

INSTRUCTION

No. 10, date 06.09.2011

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ON

Processing of personal data in the context of hotel services

Pursuant to letter c), point 1 of Article 30, letter “ç” of article 31 of Law No. 9887 date 10.3.2008 “On protection of personal data” the Commissioner for the Protection of Personal Data gives the following instructions:

Chapter I

Introductory Provisions

1. The Instruction herein regulates some rights and obligation of the hotels or other analogous controllers, such as the motels, etc., in the framework of personal data processing.
2. Personal data, in the context of hotel services, are processed in compliance with the Law No.9887 dated 10.3.2008 “On protection of personal data”.
3. The provisions of this Instruction do not prejudice the obligations of hotels on processing of personal data pursuant to special acts.

Chapter II

General Provisions

1. The personal data are required and registered by the hotels in order to assure hotel reservation and accommodation, or other services, as requested.

¹ The translation was commissioned by the EU funded Project "Strengthening of the Data Protection Commissioner office in Albania, for alignment with EU standards"

2. The hotel shall not communicate, especially, disclose or make available to any third parties, personal data without expressed consent of the client, in case the purpose is not related to the services required by the client.
3. The hotel shall not use personal data for purposes of direct marketing without expressed consent of the client.
4. The hotel shall store personal data on hard copies and/or electronic registers.

Chapter III Mandatory Data

1. The hotel, in order to make any reservation and accommodation, shall collect and use the following personal data of the client:
 - Name,
 - Email and/or other contact information,
 - Data concerning the services required and services rendered,
 - In the event of confirmation of reservation or accommodation, credit card details or other relevant data concerning the payment.
2. Contacting the hotel for booking purposes presumes that the client is aware that personal data may be processed for drafting and execution of a contract to which the client is a party.
3. Personal data relevant to the credit card details are processed by the hotel for the sole purpose of guaranteeing the reservation.
4. Hotels are obliged to retain personal data only during the period of time needed for the provision of hotel reservation and accommodation, or other services as required. Following termination to such period, personal data may be retained only on grounds of protection of hotel rights and legal interests, particularly, in case hotel services are subject to court proceedings, in case the client refused to pay.

Chapter IV Copying of Personal Identity Cards or Travel Documents

Copies of personal identity cards or travel document, passport, obtained, and/or collected, can be processed only in case the client, bearing such documents, has given his consent expressly, according to Annex 1 herein, except for the cases when such thing is required by public bodies having such right under the legislation into force.

This instruction enters into force immediately and is published in the Official Gazette.

Commissioner

Flora Çabej (Pogaçe)

Annex 1

Provision of consent for copying personal identity cards or travel documents

I, _____ express herein my consent for processing the copy of my identity card or travel document. The purpose of such processing shall be exclusively for verification of identity. The hotel _____, as a controller can disclose or make available my personal data to any third party, provided that it is absolutely necessary for protecting the hotel's rights and legal interests. The hotel shall retain my personal data only for the period of time necessary for the verification of identity. The hotel is obliged to destroy the copy to my identity card or travel document, upon termination of such period.

Date __/__/__

Signature_____