

# **General Terms and Conditions - Pentafriends**

## **1. General**

Membership as a Pentafriend and associated benefits are offered by Penta Hotels Worldwide GmbH, Mayfarthstraße 15-19 in 60314 Frankfurt am Main and managed on behalf of the associated Penta Hotels chain ("**Pentahotels**"). The aim is to provide participants with the benefits described below for the purpose of encouraging customer loyalty, advertising our services and market-based evaluation of customer behaviour. Participation is free, but participants agree to the use of the data provided by them for the duration of their participation. The hotels currently participating in the programme include all hotels featured on [www.pentahotels.com](http://www.pentahotels.com), with the exception of Penta hotels in China. Additional hotels may be added or removed at Pentahotels' discretion.

## **2. Pentafriends membership**

### **2.1 Conditions of participation**

Membership as a Pentafriend is available to any individual. Companies or other legal entities may not be able to register for a Pentafriends account. You can only register as a Pentafriend if you are at least 18 years of age or if you are of legal age according to your local jurisdiction and you can enter into binding contracts (the programme is not available to minors). There is no legal entitlement to participation in Pentafriends. Pentahotels employees are not entitled to participate in the programme.

Membership and/or benefits thereof cannot be transferred to other persons.

### **2.2 Membership registration**

Registration for the personal member account is free and must be done online by completing the registration form on the Pentahotels homepage at [www.pentahotels.com](http://www.pentahotels.com) or by using the online booking process with automatic registration. Members must have a valid email address in order to sign up for the programme.

It is not possible for different members to register with the same email address. When registering, all mandatory fields must be completed fully and truthfully.

After submitting the information required for registration, the member will receive an invitation e-mail, which will be sent to the address used for registration. The invitation email contains a link that the prospective member must click to begin their membership and set a password. Without confirmation of your registration by clicking on the specified link, the membership will not be activated.

After activating the membership, a membership card will be created and sent to the member by e-mail.

The member may not share his or her password with any other party. The member is responsible for all transactions in his or her account.

Benefits of membership of Pentafriends are only valid for future hotel stays of the member and other services, but not retroactively for the time before membership is established.

## **2.3 Member account**

You can access your Pentafriends member account through the Pentahotel website. Members are asked to keep their personal information up to date. Changes to postal addresses, member name or other relevant membership information must be made by the member directly in the Personal Details section of their Pentafriends account. Pentahotels accept no responsibility for personal data that the member has entered incorrectly in their account.

Persons who have changed their name after registering for Pentafriends are required to provide official documents as proof of the change.

Online access to the member account may be suspended for maintenance or to improve the website for a reasonable period of time.

## **2.4 Termination of membership**

Pentahotels reserves the right to terminate a Pentafriends membership. Reasons may include (list is not exhaustive):

- a. Violation of these terms and conditions by the Pentafriends member
- b. False information or abuse of this programme by the Pentafriends member
- c. Violations by the member of national, state or local laws or regulations in connection with the use of membership rights
- d. Non-payment of hotel bills
- e. Fraud or abuse related to any part of this programme by the Pentafriends member

Pentahotels also reserves the right to prohibit you from participating in the programme in future.

The member is also entitled to end participation in Pentafriends at any time via email to [e-commerce@pentahotels.com](mailto:e-commerce@pentahotels.com).

Termination of membership leads to the complete and total termination of the programme; the existing relationship between Pentafriends and the member will be permanently ended. Upon termination of membership, all data concerning the member will be deleted from the Pentafriends database.

## **3. Pentafriends special rates**

To book a special Pentafriends rate (10% discount), you need to log in or register with Pentafriends and book directly through the Pentahotels official website or by calling or emailing the hotel directly or through the Pentahotels reservation office. If you book directly at the hotel or through our reservation centres, the member must identify themselves at the time of booking as a member using the email address they used to register with Pentafriends. The special Pentafriends rate cannot be combined with other special rates or negotiated rates and is valid for bookings made after 1 October 2019. A Pentafriend can book a maximum of

one room at the Pentafriends special rate and must occupy the room themselves. Pentahotels may at any time terminate or change the offer of the Pentafriends special fares.

#### **4. Other advantages for members**

Members benefit from advantages communicated on the Pentahotels website if the reservation was made directly on the Pentahotels website, by calling the Pentahotels Reservations department or directly at the hotel. Apart from the special Pentafriends rate (10% discount), members can also claim the Pentafriends benefits when making reservations through external programmes, third parties or at other negotiated rates. To benefit from the advantages, members must identify themselves as a Pentafriend to service personnel at the hotel using the electronic membership card. Unless otherwise stated, all benefits apply to the member and a maximum of one companion. The benefits cannot be combined with other discounts.

#### **5. Communication**

Members can access all information about their membership in their Pentafriends account. Each Pentafriends member who has joined the programme accepts the receipt of electronic messages about the programme in relation to his or her membership (e.g. programme update emails).

#### **6. Modification and discontinuation of the Pentafriends membership programme**

Pentahotels reserves the right to restrict, suspend, discontinue, terminate or replace the Pentafriends membership programme with written notice to all active members, with a notice period of 60 days.

#### **7. Miscellaneous**

##### **7.1 Changes to the General Terms and Conditions**

Pentahotels reserves the right to change, restrict or modify at any time the terms and conditions of Pentafriends, provisions, benefits, terms and conditions.

##### **7.2 Place of jurisdiction**

The terms and conditions of the programme are governed by German law, regardless of the mandatory protection provisions that may apply in the consumer's country of residence. In the case of deviations between the German and the English version of the General Terms and Conditions, the German version shall prevail.

##### **7.3 Data protection**

By registering with Pentafriends, members expressly agree and consent to the processing of their personal data in the registration form by Pentahotels in its capacity as data controller, to

the extent that this is required for the execution of the Pentafriends membership programme, as well as for the regular transmission of information about Pentafriends, and

that this information may be shared with third parties worldwide for the processing of your personal information on our behalf if required by law or in the EU, and in the event of a restructuring, merger or acquisition of a company for the management of member data, guest services, advertising, marketing and communication purposes.

The member can revoke his or her consent at any time via the following address. The revocation automatically terminates the Pentafriends membership.

Penta Hotels Worldwide GmbH  
Mayfarthstraße 15-19  
60314 Frankfurt am Main  
Tel.: +49 (0)69 256699 0  
Email: [e-commerce@pentahotels.com](mailto:e-commerce@pentahotels.com)

For more information on how we process your data, please refer to the following Pentafriends membership Privacy Policy.

## **Pentafriends membership: Privacy policy**

This is an overview of your data collected and processed by Pentahotels (represented by Penta Hotel Worldwide GmbH, Mayfarthstr. 15-16, 60314 Frankfurt am Main) in connection with membership of our Pentafriends programme. We also inform you about your rights regarding our data processing. This notification is in addition to our general privacy policy for guests, which can be found at <https://www.pentahotels.com/de/datenschutzerklaerung>.

### **Information we collect about you**

We collect and process the following personal information about you in connection with your Pentafriends membership.

#### **Non-sensitive data:**

- a. **Your personal data** ► including your name, gender and date of birth;
- b. **Your contact details** ► including your e-mail address as mandatory and your address or telephone number, if specified by you.
- c. **Booking details** ► including which hotels and information about a stay in one of our hotels for which you have used your Pentafriends membership; the vehicle registration number of your car, if this was necessary for managing your stay;

### **Sensitive data:**

We do not process any data related to race and ethnic origin, political opinions, religious or ideological convictions or union membership, genetic data, biometric data for the unique identification of a natural person, health information or details about sex life or sexual orientation.

However, if you provide us with specific categories of data for your booking (e.g. asking for accessibility for physical disabilities, or informing us about religious dietary requirements), we will collect and process that information in accordance with its purpose and based on your express or implied consent.

### **On what legal basis do we use your personal information?**

- a. **Fulfillment of a contract** (Section 6 (1) (b) GDPR): Your personal information will be processed to manage your membership and to provide the associated benefits.
- b. **Consent** (Section 6 (1) (a) GDPR): The sending of newsletters is only possible following your prior consent. You may unsubscribe from the newsletter at any time by clicking the unsubscribe link in previous newsletters or by contacting us at [e-commerce@pentahotels.com](mailto:e-commerce@pentahotels.com). If you provide us with special categories of data for your booking, we also understand that as express consent to the processing of this data in order for us to provide our services according to your wishes.

### **Why do we collect your personal information and how do we justify its use?**

We may use your personal information to:

- a. Manage your Pentafriends membership;
- b. Manage your data;
- c. Provide and improve services and to personalise offers and services, to provide participants with the benefits described for the purpose of encouraging customer loyalty, advertising our services and market-based evaluation of customer behaviour.

### **From whom do we receive your personal data?**

We will only receive your personal information directly from you and may use it in conjunction with data from your previous bookings and stays at our hotels.

### **Who do we share your personal information with?**

We share information with our group companies that operate individual Penta hotels and are managed by Penta Hotels Worldwide GmbH (for a list of these group companies, see Appendix 1 of these General Terms and Conditions).

We use third parties as order processors to operate our website and booking platform or to provide similar services. These third parties will receive your personal data only as a processor on our behalf and as instructed by us. They are not permitted to use the data for their own purposes.

For more information on the exchange of data, please read our general privacy policy, which can be found at <https://www.pentahotels.com/de/datenschutzerklaerung>.

### **Do we send your personal data abroad and what security measures apply?**

In general, we do not share your information with any recipient outside of Europe or in countries whose level of data protection is not considered appropriate.

For more information on the sending of personal data abroad, please read our general privacy policy, which can be found at <https://www.pentahotels.com/de/datenschutzerklaerung>.

### **For how long do we save your data?**

We store your data for no longer than is necessary for the purpose for which we received it, and for any other legitimate, related purpose. In order to manage your PentaFriend benefits, we retain the data for the duration of your membership and after its termination for as long as the statutory retention requirements require.

### **Updating your personal information**

We will ensure that your personal information is accurate. To assist us, you may change your personal information by logging into your membership account at [www.pentahotels.com](http://www.pentahotels.com) or by sending us any changes to the personal information that you have provided us with by email: [e-commerce@pentahotels.com](mailto:e-commerce@pentahotels.com).

## **11. WHAT ARE YOUR RIGHTS REGARDING YOUR DATA?**

Under applicable law and regulations, you may, at any time, exercise certain rights, including the following:

### **11.1 ACCESS.**

The right to request access to your Personal Data, which includes the right to obtain confirmation from us as to whether Personal Data concerning you is being processed, and where that is the case, access to the Personal Data and information related to how it is processed.

### **11.2 RECTIFY OR ERASE.**

The right to rectification or erasure of your Personal Data, which includes the right to have incomplete Personal Data completed.

### **11.3 RESTRICT.**

The right to obtain a restriction of processing concerning your Personal Data, which includes restricting us from continuing to process your Personal Data under certain circumstances (e.g., where you contest the accuracy of your Personal Data, for a period enabling us to verify the accuracy of the personal data).

### **11.4 OBJECT.**

The right to object to the processing of your Personal Data under certain circumstances, including objecting to processing your Personal Data for direct marketing purposes, or objecting to processing your Personal Data when it is done based upon legitimate interests.

### **11.5 DATA PORTABILITY.**

The right to data portability, which includes certain rights to have your Personal Data transmitted from us to you or another controller.

### **11.6 CONSENT.**

Where we process your Personal Data based on your consent, the right to withdraw consent at any time with effect for the future. Any requests related to the above rights may be made by contacting us as set forth in [Section 14](#).

### **11.7 COMPLAINT.**

In some jurisdictions, you may also have the right to lodge a complaint with a supervisory authority.

### **11.8 PRIVACY RIGHTS FOR RESIDENTS OF THE RUSSIAN FEDERATION:**

In accordance with Russian Federal Law "On Personal Data" No. 152-FZ we collect, record, systematize, accumulate, store, update (renew and modify), and extract personal data about Russian citizens using databases located in the territory of the Russian Federation. As information containing personal data may be transmitted from the Russian Federation to countries that ensure an adequate level of protection for personal data, including member states of the European Union and other countries which Russian law recognizes as ensuring adequate to protection, we duplicate personal data of residents of the Russian Federation on our systems as required to deliver the requested services. By submitting information to us on our Services, submitting membership forms to us or making reservations, you grant us consent to process your personal data.

## **11.9 PRIVACY RIGHTS FOR CALIFORNIA RESIDENTS.**

Under California Civil Code section 1798.83, California residents who have an established business relationship with us are entitled to ask us for a notice describing the types of personal customer information we have shared with third parties for those parties' direct marketing purposes during the preceding calendar year. That notice will identify the categories of information shared with third parties, the names and addresses of those third parties, and examples of the types of services or products marketed by those third parties. If you are a California resident and would like to request a copy of this notice, please submit a written request to Penta Hotels Worldwide GmbH, Mayfarthstrasse 15 – 19, 60314 Frankfurt am Main, Germany, Attn: Data Protection Officer.

Also note that, if you exercise your right to cancel, revoke consent, and/or restrict, we need to delete your Pentafriends user account and your Pentafriends membership, and the associated benefits will end. If this is the case, we will inform you.

### **Your contact for inquiries**

If you have any questions about the use of your personal information or wish to exercise your rights as a data subject, please contact:

Penta Hotels Worldwide GmbH  
Mayfarthstraße 15-19  
60314 Frankfurt am Main

Tel.: +49 (0)69 259966 0

Email: [privacy@pentahotels.com](mailto:privacy@pentahotels.com)

You can contact the data protection officer of Penta Hotels Worldwide GmbH at: [dpo@pentahotels.com](mailto:dpo@pentahotels.com)

### **Responsible data protection supervisory authority:**

For Penta Hotels Worldwide GmbH:

The Hessian Commissioner for Data Protection and Freedom of Information, Prof. Michael Ronellenfitsch MD, Gustav-Stresemann-Ring 1, 65189 Wiesbaden



# Appendix 1

Group companies that operate individual Penta hotels and are managed by Penta Hotels Worldwide GmbH

HPI Germany Hotelbesitz GmbH, c/o Pentahotel Berlin-Köpenick, Grünauer Str. 1, 12557 Berlin, Germany

CFH Hotels Germany GmbH, c/o Pentahotel Braunschweig, Office Sachsendamm 4/5, 10829 Berlin Germany

CFH Hotels Germany GmbH, c/o Pentahotel Eisenach, Office Sachsendamm 4/5, 10829 Berlin Germany

CFH Hotels Germany GmbH, c/o Pentahotel Kassel, Office Sachsendamm 4/5, 10829 Berlin Germany

HPI Germany Hotelbesitz GmbH, c/o Pentahotel Rostock, Schwaansche Straße 6, 18055 Rostock, Germany

CFH Hotels Germany GmbH, c/o Pentahotel Leipzig, Office Sachsendamm 4/5, 10829 Berlin Germany

Hotel Property Investors UK Limited, Zweigniederlassung Frankfurt, c/o Pentahotel Chemnitz, Salzstraße 56, 09113 Chemnitz, Germany

CTF Wiesbaden Hotelbesitz GmbH, c/o Pentahotel Wiesbaden, Abraham Lincoln Strasse 17, 65189 Wiesbaden, Germany

CF Hospitality Hotelbetriebsgesellschaft mbH, c/o Pentahotel Wien, Margaretenstraße 92, 1050 Wien, Austria

Antares Belgium Property SA, c/o Pentahotel Brussels Airport, Berkenlaan 5, 1831 Diegem, Belgium

Antares Belgium Property SA, c/o Pentahotel Liege, Berkenlaan 5, Boulevard de la Sauvenière 100, 4000 Liège, Belgium

Antares Belgium Property SA, c/o Pentahotel Brussels City Center, Chaussee de Charleroi 38-40, 1060 Brussels, Belgium

Antares Belgium Property SA, c/o Pentahotel Leuven, Alfons Smetsplein 7, 3000 Leuven, Belgium

Sargas Real Estate S.R.O., c/o Pentahotel Prague, Sokolovská 112, 186 00 Prague, Czech Republic

Hotel Property Investors U.K. Ltd, c/o Pentahotel Reading, Oxford Road, Reading RG1 7RH, United Kingdom

Ramcore Operations Ltd., c/o Pentahotel Birmingham, Ernest Street / Holloway Head, Birmingham B1 1NS, United Kingdom

Ramcore Operations Ltd., c/o Pentahotel Derby, Locomotive Way/Pride Park, Derby DE24 8PU, United Kingdom

Ramcore Operations Ltd., c/o Pentahotel Warrington, Aston Avenue, Warrington WA3 6ZN, United Kingdom

Ramcore Operations Ltd., c/o Pentahotel Inverness, 63 Academy Street, Inverness IV1 1LU, United Kingdom

Ramcore Operations (Two) Ltd, c/o Pentahotel Ipswich, Ranelagh Rd, Ipswich IP2 0AD, United Kingdom

Askella France Holding Sarl, c/o Pentahotels Paris, 12 Allée du Verger, 95700 Roissy en France

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