

# Data Protection Declaration

## 1. General

The organisation responsible for the data processing on this website is HolidayCheck AG, Bahnweg 8, CH-8598 Bottighofen, Switzerland (<http://www.holidaycheck.de/impressum>).

Your personal data are processed in compliance with Swiss, German and European data protection law.

The protection of your personal details is extremely important to us.

HolidayCheck AG abides by the principle of data avoidance. The collection of personal data is avoided as far as possible. The transfer of sensitive data such as personal details is fundamentally encrypted at HolidayCheck via the SSL (Secure Socket Layer, at least 128 bit) procedure.

## 2. Data Collection and Processing

Your data are merely collected, saved, processed and used in an automated procedure in the scope necessary to establish or amend the contractual or legal relationship (e.g. booking of travel) or to formulate the content thereof.

If we wish to use your personal details for advertising or marketing purposes, we will always ask for your explicit consent beforehand.

In the following, we explain to you for what specific purposes we process your data. By entering personal details in web forms and sending such forms, you declare your consent to the data processing described.

### 2.1 Registration

You can use the website without registration. However, registration is required for certain functions (e.g. publishing in the forum).

It will be pointed out to you if registration is required. Mandatory details in the registration form are marked accordingly and are required to use the service. You can also log in with your Facebook account details (Facebook Connect). In this case, the fact that you are active at HolidayCheck will be communicated to Facebook Inc. 1601 S. California Ave, Palo Alto, CA 94304, USA, and personal profile data of Facebook transferred to HolidayCheck.

We offer a special registration option for hoteliers, POI managers and destination agents.

## 2.2 Travel Agency

If you book a service with us, you conclude a contract with us for which we require personal details from you to fulfil it; these details are collected directly in the booking form or by telephone.

These are usually address data, contact data, payment data and your date of birth and that of the people travelling.

The tour operator requires your date of birth in order to ensure that you are of legal age as a contractual partner and are thus capable of acting. In addition, the travel prices for children or seniors are calculated on the basis of the age of all travel participants.

The data are then sent to the respective tour operator. For this transmission, service providers are commissioned who are active on our instruction and who are prohibited by law and by contract to use the data for their own purposes.

## 2.3 Newsletters and the Sending of Information via Electronic Channels.

We send newsletters, e-mails and other electronic notifications with promotional information (hereinafter "newsletters") only with the consent of the recipients or with statutory permission.

Our newsletters contain information about the company HolidayCheck itself, services, offers and promotions (e.g. new platform functions, travel tips, travel offers, supplementary services for your trip, vouchers, competitions or information about participation in the community) that can be from us or our partners. When and how frequently the newsletters are sent depends on the occasion and the respective newsletter and can mean up to several times a week. However, messages without promotional information that are sent out within the framework of our contractual or other business relationship with our customers and users are not counted as newsletters. Such messages include e.g. the sending of transaction and service mails with technical information, information and queries regarding orders, travel booked, information about review and community activities (e.g. in the case of receipt of private messages or responses to your contributions), personal details or comparable message.

If we obtain consent to the sending of "follow-up mails", these are e-mails that we sent out following cancelled, incomplete or completed transactions. These cover e.g. cases in which we remind users of incomplete orders or reviews and thank them for orders or reviews placed. We thus want to give users the opportunity for feedback with regard to the usage of our online services and to prevent any incidents (e.g. browser crash).

Before we send out newsletters, we fundamentally ask the owners of the e-mail address for confirmation of their registration for the newsletter in order to check whether the e-mails have actually been sent by the address owners (so-called double opt-in procedure). If they do not have any promotional content, these queries do not yet constitute any newsletters.

In addition, we log the registrations for the newsletter in order to be able to document the registration process in accordance with the legal requirements. This includes in particular the recording of the time of registration and confirmation.

Recipients can opt-out of receiving the newsletter with effect for the future. Newsletters can be unsubscribed at any time in the respective newsletter itself, online at <https://secure.holidaycheck.de/newslettercancel> or by e-mail to [community@holidaycheck.de](mailto:community@holidaycheck.de). Please note that, for technical reasons, the implementation of the opt-out can take up to 3 working days.

## 2.4 HolidayCheck.de Shop

The HolidayCheck.de shop is an autonomous service that is operated by the company Printheusing, Marcus Fabian, Maybachstr. 19, D-78467 Konstanz. Information about data protection can be found at <http://www.shop.holidaycheck.de/Privatsphaere-und-Datenschutz: :2.html>

## 2.5 Use for a Different Purpose

Your data are fundamentally only processed for the purposes indicated. If you give your consent separately, the data can be used for other purposes requiring consent, such as the sending of a newsletter by e-mail. This usage is only done if you give us explicit consent for this purpose. You will be informed about the type of data processing when you give consent. This consent can be revoked at any time with effect for the future.

Consent that has been given can be revoked at any time by sending an e-mail to the address [datenschutz@holidaycheck.de](mailto:datenschutz@holidaycheck.de).

In addition, we reserve the right to use your data if it is necessary to prevent in a lawful manner misuse of the offers/services of HolidayCheck AG, in particular usage that constitutes a breach of the general terms and conditions of business of Holiday Check AG or the general terms and conditions of business of the parties involved in fulfilling the contract (in particular tour operators).

## 2.6 Transfer to Third Parties

If HolidayCheck AG forwards personal data to third parties in the scope permitted by law or within the framework of the consent provided by the user, e.g. to process the order or to provide technical services for the websites of HolidayCheck AG, the latter are also bound by data protection laws. This applies in particular for the forwarding of personal data to the respective tour operators/service providers in the event of a placement order with regard to the tourist service.

HolidayCheck AG will only communicate personal details to organisations entitled to receive such information (e.g. criminal prosecution authorities) if they are obligated to do so by legal regulations or by a court ruling. In addition, if it is necessary to prevent in a lawful manner misuse of the offers/services of HolidayCheck AG, in particular usage that constitutes a breach of the general terms and conditions of business of Holiday Check AG or the general terms and

conditions of business of the parties involved in fulfilling the contract (in particular tour operators).

If you wish to collect bonus points from our partner programmes when you submit your review, you must enter your data required for this purpose in the corresponding form. The data are communicated by us to the respective partners in encrypted form. As a fundamental rule, the data that you have personally entered in the form envisaged for this purpose are communicated. With some partners, a link to the review submitted and the date of the review are also communicated. In the case of our partner Arvato Webmiles, the data entered are transmitted directly to Arvato Webmiles in encrypted form via a widget.

## 3. Apps

We also offer you our services in the form of apps for mobile devices. A data protection declaration regarding the processing of your data within the app can be found in the respective app store where you obtain the app as well as in the app itself.

## 4. Cookies

Cookies are files that are placed on a hard drive of the user's computer by a website in order to automatically recognise this computer again during its next visit to the site. With the aid of cookies, the communication between the server of HolidayCheck AG and the user's computer can therefore be improved and thus the use of the webpages made more enjoyable and user-friendly. You can of course also use the webpages of HolidayCheck AG without cookies. However, individual convenience functions (e.g. permanent log-in or uploading a user image) may not be available. Cookies can be rejected by the respective setting in your browser by deactivating the saving of cookies or setting the browser (in most cases under "Option" or "Settings") so that it informs the user when cookies are sent. Further information on how this technology works can be found at [http://www.meine-cookies.org/alles\\_ueber\\_cookies/index.html](http://www.meine-cookies.org/alles_ueber_cookies/index.html). The cookies are also used e.g. to personally greet the user with his or her member name at HolidayCheck. Where stipulated by law, cookies will be deleted immediately after user activity has ended.

Although only pseudonymised data are collected and processed, we offer you the possibility of deactivating cookies for personalisation of content. No data are collected when the opt-out cookie is set. Please note, however, that your preferences will be lost if you delete the opt-out cookie. Please click on the following button to manage your opt-out.

Current status: opt-in

## 5. Integration of External Providers

Content from external providers is integrated on this website for statistics, market research and advertising purposes as well as for the integration into social networks. This content is necessary for us in order to make it possible for you to use the website and to optimise your usage.

All providers only use cookies to manage your services. No link is established to your personal data. Unless otherwise explicitly explained in the following, personal data are not processed

and/or saved. As explained in point 4, you can deactivate cookies in your browser. However, you can have an opt-out cookie set with each provider; this opt-out cookie ensures that this provider will not save any data from you any more in future. The advantage of this is that you do not lose any of the convenience and usage when using websites and you can decide individually which service you permit and which service you do not permit.

The providers currently integrated on this website, the purpose of the processing and a link to an opt-out option are listed in the following. Information on usage-based advertising and opt-out possibilities can also be found here: <http://www.youonlinechoices.com/de/>

## Google Analytics

This website uses Google Analytics, a web analysis service of Google Inc. ("Google"). Google Analytics uses so-called "cookies", text files that are saved on your computer and that facilitate an analysis of your usage of the website. The information generated by the cookie regarding your usage of this website (including your IP address) is transferred to a server of Google in the USA and saved there. Google will use this information to analyse your usage of the website, to compile reports on the website activities for the website operators and to provide further services associated with the website usage and Internet usage. Google may also use communicate this information to third parties if this is stipulated by law or if third parties process these data on behalf of Google. Under no circumstances will Google connect your IP address with other data of Google. You can prevent the installation of the cookies by a corresponding setting of your browser software; however, we would like to point out to you that in this case you may not be able to use all functions of this website in full. By using this website, you declare your consent to the processing of data collected about you by Google in the form and manner described above and for the purpose named above. This website uses Google Analytics with the extension "anonymizeIP()" so that the IP addresses are only processed further in abbreviated form in order to prevent it being possible to create a direct link to individual persons.

You can prevent the recording by Google Analytics by clicking on the following link. An opt-out cookie is set that prevents the future recording of your data when you visit this website: [Deactivate Google Analytics](#) (this setting only functions in this browser and only for this domain). Further information on terms and conditions of usage and data protection can be found at <http://www.google.com/analytics/terms/de.html> or at <http://www.google.com/intl/de/analytics/privacyoverview.html> We would like to point out that Google Analytics has been extended by the code "gat.\_anonymizeIp();" on this website in order to guarantee anonymised recording of IP addresses (so-called IP masking).

## Infonline

Our website uses the "Scalable Central Measurement Procedure" (SZM) of the company INFOnline (<https://www.infonline.de>) for the determination of statistical characteristics for the usage of our offers. Anonymous measurement values are collected. To recognise computer systems, the SZM range measurement alternatively uses either a cookie with the description "ivwbox.de" or a signature that is created from different automatically communicated

information from your computer. IP addresses are not saved in the procedure and only processed in anonymised form. The range measurement was developed in compliance with data protection. The aim of the range measurement is to statistically determine the usage intensity and the number of users of a website. Individual users are not identified at any point in time. Your identity remains protected at all times. You do not receive any advertising via the system. For web offers that are a member of the Informationsgemeinschaft zur Feststellung der Verbreitung von Werbeträgern e.V. (IVW – [www.ivw.eu](http://www.ivw.eu)) or participate in the study "internet facts" of the Arbeitsgemeinschaft Online-Forschung e.V. (AGOF – [www.agof.de](http://www.agof.de)), the usage statistics are published on a monthly basis by the AGOF and the Arbeitsgemeinschaft Media-Analyse e.V. (ag.ma - [www.agma-mmc.de](http://www.agma-mmc.de)), and the IVW and can be viewed at <http://www.agof.de>, <http://www.agma-mmc.de> and <http://www.ivw.eu>. In addition to the publication of measurement data, IVW checks the SZM procedure on a regular basis with regard to usage in compliance with the regulations and data protection.

Further information on the SZM procedure can be found on the website of INFOnline GmbH (<https://www.infonline.de>) that operates the SZM procedure, the data protection website of the AGOF (<http://www.agof.de/datenschutz>) and the data protection website of the IVW (<http://www.ivw.eu>). You can opt out of the data processing by the SZM by clicking on the following link: <http://optout.ivwbox.de>

## Facebook

Our Internet presence uses social plugins ("plugins") of the social network facebook.com that is operated by Facebook Inc., 1601 S. California Ave, Palo Alto, CA 94304, USA ("Facebook"). The plugins are marked with a Facebook logo or the addition "Facebook Social Plugin". When you call up a webpage of our Internet site that contains such a plugin, your browser sets up a direct link to the servers of Facebook. The content of the plugin is communicated by Facebook directly to your browser and integrated by the latter into the website. By integrating the plugins, Facebook receives the information that you have called up the corresponding page of our Internet presence.

If you are logged in on Facebook, Facebook can assign the visit to your Facebook account. When you interact with the plugins, for instance, activate the "Like" button or submit a comment, the corresponding information will be sent directly by your browser to Facebook and saved there. Facebook can use this information for the purpose of advertising, market research and configuration of the Facebook pages in line with requirements. For this purpose, usage, interest and relationship profiles are created by Facebook, e.g. in order to analyse your usage of our website with regard to the promotional advertisements displayed to you on Facebook, to inform other Facebook users about your activities on our website and to provide other services associated with the usage of Facebook.

The purpose and scope of the data collection and the further processing and usage of the data by Facebook and your rights in this regard and setting options to protect your privacy can be found in the data protection information from Facebook. If you do not wish Facebook to collect data about you via our website, you must log out of Facebook before visiting our website.

Within our website, a so-called remarketing pixel of the social network facebook.com that is operated by Facebook Inc., 1601 S. California Ave, Palo Alto, CA 94304, USA ("Facebook") is used. With the aid of the remarketing pixel, it is possible for Facebook to determine the visitors to our website as a target group for the presentation of advertisements, so-called Facebook ads. We use

the remarketing pixel, e.g. in order to only display our Facebook ads to those Facebook users who have also shown an interest in our Internet services. For these purposes, Facebook can also save a file, a so-called cookie, on your device. You can opt-out of the recording by the remarketing pixel and use of the data for presentation of Facebook ads. Further information on the remarketing pixel and the opt-out possibility can be found in the right-hand column of this data protection information.

## Google

Our website uses the +1 button of the social network Google Plus that is operated by Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, United States ("Google"). The button can be discerned by the sign +1 on a white or coloured background.

When you call up a webpage of our Internet site that contains such a button, your browser sets up a direct link to the servers of Google. The content of the +1 button is communicated by Google directly to your browser and integrated by the latter into the website. We therefore do not have any influence over the scope of the data that Google collects with the button. According to Google, no personal data are collected without clicking on the button. Such data, among others, the IP address, are only collected and processed for members who are logged in.

The purpose and scope of the data collection and the further processing and usage of the data by Google and your rights and setting options in this regard can be found in Google's data information on the +1 button: <http://www.google.com/intl/de/+/policy/+1button.html>. If you are a member of Google Plus and do not wish Google to collect data about you via our website and link it to your member data saved at Google, you must log out from Google Plus before visiting our website.

## Twitter

Functions of the service Twitter are integrated on our pages. These functions are offered by Twitter Inc., 1355 Market Street, Suite 900, San Francisco, CA 94103, USA. By using Twitter and the function "Re-Tweet", the websites visited by you are linked to your Twitter account and notified to other users. In the process, data are also transmitted to Twitter. We would like to point out that as a provider of the sites, we do not have any knowledge of the content of the data transmitted or their usage by Twitter. Further information on this can be found in the data protection declaration of Twitter at <http://twitter.com/privacy>.

You can change your data protection settings at Twitter in the account settings at <http://twitter.com/account/settings>.

## Pinterest

On our site, we use social plugins of the social network Pinterest that is operated by Pinterest Inc., 635 High Street, Palo Alto, CA, 94301, USA ("Pinterest"). When you call up a page that contains such a plugin, your browser sets up a direct link to the servers of Pinterest. The plugin communicates log data to the server of Pinterest in the USA. These log data may contain your IP address, the address of the websites visited that also contain Pinterest functions, the type and settings of the browser, date and time of the request, your form of usage of Pinterest and cookies.

Further information on the purpose, scope and further processing and usage of the data by

Pinterest and your rights and options in this regard to protect your privacy can be found in the data protection information of Pinterest: <https://about.pinterest.com/de/privacy-policy>

## Bd4travel

Real-time analysis of user behaviour on our website through online personalisation technologies for targeted individual product recommendations. These data are processed in anonymised form and cannot be used under any circumstances for personally identifying visitors to our website.

## Optimizely

In order to test various functions & presentations, we use the possibility of A/B tests and multivariate analyses that are implemented with the web analysis service Optimizely from Optimizely Inc. This service uses cookies in order to identify a visitor's browser and to analyse the usage of this website. The cookies do not collect any personal data. Further information on how Optimizely processes your data can be found [here](#).

Another option for deactivating cookies is offered by the preference manager of the BVDW: [http://www.meine-cookies.org/cookies\\_verwalten/praferenzmanager-beta.html](http://www.meine-cookies.org/cookies_verwalten/praferenzmanager-beta.html)

The advertising buttons on this website are marketed by the digital web marketing company ForwardAdGroup GmbH. Other external applications are used for this purpose. A list can be found here:

<http://www.forward-adgroup.de/ueber-unsere-werbung/>

## 6. Further information

If you have any questions on data protection at HolidayCheck AG, please send us an e-mail to [datenschutz@holidaycheck.de](mailto:datenschutz@holidaycheck.de).

Using this address, you may also ask to see the data saved about you at HolidayCheck AG. This is generally free of charge.

We have appointed Mr. Marc Althaus as our external company data protection officer; Mr. Althaus is responsible for ensuring that we continually comply with data protection provisions and carries out regular checks. His contact details can be found here:

<https://www.dsextern.de/>