



PLATINUM MOUNTAIN

Hotel & SPA

REGULATIONS FOR USE OF THE SWIMMING POOL ZONE AT PLATINUM MOUNTAIN HOTEL & SPA

§ 1 General provisions

1. These regulations (hereinafter referred to as the “Regulations”) lay down the rules for the use and stay in the swimming pool zone (hereinafter referred to as the “Swimming Pool Zone” of the Platinum Mountain Hotel & SPA in Szklarska Poręba (hereinafter referred to as the “Hotel”). The Swimming Pool Zone includes: the swimming pool, paddling pool for children, jacuzzi, saunas and steam baths, cooling devices, locker room. The Regulations apply to all guests who stay on the premises of the Swimming Pool Zone in the Hotel (hereinafter referred to as the “Guests”).
2. Before entering the Swimming Pool Zone and starting to use the individual swimming pools, devices and attractions, one should become acquainted with the Regulations, as well as the rules and instructions for use of the devices and attractions located in the Swimming Pool Zone. The Guests are obliged to comply with the Regulations, as well as the rules and instructions for the devices and attractions located in the Swimming Pool Zone.
3. The Regulations are available, in particular, at the Hotel's reception desk, at the reception desk of the Swimming Pool Zone and on the Swimming Pool Zone's premises.
4. The Swimming Pool Zone can be used only during its opening hours made available to the Guests, in particular, at the Hotel's reception desk, at the reception desk of the Swimming Pool Zone and before the entrance to the Swimming Pool Zone.
5. The Swimming Pool Zone can be used by:
 - a. the Hotel's Guests as part of the agreement entered into by signing the guest card,
 - b. individual users who are not the Hotel's Guests on the basis of an agreement entered into before entering the Swimming Pool Zone by paying a relevant fee, as set out in the up-to-date price list available at the Hotel's reception desk and at the reception desk of the Swimming Pool Zone,
 - c. members of organised groups which have entered into the agreement on using the Swimming Pool Zone.
6. Persons aged below 12 may use the Swimming Pool Zone only under supervision of adults, whereas disabled persons aged over 12 only at the written consent of an authorised carer.

§ 2 Guests' rights and obligations

1. At the Swimming Pool Zone's reception desk, the Guest receives a wristband which allows opening and closing the individual locker assigned to the Guest in the locker room. If the wristband has been lost, the Guest is obliged to pay a fee in the amount corresponding to the purchase cost of such a wristband.
2. The Guests should not bring any valuable items to the Swimming Pool Zone. Any valuables should be deposited by the Guests at the Hotel's reception desk.
3. Persons whose behaviour suggests they have consumed alcohol or other intoxicating substances are forbidden to use the Swimming Pool Zone. The Swimming Pool Zone staff have the right to request such persons to leave the Swimming Pool Zone.



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4. In the Swimming Pool Zone one should use swimwear (in the case of women, a one- or two-piece swimsuit; in the case of men, swimming trunks or swimming shorts), as well as swimming pool footwear. Each Guest is obliged to have a towel.
5. Persons who use the Swimming Pool Zone should avoid copious meals an hour before entering the Swimming Pool Zone.
6. Before entering the Swimming Pool Zone, one should use the showers to wash the whole body and disinfect the feet.
7. In the sauna, one should sit or lie on a towel, so that no part of the body has contact with the seat.
8. Children using diapers have to wear single-use swimming diapers.
9. Persons who can't swim are allowed to use only dedicated zones for such persons.
10. In the Swimming Pool Zone, it's forbidden to:
 - a. smoke tobacco, drink alcohol or take other intoxicating substances, as well as bring, sell or serve tobacco, alcohol or other intoxicating substances;
 - b. cause situations which pose a threat to safety of persons who stay there, e.g. running, submerging others, jumping and pushing into water,
 - c. jump from low walls, balustrades, stairs, jacuzzi baths and other construction elements, as well as swimming pool verges, in particular, after taking a run-up or "diving head first",
 - d. bring glass or sharp objects,
 - e. wear jewellery,
 - f. bring animals,
 - g. consume food,
 - h. use rescue and swimming equipment contrary to its intended use,
 - i. use devices and equipment made available to the Guests contrary to their intended use or rules for use,
 - j. walk in footwear not intended for the swimming pool,
 - k. throw any undesired items into the water,
 - l. destroy the equipment and manipulate with devices,
 - m. pollute the water in the swimming pool and the Swimming Pool Zone area, including by satisfying one's physiological needs in places which are not intended for it,
 - n. cool down after sauna in the swimming pool,
 - o. use soap and other detergents in the Swimming Pool Zone (outside the showers and toilets),
 - p. behave in a manner which is generally considered to be indecent or offensive,
 - q. raise false alarms,
 - r. enter technical and utility rooms.



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11. Persons with an unstable health status and pregnant women should use the attractions and amenities with particular care or after consulting a doctor in advance.
12. The Swimming Pool Zone must not be used by persons:
 - a. with:
 - external symptoms indicating skin diseases,
 - open wounds and cuts,
 - breathing difficulty,
 - b. suffering from balance disorders,
 - c. suffering from cardiovascular system disorder,
 - d. suffering from infectious diseases,
 - e. suffering from heart diseases,
 - f. having frequent intravenous injections,
 - g. neglecting personal hygiene,
 - h. acting in an aggressive way.
13. Should a person feel bad, the Swimming Pool Zone staff should be immediately informed about that fact. Any cuts or injuries need to be immediately reported to the lifeguard.
14. The Guest using the Swimming Pool Zone should follow instructions issued by the Swimming Pool Zone staff and, in particular, lifeguard, on duty in the Swimming Pool Zone. Lifeguards exercise general supervision of compliance with the Regulations and take care of the Guests' safety.
15. Bringing devices which register sound or picture, as well as registering sound and picture in the Swimming Pool Zone is forbidden.
16. Guests take liability for damages on account of the damage done, including damage done by minors who remain under their care, in line with general principles, in accordance with generally applicable law, and, in particular, the Civil Code.
17. Persons who violate the public order, provisions of the Regulations and other rules and instructions placed in the Swimming Pool Zone, or those who fail to follow staff's instructions, including, in particular, those issued by lifeguards, may be asked to leave the Swimming Pool Zone

§ 3. Hotel's obligations and responsibility

1. The Hotel is obliged to make the Regulations of the Swimming Pool Zone available to the Guests.
2. The Hotel is obliged to properly provide services to the Guests, including to take care of a good technical condition of the equipment and devices in the Swimming Pool Zone, as well as to ensure staff in accordance with generally applicable regulations.
3. The Hotel is liable in line with principles set out in generally applicable law, in particular, the Civil Code.



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§ 4 Personal data protection

1. If the Guests provide their personal data in connection with the use of the Swimming Pool Zone, the controller of their personal data and data of other persons who stay in the Swimming Pool Zone (hereinafter referred to as the Personal Data) is Silver Mountain Resort Operator sp. z o.o. sp. k. with its registered office in Warsaw (00-580) at Al. J. Ch. Szucha 13/15 lok. 3, entered in the register of entrepreneurs of the National Court Register kept by the District Court for the capital city of Warsaw in Warsaw, 13th Commercial Division of the National Court Register under number 0000694273.
2. The controller processes or may process the Personal Data:
 - a. in order to perform the agreement on provision of services on the basis of Article 6.1 (b) GDPR;
 - b. for purposes resulting from the legitimate interests pursued by the controller, such as direct marketing, handling claims and complaints, exercising any claims or defence regarding any Guests' mutual claims, contact with the Guests in the case of unpredictable events, archiving, performance of controller's agreements with other entities, e.g. insurers [Article 6.1 (f) GDPR];
 - c. for purposes resulting from the legitimate interests pursued by the controller, such as security reasons and protection of information and property, as well as defence against claims or exercising claims through video monitoring [Article 6.1 (f) GDPR];
 - d. to comply with a legal obligation to which the controller is subject [Article 6.1 (c) GDPR].
3. As a matter of principle, provision of the Personal Data is voluntary, but they may have to be provided in order to enter into and perform the agreement on provision of services in the Swimming Pool Zone. Any stay in the Swimming Pool Zone involves Guest's image being registered by video monitoring. Video monitoring does not cover the locker rooms, toilets, saunas and showers.
4. The controller outsources provision of water rescue services to an entity authorised to provide such services. The entity shall be obliged to keep the register of rescue activities. If rescue activities are conducted, it is obligatory to enter in the register, among other things, the name and surname of the person to whom aid was given as part of rescue activities, data and place of birth and residence address. The register should also include information on the type of the injury or illness suffered by the person to whom the aid was given as part of rescue activities. The obligation to provide the above-mentioned Personal Data results from Article 11.3 of the Act on Safety of Persons who Stay in Water Areas. Failure to provide those Data may prevent correct fulfilment of the obligations as part of rescue activities or make exercising claims more difficult.
5. Depending of the type of the Personal Data and the purpose for which they have been acquired, the Personal Data may be disclosed to the entities cooperating with the controller in provision of the services available in the Swimming Pool Zone, entities which provide to the controller legal, water rescue or accounting services. The data may be made available to competent public authorities, if required so by the applicable legal regulations. The Personal Data acquired by video marketing may be disclosed to the entities which provide to the controller services in the area of protection of persons and property, as well as IT services. The data included in the register of rescue activities may be made available to the person to whom the aid was given as part of the rescue activities and to the Police, Courts, Prosecutor's Office and insurance companies in connection with the proceedings conducted by them.



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6. The Personal Data are stored until the expiry of the limitation period of any claims connected with the use of the Swimming Pool Zone, unless other grounds for processing arise. The Personal Data acquired through video monitoring are stored for maximum 3 months, but if the monitoring recordings are evidence in the proceedings conducted on the legal grounds, or may become evidence in such proceedings, the recordings will be stored until the proceedings are completed in a legally valid manner. The data collected in the register of rescue activities and data in accounting documents are stored for the period required by law.
7. The Guests have the right to request access to the Personal data, correct, delete or restrict processing of the data, as well as the right to move them.
8. Furthermore, the Guests have the right to object to the processing necessary for the purposes resulting from the legitimate interests pursued by the controller.
9. The Guests have the right to object to the processing of their Personal Data for the purposes of direct marketing.
10. If the consent for the processing of the Personal Data has been given, the Guests may, at any time, withdraw the consent granted, which shall not affect the lawfulness of the processing that was performed on the basis of the consent prior to its withdrawal.
11. The above-mentioned rights can be exercised by writing to the following e-mail address: rodo@platinum-mountain.pl
12. The Guests have the right to lodge a complaint with the supervisory authority.

§ 5 Amicable (out-of-court) ways of handling complaints and pursuing claims, as well as rules for access to such procedures

1. Detailed information on the possibilities of taking advantage by the Guest who is the consumer of out-of-court ways of handling complaints and pursuing claims, as well as the rules for access to such procedures is available at the seats and on the websites of the poviats (city) consumer ombudsmen, social organisations whose statutory tasks include consumer protection, Province Trade Inspectorates and on the following websites of the Office for Competition and Consumer Protection:
 - a. http://www.uokik.gov.pl/spory_konsumenckie.php;
 - b. http://www.uokik.gov.pl/sprawy_indywidualne.php
 - c. http://www.uokik.gov.pl/wazne_adresy.php.
2. The Guest, who is a consumer, has, for example, the following possibilities of taking advantage of out-of-court methods of resolving complaints and pursuing claims:
 - a. The Guest has the right to submit to the permanent consumer arbitration court referred to in Article 37 of the Trade Inspection Act, a request for resolution of a dispute which arose out of the Agreement entered into; the regulations of the organisation and operation of permanent consumer arbitration courts have been laid down by the Regulation of the Minister of Justice of 6 July 2017 on laying down the regulations of the organisation and operation of permanent consumer arbitration courts which operate at the province Trade Inspectorates;
 - b. The Guest has the right to submit at the province Trade Inspectorate, pursuant to Article 36 of the Trade Inspection Act, a request for instituting mediation proceedings regarding out-of-court resolution of the dispute between the Guest and Hotel; information on the rules for and course of the mediation procedure conducted by the province trade inspector is available at the seats and on the websites of the individual province Trade Inspectorates.



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- c. The Guest can obtain, free of charge, help regarding resolution of a dispute between the Guest and Hotel, also taking advantage of free assistance of poviát (city) consumer ombudsman or a social organisation whose tasks include consumer protection (e.g. Federacja Konsumentów, Stowarzyszenie Konsumentów Polskich); the advice is given by Federacja Konsumentów at toll free consumer hotline 800 007 707 and by Stowarzyszenie Konsumentów Polskich at the e-mail address: porady@dlakonsumentow.pl.
- d. The Guest can use the European ODR (Online Dispute Resolution) platform available at: <http://ec.europa.eu/consumers/odr/>, which helps in independent, impartial, transparent, effective fast and fair online out-of-court resolution of disputes between consumers and enterprises, in accordance with the provisions of Regulation (EU) No 524/2013 of the European Parliament and of the Council on online dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Official Journal EU.L No. 165, p. 1).

§6. Final provisions

1. Provisions of the generally applicable law, and, in particular, provisions of the Civil Code, shall apply to issues which are not governed by these Regulations.
2. Any disputes may be resolved by a competent Court of general jurisdiction in line with general principles.
3. Any wishes, remarks and complaints can be submitted, in particular, in writing directly at the Hotel's reception desk or to the address: Platinum Mountain Hotel & SPA, ul. Kilińskiego 15B, 58-580 Szklarska Poręba, or by e-mail to the address: repcja@platinum-mountain.pl.
4. The Hotel provides services corresponding to its category and standard. In the case of any reservations regarding the service quality, the Guest is requested to immediately get in touch with the Hotel's Management or the Manager of Dr Irena Eris Beauty Partner Salon, which will allow immediate reaction.

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