

PRIVACY POLICY



**DISCOVERY HOTEL
MANAGEMENT**



PRIVACY POLICY

A. GENERAL PART

1.1. COLLECTION AND PROCESSING OF USER DATA

Within the scope of the availability of the website hosted in **www.edenresort.pt** and of the services and communications made available therein, SUMMER C COLORS - AGRUPAMENTO TURÍSTICO E IMOBILIÁRIO - ACE, headquartered at Rua Joaquim António de Aguiar nº 66, 1070 153, Lisbon, Portugal, under the single registration number and corporate person 510945961, national trademark holder no. 529580 DHM DISCOVERY HOTEL MANAGEMENT (hereinafter referred to as "DHM ") may request the user to make available personal data, information provided by the user that allow DHM to identify and / or contact you ("Personal Information").

As a rule, Personal Data is requested when the User registers on the website, requests a contact and / or sending of newsletters, subscribes to a particular Service, acquires a product or establishes a contractual relationship with DHM.

Personal Data collected and processed consists of information regarding the name, gender, date of birth, telephone , mobile phone, email, address , tax identification number, credit card data (collected for billing purposes only), although it may come to collect other Personal Data that may be necessary or convenient for the provision of Services by DHM .

When collecting Personal Data, DHM provides the User with detailed information about the nature of the data collected and about the purpose and processing that will be performed with respect to the Personal Data, as well as the information mentioned in clause 8.

DHM also collects and handles information about your hardware and software, as well as information about the pages visited by the User within the website. This information may include: your browser type, domain name, access times and links through which the User has accessed the website ("Usability Information"). We use this information only to improve the quality of your visit to our website.

Usability Information and Personal Data are designated in this Privacy Policy by "User Data".

1.2. DATA PROCESSORS

As part of the processing of User Data, DHM recourse to or may have recourse to third parties, subcontracted by itself , on behalf of DHM, and in accordance with the instructions given by it, proceed with the processing of the User Data, in strict compliance with the provisions of the law and this Privacy Policy.



These subcontractors cannot transmit User Data to other entities without DHM previously and written authorization to do so, while also being prevented from contracting others without permission of DHM.

DHM is committed to subcontract entities that provide sufficient guarantees for the implementation of the technical and organizational measures in order to ensure the protection of user rights. All data processors shall be bound by means of a written agreement, which governs, in particular the purpose and duration of the processing, the nature and purpose of the processing, the type of personal data, the categories of data subjects and the rights and obligations of the parties.

When collecting personal data, DHM provides the User with information on the categories of data processors that, in this case, can process data on behalf of DHM.

1.3. DATA COLLECTION CHANNELS

DHM can collect data directly (ie, directly from the user) or indirectly (ie, through partner organizations or others). The collection can be done through the following channels:

Direct collection: in person, by phone, by e- mail and through the website;

Indirect collection: through partners or group companies and official entities.

2. GENERAL PRINCIPLES APPLICABLE TO THE PROCESSING OF USER DATA

In terms of general principles concerning the processing of personal data, DHM undertakes to ensure that the User Data processed by you are:

- Object of a lawful, fair and transparent processing with respect to the User;
- Collected for specified, explicit and legitimate purposes and not subsequently treated in a manner incompatible with those purposes;
- Appropriate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- Accurate and up-to-date where necessary, all appropriate measures being taken to ensure that inaccurate data, taking into account the purposes for which they are processed, are erased or rectified without delay;
- Preserved in a form that allows the identification of the User only for the period necessary for the purposes for which the data are processed;
- Treated in a manner that ensures their safety, including protection against their unauthorized or unlawful processing and against their accidental loss, destruction or damage, and appropriate technical or organizational measures are taken.

Data processing performed by DHM is legal when at least one of the



following situations occurs:

- You have given your explicit consent to the processing of User Data for one or more specific purposes;
- The processing is necessary for the execution of a contract in which the User is a party, or for pre-contractual procedures at the request of the User;
- The processing is necessary for the fulfillment of a legal obligation to which DHM is subject;
- The processing is necessary for the defense of vital interests of the User or another natural person;
- The processing is necessary for the legitimate interests pursued by DHM or by third parties (except if the interests or fundamental rights and freedoms of the User that require the protection of the personal data prevail).

DHM is committed to ensure that the processing of User Data is only made in the above listed conditions and with respect for the principles mentioned above.

When the processing of the User Data is performed by DHM based on the consent of the User, the User has the right to withdraw his consent at any time. The withdrawal of consent, however, does not compromise the lawfulness of the processing made by DHM based on the consent previously given by the User.

The length of time during which the data is stored and stored varies according to the purpose for which the information is processed. Effectively, there are legal requirements that require you to retain the data for a minimum period of time. Thus, and where there is no specific legal requirement, the data will be stored and kept only for the minimum period necessary for the purposes that led to their collection or subsequent processing, after which they will be eliminated.

3. USING AND USING THE DATA PROCESSING PURPOSES

In general terms, DHM uses the User Data for the following purposes:

- Provision of hotel services and associated services (restaurants, bars, etc.);
- Management of contacts with the User;
- Billing and billing to the User;
- User Registration on the Site;
- Inform the User, who has requested it, new products and services available on the Site and / or in the hotel units, offers and special campaigns, updated information on the activity of DHM, generally for the purpose of marketing of DHM and its hotels, by any means of communication including electronic format;
- To allow access to restricted areas of the website, in accordance with previously established terms;
- Ensure that the website meets User's needs by developing and publishing



content that is best adapted to the requests and type of User, improving the search capabilities and functionalities of the website and obtaining aggregate or statistical information regarding to the user's profile (analysis of consumption profiles);

- Provision of Services, and other services, such as newsletters, opinion surveys, or other information or products requested or purchased by you;
- Recording of telephone calls that may be made within the scope of the contractual relationship, both during the formation of the contract and during its validity;
- DHM can combine Usability information with anonymous demographic information for research purposes, and we can use the result of this combination to provide relevant content on the website. In certain restricted areas of the Site, DHM can combine Personal Data with Usability information to provide the User a more personalized content.

The User Data collected by DHM will not be shared with third parties without the consent of the User, except for the situations referred to in the following paragraph. However, in the event that the User engages through DHM services that are provided by other data controllers, User Data may be consulted or accessed by such entities, to the extent that it is necessary to provide such services.

As required by law, DHM can share or communicate User Data to other entities where that transmission or communication is necessary for the contract established between the User and DHM, or pre-contractual steps at the request of the user, if necessary to comply with a legal obligation to which the DHM is subject or if it is necessary to pursue legitimate interests of DHM or a third party. Whenever a User Data transmission to third parties occurs, DHM will make the reasonable efforts so that the transferee uses the User Data transmitted in a manner consistent with our Privacy policy.

4. IMPLEMENTED TECHNICAL, ORGANIZATIONAL AND SECURITY MEASURES

In order to ensure the security of User Data and maximum confidentiality, we treat the information you have provided in an absolute confidential manner, in accordance with our internal security and confidentiality policies and procedures, which are updated periodically as required, as well as accordance with the terms and conditions legally set forth.

Depending on the nature, scope, context and purpose of the data processing, as well as the risks arising from the processing of the rights and freedoms of the User, DHM undertakes to apply, both when defining the means of processing and at the time of the processing itself, the technical and organizational measures necessary and adequate for the protection of User Data and for compliance with legal requirements.

DHM also undertakes to ensure that, by default, only data that is necessary for each specific purpose is processed and that such data are not made available without human intervention to an indeterminate number of people.



In terms of general measures, DHM adopts the following:

- Regular audits to assess the effectiveness of the technical and organizational measures implemented;
- Sensitization and training of personnel involved in data processing operations;
- Pseudonymization and encryption of personal data;
- Mechanisms capable of ensuring the permanent confidentiality, availability and resilience of information systems;
- Mechanisms to ensure the restoration of information systems and access to personal data in a timely manner in the event of a physical or technical incident.

5. TRANSFER OF DATA OUT OF THE EUROPEAN UNION

The personal data are collected and used by DHM are not made available to third parties established outside the European Union. If, in the future, this transfer happen for the reasons mentioned above, DHM is committed to ensure that the transfer complies with the applicable legal provisions, in particular in determining the suitability of that country with regard to data protection and the requirements to such transfers.

6. USE OF COOKIES

When you visit our website, you will be asked to consent to the creation and recording on your computer of a text file (Cookie). This file will allow you greater ease and speed in accessing the website, as well as its customization according to your preferences. Most browsers accept these files (Cookies), but the User can delete them or block them automatically.

In the "Help / Help" menu of your browser you will find how to make these settings. However, if you do not allow the use of cookies, there may be some functionality of the website that you will not be able to use.

B. USER RIGHTS (DATA SUBJECT)

7. RIGHT TO INFORMATION

7.1. INFORMATION PROVIDED TO THE USER BY DHM (WHEN DATA IS COLLECTED DIRECTLY FROM THE USER)

- The identity and contacts of DHM responsible for the processing and, if applicable, of its representative;
- The contacts of the Data Protection Officer;
- The purposes for which the personal data are processed and, where



applicable, the legal basis for processing;

- If the processing of the data is based on the legitimate interests of DHM or a third party, indicating such interests;
- If applicable, recipients or categories of recipients of personal data;
- If applicable, indication that personal data will be transferred to a third country or an international organization, and whether or not a decision on adequacy has been adopted by the Commission or reference to appropriate or appropriate transfer guarantees;
- Deadline for the preservation of personal data;
- The right to request DHM access to personal data and their rectification, erasure or limitation, the right to object to the processing and the right to data portability;
- If the processing of the data is based on the consent of the User, the right to withdraw consent at any time, without compromising the lawfulness of the processing made on the basis of the consent previously given;
- The right to file a complaint with the CNPD or other supervisory authority;
- Indication whether or not the communication of personal data constitutes a legal or contractual obligation or a requirement to conclude a contract and whether the holder is required to provide the personal data and the possible consequences of not providing such data;
- If applicable, the existence of automated decisions, including the definition of profiles, and information concerning the underlying logic, as well as the importance and expected consequences of such processing for the data subject.
- Should the User Data is not collected directly by DHM, in addition to the above mentioned information, the user is additionally informed of the categories of personal data that are processed and also the data source and, eventually, if it originates from public sources.
- If DHM intends to proceed with further processing of User Data for a purpose other than that for which the data were collected prior to such processing DHM will provide the User with information on this purpose and any other pertinent information, in the terms referred to above.

7.2. PROCEDURES AND MEASURES IMPLEMENTED TO FULFILL THE RIGHT TO INFORMATION

The information referred to in 7.1. is given in written form (including electronic means) by DHM to the User prior to the processing of personal data in question. Under applicable law, DHM has no obligation to provide to the user the information mentioned in 7.1 if and to the extent that the user is already aware of them.

The information is provided by DHM free of charge.

8. RIGHT OF ACCESS TO PERSONAL DATA

DHM provides the means to access, the user, to your Personal Data. The User has the right to obtain from DHM a confirmation of which personal data concerning him are subject to processing and, if applicable, the right



of access to your personal data and the following information:

- The purposes of data processing;
- The categories of personal data in question;
- The addressees or categories of recipients to whom the personal data have been or will be disclosed, in particular to recipients established in third countries or belonging to international organizations;
- The term of retention of personal data;
- Right to request from DHM the rectification, deletion or limitation of the processing of personal data, or the right to object to such processing;
- Right to file a complaint with the CNPD or other supervisory authority;
- If the data has not been collected from the User, the available information on the origin of such data;
- The existence of automated decisions, including the definition of profiles, and information on the underlying logic, as well as the importance and expected consequences of such processing for the data subject;
- Right to be informed about the appropriate safeguards associated with the transfer of data to third countries or international organizations.

Upon request, DHM will provide the User, free of charge, with a copy of the User Data that is being processed. The provision of other copies requested by the User may entail administrative costs.

9. RIGHT TO RECTIFICATION OF PERSONAL DATA

The User has the right to request, at any time, the rectification of his Personal Data and also the right to have incomplete personal data completed, including by means of an additional declaration.

In case of rectification of the data, DHM communicate to each recipient to whom the data have been transmitted to respective rectification, unless such communication proves impossible or involves a disproportionate effort for DHM.

10. RIGHT TO ERASURE OF PERSONAL DATA ("RIGHT TO BE FORGOTTEN")

The User has the right to obtain, by DHM, erase your data when one of the following reasons applies:

- User Data is no longer required for the purpose for which it was collected or processed;
- The User withdraws the consent on which the data processing is based and there is no other legal basis for such processing;
- The User opposes the processing under the right of opposition and there are no prevailing legitimate interests justifying the processing;
- In case the User Data is unlawfully processed;
- If User Data is to be deleted in order to comply with a legal obligation to which DHM is subject.

Pursuant to applicable law, DHM has no obligation to delete the User Data to the extent that the processing proves necessary to fulfill a legal obligation



to which the DHM is subject or for the purpose of establishment, exercise or defense of a right of DHM in legal proceedings.

In case of deletion of data, DHM communicate to each recipient / entity to whom the data have been transmitted the respective deletion, unless such communication proves impossible or involves a disproportionate effort for DHM.

When DHM has made the User Data public and is obliged to delete it under the erasure right, DHM undertakes to ensure reasonable measures, including technical ones, taking into account available technology and the costs of its application, in order to inform those responsible for the effective processing of personal data that the User has requested to erase the connections for such personal data, as well as copies or reproductions thereof.

11. RIGHT TO THE RESTRICTION OF THE PROCESSING OF PERSONAL DATA

The User has the right to obtain, on DHM, the restriction of the processing of User Data if one of the following situations applies (the restriction is to insert a mark in the personal data preserved with the purpose of limiting its processing in the future):

- If you dispute the accuracy of the personal data, over a period to enable DHM to verify its accuracy;
- If the processing is unlawful and the User opposes the erasure of the data, requesting, on the other hand, the limitation of its use;
- If DHM no longer require User Data for processing purposes, but such data is required by the User for the purposes of declaration, exercise or defense of a right in a legal proceeding;
- If the user has opposed the processing until it is found that the legitimate reasons of DHM prevail over those of the User.

When User Data is subject to restriction, they may only, except preservation, be processed with the consent of the User or for the purpose of declaring, exercising or defending a right in a judicial process, defending the rights of another natural or legal person or for reasons of public interest legally envisaged.

The User who has obtained a restriction to the processing of their data in the above cases will be informed by DHM before the processing restriction is overridden.

In the event of data processing being limited, DHM communicate to each recipient to whom the data have been transmitted to respective limitations, unless such communication proves impossible or involves a disproportionate effort for DHM.

12. RIGHT OF PORTABILITY OF PERSONAL DATA

The User has the right to receive the personal data concerning him and which he has provided to DHM in a structured, in-use, automatic reading



format and the right to transmit such data to another controller, if:

- The processing is based on the consent or a contract to which the User is a party;
- and
- The processing is performed by automated means.

The right of portability does not include inferred data or data derived, ie, personal data that is generated by DHM as a consequence or result of the analysis of the data being processed.

The User has the right to have personal data transmitted directly between those responsible for the processing, whenever this is technically possible.

13. RIGHT TO OBJECT THE PROCESSING

The User has the right to object at any time, on grounds relating to his particular situation, to the processing of personal data concerning him that based on the exercise of legitimate interests pursued by DHM or when the processing is performed for purposes other than those for which personal data were collected, including the definition of profiles, or when personal data are processed for statistical purposes.

DHM cease the processing of User Data unless it presents compelling legitimate grounds for such processing to prevail over the interests, rights and user freedoms, or for the purpose of establishment, exercise or defense of a right of DHM in judicial proceedings.

When User Data is processed for the purpose of direct marketing, the User has the right to oppose at any time the processing of the data that concern him for the purposes of said commercialization, which includes the definition of profiles in the insofar as it relates to direct marketing. If you object to the processing of your data for the purposes of direct marketing, DHM ceases processing of the data for this purpose.

Users also have the right not to be subject to any decision made solely on the basis of automated processing, including profiling, that has legal effects or significantly affects it in a similar way, unless the decision:

- It is necessary for the execution or execution of a contract between the User and DHM;
- Is authorized by legislation to which DHM is subject; or
- It is based on the explicit consent of the User.

14. PROCEDURES TO THE EXERCISE OF THE RIGHTS BY THE USER

The right of access, the right of rectification, the right of erasure, the right to restriction, the right of portability and the right to objection may be exercised by the User through contact with the Data Protection Officer of the DHM Group, through email dpo@discoveryportugal.com.

DHM will respond in writing (including by electronic means) to the request of the User within a maximum of one month from the receipt of the request.



except in cases of special complexity, where this period may be extended by up to two months.

If the requests made by the User are manifestly unfounded or excessive, in particular because of their repetitive nature, DHM reserves the right to charge administrative costs or refuse to comply with the request.

15. VIOLATIONS OF PERSONAL DATA

In the event of a breach of data and to the extent that such breach is likely to pose a high risk to the rights and freedoms of the User, DHM undertakes to communicate the violation of personal data to the User in question within 72 hours of the knowledge of the incident.

In legal terms, communication to the User is not required in the following cases:

- If DHM has implemented appropriate technical and organizational protection measures and these measures have been applied to personal data affected by the breach of personal data, in particular measures that make personal data incomprehensible to anyone not authorized to access such data, such as encryption;
- If DHM has taken subsequent action to ensure that the high risk to the rights and freedoms of the User is no longer likely to materialize; or
- If communication to the User implies a disproportionate effort for DHM. In this case, DHM will make a public communication or take a similar action through which the User will be informed.

C. FINAL PART

16. CHANGES TO PRIVACY POLICY

DHM reserves the right to change this Privacy Policy at any time. In case of modification of the Privacy Policy, the date of the last change, available at the top of this page, is also updated. If the change is substantial, a notice will be placed on the website.

17. APPLICABLE LAW AND FORUM

The Privacy Policy, as well as the collection, processing or transmission of User Data, are governed by the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 and applicable laws and regulations in Portugal.

Any litigation arising from the validity, interpretation or execution of the Privacy Policy, or related to the collection, processing or transmission of User Data, must be submitted exclusively to the jurisdiction of the courts of the Lisbon region, without prejudice to the legal rules applicable.