personal data of customers;

5.2.2. apply technical means of protection, signaling;

5.2.3. conclude an agreement with all employees connected with the receipt, processing and protection of the personal data of the Client, on the non-disclosure of the Client's personal data;

5.2.4. to bring to disciplinary responsibility employees guilty of violating the rules governing the receipt, processing and protection of personal data of the Client.

5.3. Admission to the personal data of the Clients of employees of the Hotel, which do not have properly issued access, is prohibited.

5.4. Documents containing personal data of the Customers are stored in the premises and / or areas of the placement service, providing protection from unauthorized access.

5.5. Protection of access to electronic databases containing personal data of customers is provided by:

Using licensed software products that prevent unauthorized access by third parties to personal data of customers;

password system: passwords are set by the director and communicated individually to employees who have access to the personal data of the clients.

5.6. Copy and make statements of personal data of the Client is allowed only for official purposes with the written permission of the manager.

5.7. The provision or disclosure of data occurs solely in accordance with the provisions of this Policy, including to third parties.

Your personal data will also be provided to state authorities and / or law enforcement officials, if necessary for the above purposes, by law or for legal protection of the data operator's legal rights in accordance with applicable law. In addition, we may disclose your personal data and other information to the assignee of all or any part of our business on the basis of our legal rights in order to facilitate the sale of the business, in which case our business interests shall prevail.

## 6. Duties of the Hotel

6.1. The hotel is obliged:

6.1.1. To process the personal data of the Clients solely for the purpose of providing legal services to the Clients.

6.1.2. Receive the personal data of the Customer directly from himself. If the Customer's personal data can only be obtained from a third party, the Client must be notified of this in advance and a written consent must be obtained from him. Employees of the Hotel must inform the Clients about the purposes, prospective sources and methods of obtaining personal data, as well as the nature of the personal data to be received and the consequences of the client's refusal to give written consent to receive them.

6.1.3. Do not receive or process personal data of the Client about his race, nationality, political views, religious or philosophical beliefs, health or intimate life, except as provided by law.

6.1.4. To provide access to his personal data to the Client or his legal representative at the request or on receipt of a request containing the number of the main identity document of the Client or his legal

representative, information on the date of issue of the said document and the issuing body and the signature of the Client or his legal representative. The request can be sent in electronic form and signed by an electronic digital signature in accordance with the legislation of the Russian Federation. Information about the availability of personal data must be provided to the Client in an accessible form and they should not contain personal data relating to other personal data subjects.

6.1.5. Limit the right of the Client to access his personal data if:

☒ 1) the processing of personal data, including personal data obtained as a result of operational search, counterintelligence and intelligence activities, is carried out for the purposes of national defense, state security and law enforcement;

☒ 2) the processing of personal data is carried out by bodies that have detained a personal data subject on suspicion of committing a crime or who have charged the subject of personal data with a criminal charge or applied a preventive measure to the subject of personal data before being charged, with the exception of the criminal procedural legislation of the Russian Federation If the suspect or accused is acquainted with such personal data;

☒ 3) the provision of personal data violates the constitutional rights and freedoms of others.

6.1.6. Ensure the storage and protection of personal data of the Customer against misuse or loss.

6.1.7. In case of revealing unreliable personal data or illegal actions of the operator with them at the request or at the request of a personal data subject or its legal representative or authorized body for protection of the rights of subjects of personal data, the operator is obliged to block personal data relating to the relevant personal data subject from the moment of such request or receipt of such a request for the verification period.

6.1.8. In case of confirmation of the fact of unreliable personal data, the operator, on the basis of documents submitted by the subject of personal data or his legal representative or authorized body for protection of the rights of subjects of personal data, or other necessary documents, must clarify personal data and remove their blocking.

6.1.9. In case of revealing illegal actions with personal data, the operator must eliminate the violations committed within a period not exceeding three working days from the date of such detection. If it is impossible to eliminate the violations, the operator must destroy personal data within a period not exceeding three working days from the date of revealing the illegality of actions with personal data. The operator is obliged to notify the subject of personal data or his legal representative about the elimination of the violations committed or about the destruction of personal data, and if the request or request was sent by the authorized body for the protection of the rights of subjects of personal data, also the said authority.

## 7. Rights of the Client

7.1. The Customer has the right to:

☒ access to information about yourself, including information that confirms the fact of processing personal data, and the purpose of such processing; methods of processing personal data used by the Hotel; information on persons who have access to or are allowed access to personal data; the list of processed personal data and the source of their receipt, the processing time of personal data, including

the time of their storage; information on what legal consequences for the Client may entail the processing of his personal data;

☒ definition of the forms and methods of processing his personal data;

☒ restriction of the methods and forms of processing personal data;

☒ a ban on the distribution of personal data without his consent;

☒ change, refinement, destruction of information about yourself;

☒ appeal against illegal actions or omissions in the processing of personal data and appropriate compensation in court.

## 8. Confidentiality of personal data of Clients

8.1. Information about the personal data of the Clients is confidential.

8.2. The hotel ensures the confidentiality of personal data and is obliged not to allow their distribution to third parties without the consent of the Clients or other legal grounds.

8.3. Access to the personal data of the Clients is available to persons who fill the following positions in the Hotel:

☒ General Director;

☒ Deputy Directors General;

☒ reception and maintenance manager;

☒ reception and maintenance workers;

☒ Chief economist in the framework of his duties;

☒ Chief accountant in the framework of his duties.

8.4. Persons who have access to the personal data of the Clients are required to comply with the confidentiality regime, they must be warned about the need to comply with the secrecy regime. In connection with the privacy regime of personal information, appropriate security measures should be provided to protect data against accidental or unauthorized destruction, from accidental loss, from unauthorized access to it, alteration or distribution.

8.5. All confidentiality measures for the collection, processing and storage of personal data of the Customers apply to all data carriers, both paper and automated.

8.6. The privacy mode of personal data is removed in cases of depersonalization or inclusion in publicly available sources of personal data, unless otherwise provided by law.

8.7. The hotel does not collect or request personal information from persons under the age of 14, and does not allow such persons to book rooms in our hotels.



If it becomes known that the hotel has received personal data from a child under the age of 14 without obtaining the consent of his parents, we will immediately take measures to remove these data. If there is information that the Hotel has or may have information obtained from children under the age of 14 or minors aged between 14 and 18 for whom it is reliably known that their parents or others legal representatives against his stay at the Hotel, we ask you to contact the Hotel by e-mail \_\_\_\_\_.

#### 9. Responsibility for violating the rules governing the processing of personal data of customers

9.1. The hotel is responsible for the personal information that is at its disposal and fixes the personal responsibility of employees for compliance with the established privacy regime.

9.2. Every employee who receives a document containing personal data of the Client for work is solely responsible for the safety of the media and the confidentiality of information.

9.3. Any person can apply to the hotel employee with a complaint about violation of this Regulation. Complaints and statements regarding compliance with data processing requirements are considered within three days from the date of receipt.

9.4. Employees of the Hotel are obliged to ensure, at the proper level, the consideration of requests, applications and complaints from the Clients, as well as to facilitate the fulfillment of the requirements of the competent authorities.

9.5. Persons guilty of violating the rules governing the receipt, processing and protection of personal data of the Clients shall be subject to disciplinary, administrative, civil or criminal liability in accordance with federal laws.

#### 10. Final Provisions

10.1. The present Regulations come into force from the moment of its approval by the General Director of JSC "GC" Sochi-Magnolia ".

10.2. Changes and additions to this Regulation can be made on the basis of the order of the General Director of Sochi-Magnolia GC.