

Privacy policy for prize competition

We give great importance to the protection of your personal data and compliance with data protection laws. Below, we inform you in particular about which personal data is processed for which purposes and on which legal basis.

1. Who is responsible for data processing?

HolidayPirates GmbH, Wallstraße 59, 10179 Berlin, Germany is the data controller. The Data Protection Commissioner of the HolidayPirates GmbH is Mr. Roman Maczkowsky. He can be contacted here: datenschutz@urlaubspiraten.de

2. Which categories of personal data are being used?

We process the contact data and phone number, in addition to the protocol data which arise with the use of our IT systems. Furthermore, we process contact data like forename, surname, address, and e-mail address of the winner in this prize competition.

2.1 Information you will provide by participating in this contest:

User account:

For more information click here: <https://www.holidaypirates.com/pages/dataprotection>

3. Where do these data come from?

The data comes directly from you as they have been collected in the course of participating at the prize draw.

4. For which purposes are my data being processed? Which is the legal basis that the company bases this on?

a. Art 6 para 1 b) GDPR

We process personal data within the framework of contractual negotiations and the performance of the contract for the prize draw that has been concluded between you and us.

Processing takes place for the provision of contractually guaranteed services like e.g. the fulfilment of a possible claim for the prize offered as part of the competition.

Legal basis is Art. 6 para. 1 b) GDPR. Within the scope of contract fulfilment and performance we process the data that you provide to us upon formation of the contract or in the course of the contractual relationship. This includes in particular your master information (name, surname, date of birth, address, e-mail address).

b. Art. 6 para 1 a) GDPR

If you have provided us with your consent to process data, we do so for the purposes informed about in the course of the declaration of consent. Consent that you have provided may be revoked at any time.

c. Art. 6 para 1 f) GDPR

We process your data in order to protect our own legitimate interest or those of third parties. This applies in particular to internal communication between affiliated companies and other administrative purposes.

5. Will data be transferred?

Within our company respectively the group of companies those employees receive access to your data who need the data in order to fulfil the contractual or legal responsibilities.

Moreover, service providers that we use may also receive data for these purposes:

Calm Digital

- **Address & place of jurisdiction:** Boho One, Bridge Street West, Middlesbrough, TS2 1AE, United Kingdom
- **GDPR Compliance:** <https://www.calmdigital.com/privacy-policy/>
- **Purpose:** This data supports optimization and measuring for future marketing campaigns, for user identification purposes of the sharing function (more information below)
- **Disclosed Data:** Cookie-ID, IP-address, general location

By submitting my email address via the provided field on the contest landing page: I agree, in accordance with article 6 section (1) paragraph (a) of the GDPR, that HolidayPirates GmbH can use this email address for the “sharing function” of the website. The “sharing function” works as follows: by submitting an email address (the same email address which was used to create a user account in the HolidayPirates app), a unique sharing link will be created for the user. The user can share the unique link with their friends which will direct them to the contest landing page. If the friends of the sharing user visit the contest landing page through the shared link and clicks on one of the download buttons, the chances of winning will increase by granting 10 additional entries for the sharing user. Through my consent for the sharing function, I agree that HolidayPirates GmbH is allowed to send me emails to the given email address regarding the further outcome of the competition and the number of downloads provided through my friends. Personal data from any friends will not be processed. By clicking in the field provided I indicate to receive an e-mail for the purpose of information about the number of downloads.

After the expiry of the contest, the email address which was submitted on the contest landing page will be deleted without additional notice from the user. Note: This will only occur if the user had not independently subscribed to any other channels of HolidayPirates GmbH. Your consent in the handling of your data remains free and revocable by sending an email to this email address: marketing@holidaypirates.com

Additionally, the sharing function as described above is supported by a third party provider - in this case Adjust GmbH - by providing the tracking link for the sharing function. Also the clicking behaviour of the users get tracked by Adjust GmbH. For more information see below:

Adjust GmbH (Apps)

For more information click here: <https://www.holidaypirates.com/pages/dataprotection>

Google Tag Manager

For more information click here: <https://www.holidaypirates.com/pages/dataprotection>

Google Analytics

For more information click here: <https://www.holidaypirates.com/pages/dataprotection>

Facebook Pixel

For more information click here: <https://www.holidaypirates.com/pages/dataprotection>

6. What are my rights?

Basically you have the following rights:

- right of access (Art. 15 GDPR)
- right to rectification (Art. 16 GDPR)
- right to object (Art. 21 GDPR)
- right to erasure (Art. 17 GDPR)
- right to restriction of processing (Art. 18 GDPR)
- right to data portability (Art. 20 GDPR)

Where we cite our legitimate interest (Art. 6 para 1 f) GDPR) as the legal basis, you have a **right to objection** pursuant to Art. 21 GDPR.

According to Art. 21 GDPR you have the right

to object to the processing of personal data at any time. We will then no longer process the personal data for direct marketing purposes or a related profiling.

We also do not process your personal data for other purposes after your objection unless we can demonstrate reasons that are binding and worthy of protection for the processing of the data which outweigh your interests, rights and freedoms, or the processing of your personal data serves to assert, exercise or defend legal claims (cf. Art. 21 para. 1, para. 6 GDPR, so-called "limited right of objection"). In this case, you must explain the reasons for the objection arising from your particular situation.

7. Do I have a right to complain?

Yes, you have the possibility to address your complaint directly to us or towards the competent data protection authority.

We attach great importance to transparency. Please do not hesitate to contact us if you have any questions.

8. How long will my data be saved?

We process and store your personal data for the period of the existing contract. We will regularly delete the data when data is not required for contractual or legal purposes anymore. However, we need to take into account legal retention periods (in particular § 257 HGB and § 147 AO). These are up to 10 years.

Insofar as data is to be retained to ensure enforcement of legal claims, the limitation periods can be up to 30 years, whereby the regular limitation period is three years.

If your data is used for advertising purposes, we will only process the data until you object to its use or have revoked your consent or until usage is no longer permitted by law.

9. Do I have to give you my data?

In the context of our contractual relationship, you must provide the personal data that is necessary for the performance and fulfilment of the contract or the processing of which we are legally bound. Failure to make them available would mean that we would regularly be unable to conclude the contract with you.