

The state representative for

privacy and

Freedom of Information

PRESS RELEASE

free

Hanseatic city

Bremen

Bremen/Bremerhaven,

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Open lists of guest data in restaurants: Violation of the right to self

decide to which private individuals mobile phone numbers and email addresses

be passed on

At the State Commissioner for Data Protection and Freedom of Information went in the past

There are numerous legitimate complaints about innkeepers having lists

with guest data laid out or passed around the restaurants instead of the data for everyone

record adult guest individually. Such lists are not legitimate, because with their help no

only the health department, but also other guests' names, email addresses or telephone numbers

and length of stay of fellow guests.

The State Commissioner for Data Protection and Freedom of Information, Dr. Imke Sommer, take these

justified complaints as an opportunity to explain which processing of personal data

Data are permitted and even required under the 5th Corona Ordinance, and what processing

are unlawful.

According to § 9a Paragraph 2 No. 6 of the 5th Corona Ordinance, innkeepers of all

Guests they are entertaining inside, time of entering and exiting the rooms and name

and document telephone number or name and e-mail address. This information must

keep them for three weeks and then delete them. Paper forms must therefore be shredded or

be destroyed in a similar way. The innkeepers are allowed to use this information

only pass it on to the health department. Must for every single adult guest

there is a separate form or each guest must be asked individually and then the answers noted

will. Open lists are forbidden because guests then also share information about the others

Guests can read and, in the worst case, even take photographs. So prevent individual recordings

Stalking online or by phone.

The purpose of the documentation is to trace the chain of infection. The employees of

Health department will be in the cases in which it turns out afterwards that

infected a visitor to a restaurant, with the help of the innkeepers

collected data about who was in the room with the now infected person and themselves

may also have been infected. The persons concerned will be informed about this by e-mail or telephone

informed.

From the numerous complaints, it is clear to the state representative that many innkeepers

and restaurateurs have misunderstood the rule and asks all guests facing such lists

encounter, the innkeepers first to point out their mistake. Unless himself

Should innkeepers show unreasonableness, guests can contact the

Complain to the State Commissioner for Data Protection and Freedom of Information.

In this context, the State Commissioner also points out that the

Innkeepers have to explain to their guests exactly what happens to their data

becomes. This also includes describing to their guests how they keep the information safe

preserve and how they will destroy them. Guests must also be informed that they

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a right to information, a right to rectification, and after three weeks the right to erasure

of the data and contact the State Commissioner for Data Protection and Freedom of Information

can complain about it if they have the impression that the innkeepers themselves

don't follow the rules.

The State Commissioner for Data Protection and Freedom of Information is certain: "With legitimate

Werder players, but also the rest of us, have individual forms when visiting restaurants

Corona times good chances that we will keep it in our own hands, to which people

we pass on our cell phone number and to which ones we don't."

Contact/enquiries:

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