

# DATA PROTECTION OF PERSONAL INFORMATION –RESORTS ADVANTAGE SPAIN, S.L. PRIVACY POLICY

As of May 25th, the General Data Protection Regulation (GDPR) comes into effect. This regulation (EU 2016/679) has been elaborated by the European parliament and its objective is to protect the physical person with respect to their personal data and the free circulation of such information. The new legislation increases the guarantee in the processing of your data and introduces new forms of protection, such as the right to be forgotten or the right to share your personal data. These measures reinforce your capability of controlling the information that you share with third parties. Therefore, we have modified our policy of data protection to adapt to the new regulation.

Resorts advantage Spain, S.L. (“Entity”) provides Call-Center services such as reservations and collections. Consequently, it extends to the user this current privacy notice in conformity with the cited regulation so that he/she will be informed about how the entity gathers, releases and employs (“processes”) his/her information. This privacy notice (“Privacy Notice”) describes our practices regarding the information that we collect through our websites (“Websites”), as well as through any of our activities, namely provided data in our call-center or in person (“Activities”), designed jointly as “Services” that include Websites and Activities. Resorts Advantage Spain, S.L. is committed to the protection of personal information, privacy and trust of our users.

This privacy policy is applicable to the domain [www.resorts-advantage.com](http://www.resorts-advantage.com) and its subdomains. Any other web belonging to the “entity” or any of the entities related to the “Entity” must have on their own web one specific privacy policy in which it shall be established the particular privacy practices to the services or activities conducted with the personal data processing through the aforementioned particular web.

## **Accountable of the treatment and declaration of regulatory compliance.**

Resorts Advantage Spain, S.L. is accountable for this web. The aforesaid entity is in possession of C.I.F. B82778374, whose address is Paseo de la Castellana, number 143, 2<sup>a</sup> C 28046 Madrid, Spain, and email address [privacy@resorts-advantage.com](mailto:privacy@resorts-advantage.com).

The “Entity” declares to respect the current Spanish and European legislation in terms of Personal Data Protection, in particular, the Regulation 2016/679 of the European parliament and the council of April 27<sup>th</sup>, 2016; the nature of the data and the risks to which they are exposed. The “Entity” declares to apply the appropriate

technical and organizational measures to guarantee the confidentiality and the privacy of the collected personal data, as well as the integrity, availability and security of the same, executing the necessary actions to hinder any alteration, loss, unauthorized access or fraudulent use of the processed data.

The “Entity” guarantees that the personal data of the user are processed in a lawful, legal and transparent manner and that they have been collected with the explicit consent of the user after informing about the purposes of the processing that are specifically indicated in the current Privacy Policy or through legal or contractual legitimacy. Neither will the “Entity” process nor share personal data of the users unless the current regulation permits it, upon request of the competent authorities or when it counts with the express, specific and previously informed consent of the user either contractually or through the express acceptance of this privacy policy, nor will it use the personal data of the users for different purposes than the ones previously informed before the data sending on the part of the user.

### **Personal information**

The personal information refers to any information that is related to an identified or identifiable natural person, directly or indirectly (name, address, ID number (D.N.I, N.I.E, passport, etc.), date of birth, age, marital status, number and name of the beneficiaries, e-mail, telephone numbers and bank account/debit account numbers, as well as financial information, sojourn information, IP or ID device address.

### **Use of personal information**

#### **Transparency and information about personal data protection**

The technical operations, management and procedures that are conducted in an automated and non-automated means and that enable the collection, registration, organization, structuring, conservation, adjustment or modification, extraction, consultation, use, communication by transmission, dissemination or any other form of access or interconnection empowerment, limitation, suppression or destruction over data of personal character or groups of personal data have the consideration of personal data treatment.

We use, transfer and store the personal data when it is necessary to lend our services and for our operational and business purposes, namely with intent to process reservations, cancellations and modifications of the same, payment of a product or service, consultations or requests, as well as for marketing effects, publicity and surveys for the improvement of our services, that will be sent to the e-mail address given.

## **Legality and loyalty**

We will always require your previous consent for the processing of your personal data for one or several specific purposes that will be informed prior to your data sending through this web by means of a first information layer and this privacy policy. Also, we will be able to process personal data as a consequence of maintaining a contractual or precontractual relationship with you or another legal legitimacy.

## **Minimization**

We only request from the users the data that is strictly necessary in relation with the purposes of the processing of data previously informed.

## **Limit of the conservation period**

We keep the data during the necessary time in accordance with the purpose of the processing. We inform in each case about the conservation period and, in those cases in which the purpose is a periodic service, the data of the user will be kept as long as he/she does not recall his/her consent or finish the contractual or commercial relation.

## **Confidentiality**

We apply the adequate technical and organizational security measures for the processing of personal data ensuring your confidentiality and minimizing the risk of unauthorized access or improper use of personal data of the users by third parties.

## **Your commitment, the veracity of the data that you provide us**

The “Entity” will keep its databases updated blocking unnecessary or inefficient data such as e-mail accounts that are returned by the server as nonexistent or deleted.

## **Purpose of the processing done by Resorts Advantage Spain, S.L.**

The “Entity” informs that all the personal data that the user facilitates through this web will be processed by the user as responsible of the processing with the next purposes:

- To respond to the consultations sent directly to our e-mail [privacy@resorts-advantage.com](mailto:privacy@resorts-advantage.com) or other e-mail accounts published in the diverse microsities of this web or through the contact formulary.
- To respond to privacy consultations or exercise requests of the rights that assist the user in terms of Data Protection sent to [privacy@resorts-advantage.com](mailto:privacy@resorts-advantage.com)

- To send informative electronic communications to your request of subscription to the “Entity” news bulletin.

The “Entity” can conduct the next activities, on which personal data will not be treated but results of analytics obtained through the cookies and other storage devices in browsers:

- To manage segmented publicity through non-identifying data that is obtained through some cookies that are downloaded in the device of the user when he/she browses through this web and that deliver his browsing habits.
- Legal Obligations: It is possible that we are demanded to use, preserve and retain personal information for legal and fulfillment reasons, prevention of losses or fraud or to accomplish with the requirements of internal and external audit, with our objectives of information security, protection of personal data and/or crime prevention which might imply to be treated: (a) in virtue of the applicable law, that might include laws outside of the country of residence of the user; (b) to respond to requests of courts, security agencies, regulatory bodies, and other public and government authorities, that might include authorities outside the country of residence of the user; (c) and to protect rights, privacy, security or property of the “Entity” or from other persons.
- Prior to the sending of any information request through any e-mail address of the Entity’s web, the user accepts to read this Privacy Policy, which in legal effects implies that he/she renders unequivocal, free, specific and informed consent to the treatment of his/her personal data for the aforementioned intents.
- The cited expressed consent implies the authorization of the treatment of your data by the “Entity” in the established terms in this Privacy Policy, as well as by the co-responsible and responsible of the processing with whom the “Entity” maintains a mandatory contractual relation and of compliance control.

### **International transfers**

In some cases, the “Entity” utilizes tools and services of third parties for the management of this web, as well as for the implementation of analytics and e-mail, marketing and survey campaigns, among others. Some of the cited services can be of ownership of third party residents outside the European Union. The “Entity” endeavors to use safe tools whose servers be located preferably in Spain or, in its effect, in any member state of the European Union or that they comply with the European legality in view of the guidelines and recommendations of the Spanish Agency of data protection, the European commission and the community

agreements of reference with regard to international transfer of data, including the attainment of the certification in the Privacy Shield list.

The majority of these third parties manifest to comply with the European regulation of data protection and they even have their servers and/or their headquarters in Europe. Nonetheless, in the case that the international transference of data is necessary, the acceptance of this policy means that you explicitly consent to the mentioned transference after having been informed.

### **Security measures applicable to the Processing of Personal Data**

With the intent of protecting the personal data of the users, the “Entity” ensures itself and controls its decision makers of the processing, in the application of the adequate technical and organizational measures of the state of technique to protect the personal data, having in consideration the scope, the context and the purposes of the processing, as well as the risks of changeable probability and severity for the rights and freedoms of the parties concerned, seeking to be in capacity to ensure the confidentiality, integrity, availability and resilience of the systems and services of the processing.

The “Entity” manifests to be in capacity of acting with promptness and efficiency to restore the availability and the access to personal data in case of identifying the production of a physical or technical incident,

maintaining for that purpose an internal record of incidents, a response plan in the presence of incidents, as well as the necessary activities of management and control of security copies that guarantee the recovery of the information in the face of an eventual security incident.

The “Entity” manifests to store the users’ personal data encrypted in secured servers, protected against the most frequent type of attacks located in Spain, Europe, or in case of storage outside Europe, after having verified the fulfillment of the European agreements.

### **Notification of security gaps of personal data**

In case of a violation of the security of personal data, unless it is unlikely that the mentioned security infringement constitutes a risk of the rights and freedoms of the natural persons, the “Entity” will notify the Spanish Agency of Protection of Data prior to 72 hours after having record of the incident, describing the nature of the infringement, the possible consequences that might stem and measures adopted or proposed to resolve the security gap; and if it were possible, it will be indicated which are the categories and the approximate number of parties concerned and affected data.

Additionally, the “Entity” will notify the parties concerned, as early as possible, when it is likely that the security infringement of personal data implies a high risk for the rights and freedoms of the natural persons, describing the possible consequences that might derive and the adopted measures or proposals to solve the security gap.

### **Exercise of rights**

At any time, the user can retire his/her consent and/or exercise his/her rights of information, access, rectification, suppression and opposition, stipulated in the European regulation of general data protection, sending an e-mail to [privacy@resorts-advantage.com](mailto:privacy@resorts-advantage.com) or through the delivery of postal mail addressed to Resorts advantage Spain, S.L. in the street Paseo de la Castellana, number 143, 2<sup>a</sup> C 28046 Madrid, Spain.

In such a case, the user shall notify the right that he/she desires to exercise and shall attach a copy of his ID card or any other valid identifying documentation that legitimizes the user for that purpose, including the documentation that permits his electronic identification.

### **In what do these rights consist?**

#### **Right of information**

In agreement with the applicable law, you may access to the personal data that the “Entity” manages about the users. Any request to access or to obtain a copy of your personal information must be done in writing and contacting the “Entity”, sending an e-mail to [privacy@resorts-advantage.com](mailto:privacy@resorts-advantage.com) or through the delivery of postal mail addressed to Resorts advantage Spain, S.L. in the street Paseo de la Castellana, number 143, 2<sup>a</sup> C 28046 Madrid, Spain.

#### **Right of access**

The right of access legitimizes the user to obtain information about what personal data is being objected to processing, the purpose of the processing, the category of the processed data, the term or criteria of conservation, the addressees or category of addressees; if profiles are elaborated, the meaningful information of applied logic and the expected consequences of the processing; the exercise of the rights of rectification or suppression of personal data and of the limitation or the opposition of processing and the right to present a complaint to the control Authority. To exercise this right, the user does not need to issue any justification, unless he/she had exercised it in the last 6 (six) months.

In case of exercising his/her right of access, the “Entity” is legally obligated to resolve the access request in the maximum term of 1 (one) month from receipt of the request,

providing a copy of the personal data target of the processing or allowing the user a remote access to the data.

### **Right of rectification**

The right of rectification legitimizes the user to demand from the “Entity” a rectification of data that he/she perceives as inaccurate or incomplete. For that purpose, the user shall indicate which data he/she is referring to and the correction that must be done, providing the documentation that justifies this action. In such a case, Resorts advantage Spain, S.L. shall have to execute the rectification as soon as possible, and, in any event, in the term of 10 (ten) days from receipt of the request.

### **Right of suppression**

The right of suppression or “right to be forgotten” means that the User has the right of data suppression when the processing is illicit, the party concerned has retired his consent or has exercised the right of opposition and other legitimate reasons for the processing do not prevail; when the data is no longer necessary in relation with the purposes for which they were collected or processed or need to be suppressed to accomplish a legal obligation of the “Entity”.

The party concerned will not have the right that the “Entity” suppresses his data when the processing is necessary to exercise the right of freedom of expression and information; to fulfill a legal obligation of the “Entity” for the formulation, exercise or defense of complaints; for public interest based on the current legislation for public health, statistic or scientific purposes. The “Entity” will respond to your request as early as possible in a term of 10 (ten) days from receipt of your request.

### **Right of opposition**

The right of opposition means that the User has the right to avoid the execution of his/her personal data processing or to be stopped on the assumption that the processing is based in direct marketing, elaboration of profiles; in case that the interests or rights of the party concerned prevail over the legitimate interest of Resorts advantage Spain, S.L. or third parties; in case of statistical or scientific investigation, unless the processing of such data is necessary for purposes of public interest. The “Entity” will respond to your request as early as possible in a term of 10 (ten) days from receipt of your request.

### **Sharing information with third parties/entrusted of processing**

We share personal information with third parties with the intent of providing services or conducting commercial operations in the terms that are described in this Privacy Policy or when we consider that the law permits it or demands it. For the most part, what we share with third parties is not personal data, anonymous or statistical. When

we share personal information, we accomplish it in conformity with the privacy and security requirements of data previously informed in each case.

The “Entity” informs the User that his personal data might be submitted to:

1. The companies and/or associations linked to the “Entity” when it is necessary for the rendering of services, the administration and management of sales and marketing, technical assistance, customer service, business and products development. We demand from all our employees to follow our internal privacy regulation and information security.
2. The companies and/or associations linked to the “Entity”: our commercial members and service providers of third parties, to provide services with other enterprises and/or brands, to offer content, software support, systems and platforms, direct marketing services, lodging services in the cloud, publicity, data analysis or to celebrate events. In such cases, the transfer of data will only be executed when the “Entity” holds the express consent of the User and keeps a contractual relation with the entrusted of the processing that guarantees the confidentiality of the users, the non-utilization of personal information of the Users that we put at their disposal, the use of personal information for different purposes that those previously indicated, as well as the fulfillment of our internal privacy regulation and information security.
3. The authorities: When the cited transfer of data is covered by a legal obligation or were required by the competent authorities to respond to legal requirements, criminal investigation of a possible illegal activity or complaints that assert that a content infringes the rights of third parties or to protect the rights, the property or the security of third parties, in case of merger, sale, restructuring, acquisition, joint venture, allocation, release or another provision, total or partial, of our business, actives or actions. If the “Entity” were required by the competent authorities to respond to legal requirements, criminal investigation of a possible illegal activity or complaints that claim that a content infringes the rights of third parties or protects the rights, the property or security of third parties, the “Entity” will be able to provide personal data of the users to the competent authorities.

If the rights about the web of the “Entity” were transmitted to another organization, the “Entity” commits to agree on the subrogation and commitment of the new managing company responsible of the personal data processing for the continuity of this Privacy Policy, remarking the commitment that if the personal information will be used in a manner contrary to this policy, it shall be previously notified to the user.

## **Cookies policy**

The “Entity”, the companies of the Group of the “Entity”, our commercial partners and service providers of third parties use *cookies* (small files of information storage that are downloaded in the terminal equipment of a User when he/she access a website, with the purpose of storing data that will be able to be updated and recovered by the person in charge of its instalment) to conduct certain functions that are considered essential for the proper functioning and display of the website, to perform, store and administer the preferences of the User, to send publicity suited for the User through different advertising functions, to enable the content and collect analytical and use data.

To obtain this analysis, the web of the “Entity” can store particular information in the records of the server in an automated form through the use of *cookies* that do not depend of the “Entity”. Therefore, it is possible that the titleholders of the cited tools use such data for other purposes from which the “Entity” is not accountable.

## **How long will we process your data?**

The personal data provided to the “Entity” will be stored as long as the User does not request its suppression, with the intent of keeping him/her informed about the actions promoted by the “Entity” and as long as they prove to be adequate, pertinent and limited to the necessary purposes for which they are treated in conformity with this Privacy Policy.

## **Applicable law and jurisdiction**

The “Entity” has its headquarters in Spain. Consequently, the content of this Privacy Policy has been written in virtue of the Spanish legislation and applicable regulation of the European Union.

The User accepts that the claims or complaints against the “Entity” that originate or are related to the use of this website and more specifically with the processing of your personal data will be solved by the court of the competent jurisdiction located in Madrid. If it were Resorts advantage Spain, S.L. the one who had to perform any sort of complaint, it will execute it before the competent tribunal of the address of the user or in Madrid if it is the case of legal persons or non-consumer professionals.

If the User access to this site from a location outside of Spain, he/she is responsible of complying with all the local and international applicable laws that result for implementation.

### **Reserve of right to modify the privacy policy**

The “Entity” will be able to modify this Privacy Policy at any moment, serving the evolution of the web of the “Entity” and the contents offered, if these were considered necessary, either for legal reasons, technical reasons or due to changes in the nature or disposition in the web; without having the obligation to notify or inform the User of such modifications, understanding as sufficient its publication in its own website.

Any change will have an effect with regard to the Users that browse the website of the “Entity” after such modification. The continuity in the use of the web of the “Entity” after the publication of any modification will be considered as acceptance of the same. Thus, at the end of these Terms of Use the latest date of its update will always be published. Therefore, the changes made will be effective from that date onwards.