**Data Privacy Statement, if the lessor's activities are also directed at the EU and/or EEA**

[**also see the information sheet: "Offering Holiday Homes Online and New Data Privacy Provisions"**].

**Data Privacy Statement**

The lessor is subject to the Swiss Federal Act on Data Protection and, insofar as applicable, to the General Data Protection Regulation.

Responsibility for collecting and processing data pursuant to Article 13 paragraph 1 letter a, General Data Protection Regulation (GDPR), rests with the lessor as designated in the lease agreement [it is better if the name, mailing address and email address are entered here].

This Data Privacy Statement gives you information about which personal data is collected and for which purpose, and it also informs you of your rights.

The term "personal data" denotes information that refers to an identified or identifiable person; it includes (but is not limited to) first and last names, date of birth, telephone number(s), home address, etc.

1. **Enquiries and bookings (conclusion of agreements)**

When you send the lessor an enquiry or booking, he will store the relevant information which is required in order to respond to the enquiry and/or to prepare the lease agreement; this information includes, but is not limited to, first and last names, mailing address, dates of stay, names of participants, telephone number(s), data regarding the stay, and services booked. This processing of data takes place on the basis of Article 6 paragraph 1 letter a (voluntary information on your part) and Article 6 paragraph 1 letter b, GDPR, according to which the lessor may process and store personal data in order to prepare, conclude and execute the agreement.

1. **Period for storage of data and deletion of data**

The lessor will store the data for as long as necessary in order to process your enquiry, and until the lessor no longer has any interests that warrant protection in the storage of said data. If an agreement is concluded, statutory provisions require the lessor to retain data referring to the transaction for 10 years. Earlier deletion of this data is not possible.

1. **Contracted processor**

[Insert this paragraph if data is stored not only locally, but also by a provider or in a cloud.] The data is stored by a contracted processor located in Switzerland or in the EU/EEA, with whom a contracted data processing agreement has been concluded for this purpose. Article 28 GDPR. [An agreement of this sort must then actually be concluded, or existing agreements must be adapted to the GDPR.]

1. **Disclosure of data to key holders and other service providers**

To the extent required, the lessor will transfer the data (including, but not limited to, first and last names, date of arrival and time of arrival, names of participants) to the key holder and to other service providers so that the agreement can be executed correctly. Data is only transferred if it is necessary for the correct execution of the agreement. Data is disclosed in this manner in compliance with Article 6 paragraph 1 letter b, GDPR so that the agreement can be performed correctly.

1. **Disclosure of data to authorities**

The lessor and, where applicable, the key holder are obliged by law to register foreign guests with the responsible authorities and for this purpose, the following information may be recorded: first and family names, date of birth, residential address, means of transport, motor vehicle number, origin and destination of journey, arrival and departure dates, and type of identification document as well as identification document number (for families travelling together, only the data for one parent or spouse is recorded). In accordance with local legislation, the lessor and/or the key holder may also be obliged to collect this information from Swiss citizens. It can happen that a private or semi-private institution is engaged to carry out further processing of this task. On the basis of Article 6 paragraph 1 letter c, GDPR, the lessor is authorised to disclose data because a legal obligation to do so applies.

1. **Pursuit of legitimate interests**

In order to pursue legitimate interests (e.g. to enforce rights to receivables or claims for damages) or in case of a suspected criminal act, the lessor reserves the right to transfer the data of the lessee and/or the housemates and guests to the responsible bodies, or to engage third parties to enforce his rights. Data is disclosed according to this provision in order to safeguard legitimate interests, as defined in Article 6 paragraph 1 letter f, GDPR.

1. **Information about the lessor's offers**

The lessor may provide information about his offers to the lessee in the future. This service is based on Article 6 paragraph 1 letter f, GDPR, for the purpose of safeguarding the lessor's legitimate interests, and on Article 3 paragraph 1 letter o of the Swiss Federal Law against Unfair Competition (CH-UWG) and § 7 paragraph 3 of the German Federal Law against Unfair Competition (D-UWG) (if sent via electronic mail). At any time, the recipient has the right to unsubscribe from this service by contacting the lessor at the address stated in the agreement (e.g. via email). In each case, the information will include an appropriate notice regarding the termination of this service. The legality of data processing which has taken place until such revocation shall remain unaffected.

In case of questions regarding data privacy, the lessee contacts the lessor directly.

1. **Your rights to information, correction and deletion, etc.**

The lessee has the right to request the lessor to provide information about which personal data concerning him has been processed, and also the right to rectification, deletion and/or restriction of data processing as well as the right to object to processing [if data is processed with the help of an automated procedure, add: and the right to data portability].

If you have any questions about data privacy, you can contact the lessor at his address as stated in the lease agreement.

1. The lessor does not make use of automated individual decision-making.
2. **Right to approach the supervisory authority**

Your right to approach the responsible supervisory authority remains unaffected.

1. **Amendments to this Data Privacy Statement**

Amendments to the data privacy provisions may be necessary on account of legal or technical developments and entrepreneurial decisions. The Data Privacy Statement will be adapted accordingly. The current version can be found at [insert precise web address, e.g. www.mustermieter.ch/datenschutz]\*

[Insert the name, address and contact details, etc. for the lessor]

---------------------------------------------------------------------

[\*If the Data Privacy Statement is stored on the website, it must be possible to locate it without a further search. The best solution is to add a separate button labelled "Data Privacy Statement" that can be clicked from every page to call up the statement.

If the Data Privacy Statement is only available in paper form, information must be provided about where and how the current Data Privacy Statement can be obtained.]