

## PERSONAL DATA PROTECTION CHARTER

Club Med SAS, registered in the Paris Trade and Companies Register under number 572 185 684 and their respective subsidiaries and associated companies (hereinafter, “Club Med” or “We”), believes it is important to protect your personal data and ensures strict compliance with provisions relating to the protection of privacy and the processing of personal data, especially the European Regulation on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (EU Regulation 2016/679 of 26 April 2016), the French Data Protection Act (*Acte informatique et libertés*) of 6 January 1978, as amended in 2004, as well as the recommendations of the CNIL<sup>1</sup> and applicable relevant regulations in your country (hereinafter, the “**laws in force**”).

The purpose of this personal data protection charter (hereinafter, the “**Charter**”) is to describe how and when Club Med, as a data controller, collects, uses and discloses certain personal data (hereinafter, the “**Data**”) you send us to respond to your requests and optimise and improve the quality of our services.

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### **1. When does this Charter apply?**

This Charter informs you how your Data is collected, processed and used when:

- You book a stay with Club Med;
- You visit the Club Med website or our mobile application (hereinafter, the “**Website**”);
- You subscribe to our Club Med newsletter (information on products & special offers) and customised content;
- You contact our Customer Service Department;
- You take part in our contests.

### **2. What Data does Club Med collect?**

#### **2.1 Data sent to us directly**

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<sup>1</sup> La Commission Nationale d’informatique et des libertés (French Data Protection Board) [translator]

You provide us with your Data when:

- You register on the Website by filling in the various forms relating to your account or by uploading Data;
- You book a holiday package;
- You take part in contests;
- You complete a Club Med questionnaire;
- You communicate with our Customer Service Department.

This Data may, for instance, consist of your:

- Last and first name(s);
- Date of birth;
- Gender;
- Mailing address;
- Email address;
- Telephone number(s);
- Means of payment;
- Booking history.

The same applies for any information you provide about anyone for whom you book a holiday package. In this respect, you agree to obtain their prior consent before disclosing their Data.

You may opt not to disclose certain information to us; however, this decision may prevent you from using our services. The required information for the provision of our services is identified with an asterisk in our information gathering forms.

## **2.2 Data automatically collected**

While browsing the Website, Club Med may collect Data on the following, in strict compliance with the laws in force and your rights:

- Features of the operating system, browser or devices (computer, pad, smartphone) you use to access our services;
- Your location, such as your IP address;
- Your browsing path and interactions with the content of the Website, such as pages viewed, key search words used, frequency of your visits to the Website, advertising clicked on.

## **3. How does Club Med use the Data collected?**

This browsing Data is collected using cookies. For more information on cookies, see Question 4.

### **3.1 Data from other sources**

We may also collect Data through third parties, including in particular social media, when you register or log in to our services using a third-party account. When you do this, you will be informed of the Data transferred to us by the relevant third party.

We use, store and process your Data to process your requests, manage our commercial relationship, and optimise our services and tools to create and maintain a more secure environment and to comply with our statutory obligations.

### **3.2 Performing a contract**

We use your Data to manage your holiday package booking and to perform various related services.

In particular, we use your Data to process your payments, to inform you by text message, e-mail or other about how the contract you enter into with us is performed (information on your journey, any transport delays, extra services proposed, etc.).

As part of our commercial activity, we may use commercial partners to provide certain services on our behalf.

For instance, we do not have our own fleet of aircraft, trains or coaches. We are required to enter into contracts with various carriers to offer you ways of getting you to our various resorts. Accordingly, some of your Data (last name, first name, date of birth, etc.) will be provided to the carrier in order for it to issue you a travel ticket.

Our business partners may not use your Data for purposes other than those required to perform services that you have requested. They are also required to process your Data in strict compliance with Existing Legislation.

### **3.3 Providing you with access to the Website and certain services**

We use the Data you provide to identify you in order to access your Account, access to which is restricted to authenticated persons.

### **3.4 Sending you our Club Med newsletter and customised content**

If, on booking a holiday package, setting up your account on the Website or thereafter, you ticked the box or filled in the form to receive the Club Med newsletter (information on Club Med products and commercial offers) and customised content, we may use your Data to send you the following, according to your preferences (in particular, by e-mail, text message, telephone or letter):

- Information on the Website;
- Invitations to Club Med events which may be of interest to you;
- Information on our offers;
- Information on updates to the Charter or security measures.

To stop receiving commercial offers and communications from the Club Med Group, you may at any time unsubscribe by (i) clicking on the unsubscribe link or completing the objection process indicated in Club Med communications or (ii) contacting us (see Section 6 below). You may also object to receiving telemarketing calls by registering with any available and relevant “Do Not Call” registry in your country.

We may also use your Data to send you advertising messages which may be of interest to you on third-party websites or on social media platforms. For more information, we suggest you read the terms relating to the use of your Data on these third-party websites and/or platforms.

### **3.5 For profiling purposes**

We may also process your Data for profiling operations.

Profiling is the automated process of your Data to analyse, anticipate and assess your interests and preferences in order to send you customised content and commercial offers suited to your specific requirements.

Club Med will only share your Data with third-party service providers to determine your profile and preferences and send you more relevant Club Med content. Club Med will not disclose your Data to commercial partners.

You may object at any time to the use of your Data for profiling purposes by accessing your Account or by contacting us (see Section 6 below).

### **3.6 Optimising the Website and our services**

We use your Data to carry out analyses, technical tests (including the anonymisation of your Data) and data deduplication in order to improve and optimise the Website and customise our tools and services. This means, for example, ensuring that the display of our content is adapted to your device or hosting your Data on even more secured servers, etc.

### **3.7 Handling complaints**

When you contact our Customer Service Department by telephone or using the contact form available on the Website or by any other means made available by Club Med (social media, chat, etc.), we use your Data (including the recordings of your calls, with your prior consent) to:

- respond to and resolve your complaint;
- track and manage the follow-up of your complaint;

- improve customer service.

### **3.8 For internal statistics and surveys**

We may use your Data to carry out various statistical analyses and/or to ask you to take part in our surveys.

### **3.9 Ensuring compliance with legal and judicial obligations**

Your Data may be used to:

- respond to a request from an administrative or judicial authority, a law enforcement representative, an officer of the court or to comply with a judicial decision;
- ensure compliance with our general terms and conditions of sale and with the Charter;
- protect our rights and/or obtain compensation for any harm we may suffer or mitigate the consequences thereof;
- prevent any act contrary to the laws in force, including in particular the prevention of fraud risks.

### **3.10 Managing your participation in contests**

When you participate in contests, you provide us with a certain amount of Data. This Data is essential in order for you to participate and for us to award a prize.

With your prior and express consent, we may use this Data to send you the Club Med newsletter (information on Club Med products and commercial offers) and customised content.

## **4. What cookies does Club Med use?**

### **4.1 What are cookies?**

When you use the Website, Club Med may place a text file called a “cookie” in the browser files of your computer (or tablet/pad, etc.). When enabled, these cookies are used to identify your computer on your next visit. Whenever you visit the Website, the settings from your previous visit are saved.

### **4.2 What cookies does Club Med use?**

Club Med uses the cookies listed in the appendix to the Charter.

#### **a) Cookies needed to provide the services requested**

Club Med may have to use those cookies which are strictly necessary to provide you with requested services and/or information, including in particular:

- session ID cookies;

- shopping cart cookies;
- authentication cookies;
- load balancing session cookies;
- user interface customization cookies;
- analytic (or statistical) cookies

Data collected from statistical cookies is not cross-checked with other data processed (or previously anonymised) and is only used to collect anonymous information about the user's behaviour on our Website.

These cookies are not used to follow users' surfing behaviour after visiting our Website nor are they used to geolocate a visitor.

You may block the placement of cookies, particularly statistical cookies (see "Disable cookies").

#### **b) Improvement and customisation cookies**

Certain cookies are used to analyse, optimise and customise your browsing experience. Cookies are also used to automatically process your Data in accordance with the terms and conditions specified in Section 3.4. Cookies are only placed on your device with your prior express consent.

#### **c) Improvement and customisation cookies**

When you browse the Website, third-party cookies (set by a communications agency, measurement company, targeted advertising service provider, etc.) may enable these third parties, during the cookie's lifespan, (i) to collect browsing information about our Website users and (ii) to post advertising content based on your interests. The setting and use of third-party cookies are subject to the cookie management policies of these third parties.

### **4.3 How do you disable/block cookies?**

You may change your browser settings to disable/block cookies.

You may either accept all cookies or you can configure your browser to display a message when a server wants to store a cookie. You may also disable all cookies. Note that if you disable all cookies, you may not be able to access parts of our Website or use some of our services.

To disable cookies, follow the instructions provided in the appendix.

## **5. How long does Club Met keep your Data?**

As a general rule, your Data is kept only for the time necessary to carry out the operations for which the Data was collected.

Depending on the Data category, Club Med keeps the Data for the following time periods:

- Data directly sent to us as specified in Section 2.1 is kept for the time necessary to process the Data;
- Browsing Data is kept for a maximum of 13 months;
- Prospect Data is kept for a maximum of three years from the last contact you initiated with Club Med;

- Data relating to identity documents sent to us to exercise your right to access or rectify the Data is kept for a maximum of 12 months;
- Information provided to process a data subject's exercise of its right to object to the receipt of electronic marketing is kept for a maximum of three years from the exercise of this right.

We may also delete your Data on request.

Note that on the expiry of these periods, and on receipt of your request to delete, your Data may be kept to comply with statutory, accounting and tax obligations and/or during the applicable limitation period and/or for the duration of any legal dispute.

## **6. What categories of recipients receive your Data?**

We may share your Data with various third parties including in particular:

- our affiliated entities to provide you with the requested services or acting as data processors in accordance with applicable laws;
- our commercial partners, suppliers and/or data processors who process your Data on our behalf, according to our instructions, for the purposes specified in Section 2 (including in particular carriers, insurance companies, customs authorities, local service providers, financial institutions, technical data processors, etc.). We take special care to ensure that these third parties provide adequate guarantees to ensure the protection and security of your Data;
- duly authorised French or foreign authorities, particularly pursuant to legal proceedings or data transmission request.

## **7. What are the legal bases for the processing of your Data?**

In accordance with the laws in force, we rely on various legal bases to process your Data, including:

- your prior express consent to the processing of your Data for one of the purposes listed in Section 3;
- the performance of the contract you entered into with us;
- the need to comply with a statutory obligation or to defend ourselves in the event of legal proceedings;
- the legitimate interests pursued by Club Med;
- the safeguarding of your vital interests.

## **8. What are your rights?**

### **8.1 Your rights of access, rectification, deletion and objection**

You may ask us to access, rectify, update or delete your personal information.

You may also exercise your right to object to the processing of your personal Data.

### **8.2 The right to portability of your Data**

The right to portability allows you to recover some of your personal Data, namely:

- Data you sent us directly as specified in Section 2.1;
- Data generated by your use of the Website as specified in Section 2;

We endeavour to respond to your request within a reasonable time and no later than the time limit provided by law.

### **8.3 The right to determine what happens to your Data**

You have the right to set general or specific guidelines for the retention, deletion and disclosure of your Data after you close your account.

### **8.4 Contact**

To exercise your rights, simply send a letter enclosing a copy of your identity documents along with your request to a Club Med Data Protection Officer (DPO):

[Club Med Data Protection Officer  
Vacances (M) Sdn Bhd  
Level 28C, Axiata Tower,  
No. 9, Jalan Stesen Sentral 5,  
50470 Kuala Lumpur.]

If you believe your rights have not been respected, you may, at any time, file a complaint with a Club Med Data Protection Officer (DPO) by sending a letter to the abovementioned DPO.

You may also file your complaint with the competent regulatory authority in your country.

## **9. Will your Data be transferred outside your Country?**

We may transfer your Data to countries outside your country for the sole purposes indicated in this Charter.

When your data is transferred, we ensure that your Data is protected in accordance with protection levels provided for in the European Union and in your country.

Transfers are made exclusively to countries that are recognised as providing an adequate level of data protection by the European Commission.

In the event the Data is transferred to a country that does not offer an adequate level of protection, the Club Med Group and its partners or service providers agree to implement appropriate guarantees to govern the transfer (e.g. standard contract clauses of the European Commission), which you may request by sending a letter to the DPO as specified above.

#### **10. The protection of your Data by Club Med**

Club Med undertakes to guarantee the integrity and reliability of Data entrusted to it, including by taking all physical, organisational and logistical measures necessary to prevent any alteration or destruction of such Data and by ensuring secure access only to those persons authorised to process the Data.

#### **11. Amendments**

Club Med may be required to amend this Charter in the event of a change in applicable laws. Amendments, if any, will be posted on this page.

*Last updated on 21 May 2018*

## **Appendix:**

### **List of Cookies used by Club Med**

Club Med regularly updates this list. This list was last updated on 21 May 2018

Publisher: Adobe Analytics

Cookie name/purpose:

Cmclid / C\_m: identify where a visitor is from when he comes to the Website

s\_cc: know if the settings of the web browser's browser can or cannot support the enabling of cookies

s\_sq: know what the previous page visited was

s\_vi: identify the paths on the Website

iccm: recognise the visitor on the whole of our Website

Cookie retention period: a maximum of 13 months

Publisher: Google Analytics Premium (GAP)

Cookie name: \_ga

Purpose: used to differentiate between the users of the website in the solution (take a random ID)

Cookie retention period: a maximum of 13 months

Publisher: Neolane

Cookie name: neolaneID

Purpose: used to identify prospects and customers in the Club Med database? browsing on the Website (takes their ID in database)

Cookie retention period: a maximum of 13 months

Publisher: Kameleoon

Cookie name: kameleoonVisitIdentifier / kameleoonSessionId

Purpose: test the new functionalities of the Website

Cookie retention period: a maximum of 13 months

Publisher: DoubleClick

Cookie name: DoubleClick "ID" cookie

Purpose: allows DoubleClick to provide a better advertising level. They are used to offer targeted advertisements on web browsers' searches, to improve the reports on campaign performances and to avoid the re-broadcasting of advertisements which the web browser has already seen.

Cookie retention period: a maximum of 13 months

Publisher: AdmotIV

Purpose: used to identity users browsing the website

Cookie retention period: a maximum of 13 months

Publisher: Freespee

Cookie name: \_\_fs\_dncs\_exttrack

Purpose: Freespee tracking information

Cookie retention period: a maximum of 13 months

Publisher: Freespee

Cookie name: \_\_fs\_dncs\_sessionid

Purpose: Freespee tracking information  
Cookie retention period: a maximum of 13 months

Publisher: Freespee  
Cookie name: \_\_fs\_dncs\_trackingid  
Purpose: Freespee tracking information  
Cookie retention period: a maximum of 13 months

Publisher: Google analytics  
Cookie name: gat\_cmTracker  
Purpose: Google Analytics Statistics  
Cookie retention period: a maximum of 13 months

Publisher: Tradelab  
Cookie name: \_tlc; \_tls; \_tlv  
Purpose: used to display targeted advertising on third-party websites  
Cookie retention period: a maximum of 13 months

Publisher: Criteo  
Cookie name: uid, tc, nxtck\_srv  
Purpose: used to identify users browsing the website  
Cookie retention period: a maximum of 13 months

Publisher: Nextperformance  
Cookie name: ccv2  
Purpose: used to identify users browsing the website  
Cookie retention period: a maximum of 13 months

Publisher: Facebook  
Cookie name: fr  
Purpose: used to identify users browsing the website  
Cookie retention period: a maximum of 13 months

Publisher: Adobe  
Purpose: used to identify users browsing the website  
Cookie retention period: a maximum of 13 months

Publisher: Ligatus  
Purpose: used to identify users browsing the website  
Cookie retention period: a maximum of 13 months

Publisher: Gemini  
Purpose: used to identify users browsing the website  
Cookie retention period: a maximum of 13 months

Publisher: Google AdWords  
Purpose: used to identify users browsing the website  
Cookie retention period: a maximum of 13 months

Publisher: Bing  
Purpose: used to identify users browsing the website  
Cookie retention period: a maximum of 13 months

Publisher: DoubleClick  
Purpose: used to identify users browsing the website  
Cookie retention period: a maximum of 13 months

Publisher: Lengow  
Purpose: used to identify users browsing the website  
Cookie retention period: a maximum of 13 months

Publisher: Quantum  
Purpose: used to identify users browsing the website  
Cookie retention period: a maximum of 13 months

Publisher: Spin  
Purpose: used to identify users browsing the website  
Cookie retention period: a maximum of 13 months

## **HOW ARE COOKIES DISABLED?**

You may change your browser settings to disable/block cookies.

You may either accept all cookies or you can configure your browser to display a message when a server wants to store a cookie. You may also disable all cookies. Note that if you disable all cookies, you may not be able to access parts of our Website or use some of our services.

To disable cookies:

>> If you use Internet Explorer 8 and following:

1. Go to “Tools” in the menu bar and click on “Internet Options”
2. Click on the tab “Non-disclosure” on top
3. Slide the cursor up to the setting “Block all cookies” to block all cookies or slide down to the setting “Accept all cookies” to accept all cookies.

For further information, consult <http://windows.microsoft.com/fr-fr/internet-explorer/delete-manage-cookies>

>> If you use Firefox 30.0 and following:

1. Click on the button “menu” and select “Options”
2. Select the panel “Privacy”.
3. In the history area, for the option “Retention rules”, select “use customised settings for the history”.

4. Tick the space “Accept the cookies” to activate the cookies or untick it to disable it.

If you have problems with the cookies, ensure that the option “Accept third party cookies” is not positioned on Never.

5. Choose how long the cookies may be retained.

Retain them until: “Their expiry”: Each cookie will be deleted on its expiry date, date set by the website issuing the cookie.

Retain them until: “Closing of Firefox”: cookies enabled on your computer will be deleted when you close Firefox.

Retain them until: “Ask me each time”: a warning shows each time a website wishes to send a cookie, asking you if you agree to enable the cookie or not.

6. Click OK to close the “Options” window

For more information, consult <https://support.mozilla.org/fr/products/firefox/privacy-and-security/cookies>

>> If you use Google Chrome:

1. Go to the menu “Tools”

1. Click on “Settings”

2. Click on “Advanced settings”

3. Click on “Non-disclosure/Content settings”

4. “Cookies” must be selected. Then select “Block cookies and third party website data”

For more information, consult <https://support.google.com/chrome/answer/95647?hl=fr>

>> If you use Safari 5.0:

1. Choose Safari > Preferences and click on “Security”.

2. In the section “Accept cookies”, specify if and when Safari must accept cookies of websites.

For an explanation on options, click

on the help button (looks like a question mark). If you have set Safari to block cookies, you should perhaps temporarily accept cookies to open a page. Repeat the above stages, by selecting “Always”. When you have finished with the page, disable the cookies again and delete cookies from the page.

For more information, visit [http://support.apple.com/kb/ht1677?viewlocale=fr\\_FR](http://support.apple.com/kb/ht1677?viewlocale=fr_FR)

If you have a different browser type or version, see your browser’s “Help” menu.