



TERMS AND CONDITIONS OF USING THE PLATINUM MOUNTAIN HOTEL & SPA POOL AREA

§ 1. General provisions

1. The hereby Rules and Regulations (hereinafter referred to as: "Rules and Regulations") define the principles of using and staying in the Pool Area (hereinafter referred to as: "Pool Area") of the Platinum Mountain Hotel & SPA in Szklarska Poręba (hereinafter referred to as: "Platinum Mountain"). The Pool Zone includes: the swimming pool, paddling pool for children, Jacuzzi, saunas and baths, chilling facilities, men's locker room and women's locker room. The Rules and Regulations apply to all guests staying in the Pool Area at Platinum Mountain (hereinafter referred to as: "Guests").
2. Prior to entering the Pool Area and using particular pools, facilities and attractions, it is necessary to read the Rules and Regulations as well as the instructions regarding the use of facilities and attractions located in the Pool Area. Guests are obliged to comply with the Rules and Regulations along with the instructions when using the facilities and attractions located in the Pool Area.
3. The Rules and Regulations are available, in particular, at the Platinum Mountain front desk, at the Pool Area reception desk and in the Pool Area.
4. The Pool Area may be used only during its opening hours, as provided to the Guests, in particular, at the Platinum Mountain front desk, at the Pool Area reception desk and before entering the Pool Area. In emergency situations, e.g. when there are too many people in the Pool Area or in case of technical interruptions, access to the Pool Area or individual parts of the Pool Area may be restricted for safety reasons.
 - a) From 20:00 the pool is open only for adults 16+.
5. The Pool Area may be used by:
 - a) Guests of the Platinum Mountain under an agreement concluded by signing a check-in form,
 - b) individual users who are not guests of the Platinum Mountain on the basis of an agreement concluded before entering the Pool Area by paying the applicable fee, according to the valid price list available at the Platinum Mountain front desk and at the Pool Area reception, unless the availability of the Pool Area for non-guests of the Platinum Mountain is limited at a certain time,
 - c) participants of organized groups that have concluded an agreement covering the use of the Pool Area.
6. Persons under 16 years of age may use the Pool Area only under the supervision of adult guardians, whereas minors over 16 years of age based on the written consent of an authorized guardian. The adult guardian of a minor:
 - a) shall not leave a minor under his/her supervision unsupervised in any part of the Pool Area;
 - b) shall be obliged to acquaint the minor under his/her supervision with the rules of using the Pool Area;
 - c) shall take care of the safety of the minor under his/her supervision.
7. In paddling pools, direct and constant supervision of children is provided by their adult guardians.
8. The use of saunas and a floating pool (free floating of the body on the surface of water with high concentration of salt) is available only to people over 16 years of age.



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§ 2. Rights and Responsibilities of Guests

1. The Guest receives a wristband at the reception desk of the Pool Area, which allows opening and closing an individual locker assigned to the Guest in the men's or women's locker room. If the wristband is lost, the Guest is obliged to pay the amount corresponding to the cost of purchasing such a wristband.
2. Guests should not bring valuables into the Pool Area. Guests should deposit valuables at the Platinum Mountain front desk or leave them in the safe.
3. Persons who are in a state indicating the consumption of alcohol or other intoxicants may not use the Pool Area. The Pool Area staff may require such persons to leave the Pool Area.
4. In the pool hall and in the outdoor pool, one should use a close-fitting swimsuit (for women: a one-piece or two-piece swimsuit, for men: swim trunks or shorts), which may not be longer than knee-length and should not have external pockets. In addition, the swimsuit must not have zippers, metal or plastic accessories that may pose a threat to the health or safety of the user, as well as cause damage to the elements of the Pool Area equipment.
5. In the sauna area, it is permissible to use the saunas without a swimsuit, but on condition of wrapping oneself in a towel, sheet or pareo. Taking off and putting on swimwear must be done in a discreet manner.
6. Guests are required to use non-slip pool footwear. The change of outdoor footwear to pool footwear takes place before entering. After finishing the stay in the pool area, the change of footwear to outdoor footwear takes place after leaving the locker room in the entrance hall.
7. People using the Pool Area should avoid heavy meals one hour before planning to enter the Pool Area.
8. Before entering the pool hall, it is required to use the showers to wash the entire body and disinfect feet.
9. Children under 3 years of age using the pool must wear disposable diapers or reusable diapers:
 - a) If there is a leakage from the diapers, resulting in contamination of the pool area, the hotel is entitled to charge the guest a fee of PLN 2,500.00 gross.
10. Non-swimmers are allowed to use only the marked no-swim zones.
11. When using the water slide, it is imperative to follow the instructions and regulations located at the slide and obey the light signals. After sliding down one should leave the slide immediately to avoid collision with the next person sliding down.
12. In the Pool Area it is forbidden to:
 - a) smoke, drink alcohol or other intoxicants, and bring, sell or serve tobacco, alcohol or other intoxicants,
 - b) create situations that endanger the safety of people staying there, e.g.: run, waterboard, jump and throw into the water,
 - c) jump from walls, railings, stairs, Jacuzzi tubs and other structural elements, as well as from the edge of the pool, especially from the run-up or "duck dive",
 - d) dive and bring one's own sports equipment, unless authorized by the lifeguard,
 - e) bring glass or sharp objects,
 - f) wear jewelry,
 - g) bring in animals,
 - h) consume food,
 - i) use rescue and swimming equipment contrary to their intended purpose,
 - j) use the provided equipment and devices contrary to their purpose or rules for using them,
 - k) wear footwear not intended for this purpose,
 - l) throw into water any objects not intended for this purpose,
 - m) damage and tamper with the equipment,



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- n) pollute the pool water and the Pool Area, including satisfying physiological needs in places not intended for this purpose,
 - o) cool down after using sauna in the pool,
 - p) use soap and other chemicals in the pool hall (except in showers and toilets),
 - q) behave in the way generally considered indecent or offensive,
 - r) initiate false alarms,
 - s) enter technical and utility rooms,
 - t) stay naked.
13. People suffering from unstable health conditions and pregnant women should use attractions and facilities with extreme caution or after consulting a doctor.
14. The Pool Area cannot be used by persons:
- a) who have:
 - external signs indicating a skin disease,
 - open wounds and cuts,
 - breathing problems,
 - b) suffer from balance disorders,
 - c) suffer from circulatory disorders,
 - d) suffer from infectious diseases,
 - e) suffer from heart disease,
 - f) receive frequent intravenous injections,
 - g) show lack of personal hygiene,
 - h) behave aggressively.
15. If one feels unwell, it is imperative to inform the Pool Area staff immediately. It is necessary to inform instantly the lifeguard of any cuts and injuries as well as missing persons and other incidents that may affect the safety of other persons.
16. Guests using the Pool Area should follow the instructions of the Pool Area staff, especially the lifeguards on duty in the Pool Area. Lifeguards exercise general supervision over observing the Rules and Regulations and the safety of Guests.
17. Bringing sound or video recording devices and recording sound or video in the Pool Area is prohibited.
18. Lounging is allowed in separate areas of the pool hall and outdoor areas. It is not allowed to place loungers and chairs in the pool basins and within 0.5 m from them.
19. Guests are liable for damages, including damages caused by minors under their care, based on general principles in accordance with the provisions of generally applicable law, in particular the Civil Code.
20. Persons violating public order, the provisions of the Rules and Regulations as well as other principles and instructions located in the Pool Area or disobeying the instructions of staff, including in particular lifeguards, may be asked out of the Pool Area.
21. The following sound signaling applies in the Pool Area:
- a) a series of three short beeps - ALARM - a call for all users to immediately leave the pool basin and obey the instructions of lifeguards or Pool Area staff,
 - b) long sound signal - interruption/completion of activities - exit from the water,
 - c) short sound signal - order to pay attention to the lifeguard and Pool Area staff's announcements.
22. In the event of a thunderstorm, the Guests are required to leave the outdoor pools immediately.

§ 3. Duties and responsibilities of Platinum Mountain

- 1. Platinum Mountain shall be obliged to provide the Rules and Regulations of the Pool Area to the Guests.
- 2. Platinum Mountain is obliged to duly provide services to the Guests, including taking care of the good technical condition of the equipment and facilities of the Pool Area, as well as to provide personnel, in accordance with the provisions of the generally applicable law.

3. Platinum Mountain shall be liable in accordance with the provisions of generally applicable law, including the Civil Code.



§ 4. Personal Data Protection

1. If the Guests provide their personal data in connection with using the Pool Area, the administrator of the Guests' personal data as well as other persons staying in the Pool Area (hereinafter referred to as: Personal Data) is Silver Mountain Resort Operator sp. z o.o. sp. k. with its registered office in Warsaw (00-023) at Widok 8 Street, KRS: 0000694273.
2. The Administrator processes or may process Personal Data:
 - a) for the purpose of performing a service agreement based on Article 6(1)(b) of the GDPR;
 - b) for the purposes arising from the legitimate interests pursued by the administrator, such as direct marketing, handling claims and complaints, defending or pursuing claims, contacting Guests in case of unforeseen events, archiving, execution of the administrator's agreements with other entities, e.g. an insurance company [Article 6(1)(f) GDPR];
 - c) for purposes arising from the legitimate interests pursued by the administrator, i.e. for the reasons of Guests' safety and property protection, as well as defense or assertion of claims through video surveillance [Article 6(1)(f) GDPR];
 - d) in order to fulfill the administrator's legal obligations [Article 6(1)(c) of the GDPR].
3. As a rule, providing Personal Data is voluntary, however, providing it may be necessary in order to conclude and perform an agreement for the provision of services in the Pool Area. Staying in the Pool Area involves recording the Guest's image through video monitoring. Video surveillance does not cover locker rooms, toilets, saunas or showers.
4. The administrator shall contract the performance of water rescue to an entity authorized to perform water rescue. This entity is obliged to keep a register of rescue activities. In the case of carrying out rescue operations, it is mandatory to enter in the register, among other things, the name of the person assisted in the rescue operations, the date and place of birth and the address of residence. The register should also include information about the type of injury or illness suffered by the person assisted in rescue operations. The obligation to provide the aforementioned Personal Data is based on Article 14 (3) of the Law on Safety of Persons in Water Areas. Failure to provide this Data may prevent the proper performance of duties within the framework of rescue activities or hinder the pursuit of claims.
5. Depending on the type of Personal Data and the purpose for which it was obtained, Personal Data may be disclosed to entities cooperating with the administrator in the performance of services available in the Pool Area, entities providing legal, water rescue or accounting services to the administrator. The data may be provided to competent public authorities if required by applicable law. Personal Data obtained using video surveillance may be disclosed to entities providing personal and property security services or IT services to the administrator. The data entered in the register of rescue operations may be made available to the person assisted in rescue operations, as well as to the Police, prosecutor's office, courts and insurance companies in connection with their proceedings.
6. Personal Data shall be stored until the expiration of the statute of limitations for any claims related to using the Pool Area, plus one year, unless there is another basis for processing. Personal Data obtained using video surveillance shall be stored for approximately 1 month, except that if the surveillance recordings constitute evidence in a proceeding under the law or may constitute evidence in a proceeding, the recordings shall be stored until the legal conclusion of the proceeding. The data collected in the register of rescue operations, as well as the data contained in accounting documents, are kept for the period required by law.
7. The rights to which Guests are entitled in connection with the processing of their Personal Data are described, among others, in the Regulations of Platinum Mountain, as well as in the Regulations of the SPA & Wellness Zone.
8. The Administrator has appointed a Data Protection Officer, who can be contacted via e-mail: rodo@platinum-mountain.pl.



§ 5. Final provisions

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1. In matters not regulated in the Regulations, the provisions of generally applicable law shall apply, including in particular the provisions of the Civil Code.
2. All wishes, comments and complaints can be reported, in particular, in writing directly to the Platinum Mountain Front Desk or to the address: Platinum Mountain Hotel & SPA, 15B Kilińskiego Street, 58-580 Szklarska Poreba or by e-mail to: rezerwacja@platinum-mountain.pl.
3. Platinum Mountain provides services in accordance with its category and standard. In case of any concerns regarding the quality of services, the Guest is requested to immediately contact the Platinum Mountain Management or the Manager of Dr Irena Eris Beauty Partner Salon, which will allow an immediate response. Effective from: September 1, 2020.