



**GRAND LUXXE®**  
RESIDENCE CLUB

INTEGRAL PRIVACY NOTICE

## INTEGRAL PRIVACY NOTICE

**Vidanta Entertainment, S.A. de C.V.**, is the company that operates and manages the hotels located in San José del Cabo, Baja California Sur (Hereinafter referred as **"Data Controller"** and/or **"VE"** and/or **"us"**). Our company is committed to protecting your privacy in accordance with the Federal Law on the Protection of Personal Data held by Individuals (LFPDPPP), its Regulations and other applicable legal provisions (as a whole, Legislation). In addition to the provisions of the corresponding to Legislation in this matter, VE follows the best international practices in management and administration of Personal Data. VE makes this Privacy Notice available in order to clearly and specifically inform you about the Personal Data collected, the means by which it is collected, as well as the processing of Personal Data, always mediating our commitment to protect your privacy, under the highest standards of ethics, responsibility and professionalism.

**A. IDENTITY AND ADDRESS OF THE DATA CONTROLLER:**

Vidanta Entertainment, S.A. de C.V.  
Blvd. San José s/n, Lote 12, Col. Campo de Golf, San José del Cabo, Baja California Sur, México, C.P. 23406.

**B. CONTACT DATA OF THE PERSONAL DATA OFFICE:**

Email: [datospersonales@grupovidanta.com](mailto:datospersonales@grupovidanta.com)  
Phone: 52 322 226 4000 ext. 64713.

**C. PERSONAL DATA COLLECTED:**

For the purposes set forth in this Privacy Notice, VE may collect your Personal Data, directly provided by Data Owner ("**you**") by physical or electronic formats or by means other than those indicated, always in accordance with the Legislation. The Data collected through the indicated means is:

1. IF YOU ARE A **CLIENT**, VE WILL PROCESS THE FOLLOWING CATEGORIES OF PERSONAL DATA:

- 1.1. Identification Data.
- 1.2. Contact Data.
- 1.3. Financial Data.
- 1.4. Fiscal Data.
- 1.5. Biometrics Data.
- 1.6. Image Data in photograph and/or video.
- 1.7. Health information in case of emergency or if you visit any of our facilities that warrant it.
- 1.8. Family information to notify in case of emergency.
- 1.9. Data of your companions (registered persons) in the room or suite.
- 1.10. Vehicle identification Data (plates), if registered vehicle at the Resort.

2. IF YOU ARE A **VISITOR**, VE WILL PROCESS THE FOLLOWING CATEGORIES OF PERSONAL DATA:

- 2.1. Identification Data.
- 2.2. Contact Data.
- 2.3. Image Data in photography and/or video.
- 2.4. Identification data of vehicle (license plates).

Under oath, you declare that the Data you provide to VE is true, complete and accurate. Any false, incomplete or inaccurate information will be your sole responsibility.

**D. THE PURPOSES OF THE PROCESSING OF PERSONAL DATA THAT GIVE RISE TO ANY LEGAL RELATIONSHIP WITH VE:**

1. IF YOU ARE A **CLIENT**:

- 1.1 For the fulfillment of contractual obligations, to identify you and verify the accommodation services provided.
- 1.2 For the provision of tourist services, such as: accommodation, concierge, room service, banquets, events and conventions, restaurants, Kids Club or spa, in case you request them.
- 1.3 For your security during your stay in VE, we establish security measures and surveillance of the facilities, including monitoring, video cameras, control and surveillance of physical and logical access.
- 1.4 For your attention in case of health or safety incidents.
- 1.5 To identify you in any type of legal or business relationship with VE or its subsidiaries.
- 1.6 To facilitate the provision of ground transportation services, from the airport to VE.
- 1.7 For the provision of golf course, academy and sports club services.
- 1.8 To inform you about changes in our products and / or services.
- 1.9 For the purchase of prepaid cards.
- 1.10 To make the collection and billing in your case, with respect to the services and / or products that you acquire.
- 1.11 For refund processes if applicable.

2. IF YOU ARE A **VISITOR**:

- 2.1 For identification, verification and contact.
- 2.2 For surveillance through video cameras, monitoring, security processes and access control of the facilities.

Additionally, we use your personal information for the following secondary purposes that are not necessary for the fulfillment of contractual obligations, but that allow and facilitate us to provide you with better attention:

1.  To develop studies and programs for marketing or advertising purposes or commercial prospecting.
2.  For recordkeeping oriented to the future provision of products and services.
3.  To inform you in the future of products and services that may be of your interest.
4.  To send advertising, promotions and newsletters that may be of interest to you from VE.
5.  To make surveys about the quality of our products and/or services.
6.  To provide medical assistance if required or to be attentive to the risks that could arise from the provision of some of our services.

If you do not wish for your Personal Data to be used for any or all secondary purposes, mark with an “X” inside the check box. If the box (es) is (are) not marked, you express your consent to process your Data for the secondary purposes mentioned above. Refusing to use your Personal Data for these secondary purposes cannot be a reason for us to deny you services and products that you request or contract with VE.

If you are reading this Privacy Notice on our website or have it available through any other remote means of electronic communication and you wish to object to the processing of the “Secondary Purposes” above mentioned, please contact the “Personal Data Office” and request it through the authorized format, made available in the following link: <https://avisos.vidanta.com/formatosARCO/en/loscabos/SDA-SJD-VE-GLXX.pdf>

**E. PERIOD OF CONSERVATION OF YOUR PERSONAL DATA**

VE will keep your Personal Data during the contractual relationship with you, according to the terms established in the Fiscal Code of the Federation and applicable laws or until you ask us to eliminate them.

**F. OPTIONS AND MEANS THAT THE DATA CONTROLLER OFFERS THE DATA OWNER TO LIMIT THE USE OR DISCLOSURE OF PERSONAL DATA:**

If you wish to express your refusal to receive promotions or commercial communications from us, you may request your registration in our Exclusion List by sending your request by certified mail addressed to the “Personal Data Office” located in Av. Paseo de las Moras, s/n, Fracc. Náutico Turístico Nuevo Vallarta, Bahía de Banderas, Nayarit, México, C.P. 63735. In the envelope containing your application, you must write or include in large and visible letters the inscription "URGENT: REQUEST TO LIMIT THE USE OR DISCLOSURE OF MY PERSONAL DATA". When VE deems it convenient, it may agree with the Data Owner, the alternative means for registration in our Exclusion list, always acting in accordance with the framework of the law.

**G. MEANS OF EXERCISING RIGHTS OF ACCESS, RECTIFICATION, CANCELLATION, OPPOSITION, REVOCATION OF CONSENT TO THE PROCESSING OF YOUR PERSONAL DATA, DATA PORTABILITY AND THE RIGHT TO BE FORGOTTEN:**

In order of law you can access, rectify, cancel or opposite to use and / or process your personal information, revoke the consent for processing of your Personal Data, request the right of portability of your Personal Data, as well as request the right to be forgotten as follows:

1. Access: Know what Personal Data the Data Controller has collected of the Data Owner and its processing.
2. Rectification: The Data Owner may request the Data Controller to rectify their Personal Data that is found to be inaccurate or incomplete.
3. Cancellation: Termination in the processing of Personal Data by the Data Controller. Cancellation of Personal Data will lead to a blocking period following which the Data will be erased. Cancellation will proceed with respect to all Personal Data or partially upon request and/or in those cases in which processing is necessary for the fulfillment of a legal obligation.
4. Opposition: Oppose the processing of the Personal Data of the Data Owner.
5. Revocation of consent: The Data Owner may revoke his consent to the Data Controller for the processing of Personal Data for specific purposes, it will not proceed in those cases in which processing is necessary for the fulfillment of a legal obligation.
6. Data Portability (*Exclusive use of EU residents*): The Data Owner (“interested”) may request the Personal Data granted to the Data Controller and/or request that it be transferred to another Data Controller without it being prevented.
7. Right to be forgotten (*Exclusive use of EU residents*): Request the deletion of Data in general internet search engines without delay (if applicable), as long as they are no longer necessary according to their purpose, the consent is withdrawn or they are treated illegally.

To exercise any of the aforementioned rights, you must send your request in writing to the “Personal Data Office” to our address located at Av. Paseo de las Moras s/n, Fracc. Náutico Turístico Nuevo Vallarta, Bahía de Banderas, Nayarit, México, C.P. 63735. In the envelope containing your application, you must write or include in large and visible letters the inscription “URGENT: ARCO RIGHTS REQUEST”. For the purposes of the foregoing you or your legal representative may download the "ARCO Rights Exercise Format Application" in the following link <https://avisos.vidanta.com/formatosARCO/en/loscabos/SDA-SJD-VE-GLXX.pdf> The request must be sent by certified mail and must be accompanied by the documentation that is indicated in the format, with the purpose that the "Personal Data Office" can authenticate your identity and/or that of your legal representative.

The “Personal Data Office”, will respond within a maximum period of 20 (twenty) business days from the date the notification of your request is effective. If your request is in compliance with Legislation and this Privacy Notice, it will be effective within 15 (fifteen) business days following the date on which you were notified of the response.

It is important to mention that not all ARCO rights requests’ can be satisfied for reasons in which processing is necessary for the fulfillment of a legal obligation under this Privacy Notice. If this is the case, VE will let you know the corresponding obligations and proceed accordingly by blocking Personal Data for the period necessary by law until erased.

If you exercise your right of Access of your Personal Data, VE will offer you the following options (please indicate in your application which of the two options you desire):

1. Respond via e-mail (or the address indicated in your application) in a declarative or informative way the Personal Data that VE processes. When VE deems it appropriate, it may agree with the Data Owner, the means of reproduction of the information other than those reported in this Privacy Notice, always in accordance with the framework of the law.
2. If you wish to see the systems, covers, physical documents or Databases that contain your Personal Data, VE will offer you the "RIGHT OF ACCESS ON SITE" through an appointment agreed with the "Personal Data Office" with address located at Av. Paseo de las Moras s/n, Fracc. Náutico Turístico Nuevo Vallarta, Bahía de Banderas, Nayarit, México, C.P. 63735. Such access will be available for a period not extending 15 (fifteen) days from the date on which VE will respond to your request.

During your visit:

- 2.1. The Data Owner will be allowed to see only what is related to its own Personal Data, VE reserves the right to block any information considered confidential, reserved, industrial secret, bank secret, technical secret, trade secret, professional secret and/or Personal Data of third parties.

The mechanisms and procedures so that the Data Owner may exercise the right of Revocation of Consent : In certain circumstances, the revocation of your consent, will imply (i) that VE cannot continue providing the services you requested, or (ii) the conclusion of your business relationship with VE:

1. The Data Owner may request the revocation of consent to the processing of its Personal Data by sending a request by certified mail address to the address located at Av. Paseo de las Moras s/n, Fracc. Náutico Turístico Nuevo Vallarta, Bahía de Banderas, Nayarit, México, C.P. 63735. The envelope containing your request must be written or include in a visible large print the legend "URGENT: APPLICATION FOR REVOCATION OF CONSENT".

For questions or more information regarding the procedure or means to (i) limit the use or disclosure of Personal Data, (ii) exercise ARCO rights (access, rectification, cancellation and opposition), or (iii) exercise the right of revocation of consent, VE provides the following contact details:

E-mail: [datospersonales@grupovidanta.com](mailto:datospersonales@grupovidanta.com) or contact the "Personal Data Office" at the following telephone number: +52 322 226 4000 Extension 64713. Office hours: Business days from Monday to Friday from 09:00 a.m. - 02:00 p.m. and 04:00 p.m. - 7:00 p.m. central time of Mexico city.

#### H. TRANSFER OF DATA:

As part of a business group, VE may transfer your Personal Data with affiliated companies of the same group, as well as with independent third parties in order to comply with the services you request and for the purposes indicated below:

ADDRESSEE OF PERSONAL DATA	PURPOSE	REQUIRES CONSENT
<input type="checkbox"/> Hospital o medical services in the locality	For medical treatment or Health Services Management	Yes
<input type="checkbox"/> Hakkasan Group	To send promotion and advertising.	Yes
<input type="checkbox"/> Subsidiary companies and specialized third parties	Satisfaction Assessment and Service Quality.	No
	Promotion and advertising delivery.	Yes
	Sending promotion and advertising related to hosting services.	Yes
	Insurance	Yes
<input type="checkbox"/> Mexican banking institutions	Payments process and / or refunds if applicable	No
<input type="checkbox"/> Cape Travel, S.A. de C.V.	To provide transportation services, if requested.	Yes

In case you do not want your Personal Data to be transferred for some (or all) of these purposes, indicate it by marking with an "X" the checkbox at the left of each option. If the box (es) is (are) not marked, you state your consent to transfer your Data for such purposes and to those recipients. Each of the above recipients are obligated to have their own Privacy Notice and your Personal Data will be handled according to such Privacy Notice.

If you are reading this Privacy Notice on our website or have it available through any other remote means of electronic communication and you do not want your Personal Data to be transferred for some (or all) of these purposes above mentioned, please contact the "Personal Data Office" to request it.

#### I. MECHANISMS FOR THE PROTECTION OF YOUR INFORMATION:

1. Implementation of the Personal Data Security Management System in compliance with the LFPDPPP.
2. Security measure standards based on ISO 27001.
3. Security procedures with employees.
4. Limited access to our facilities and means of storage and/or processing of Personal Data.

#### J. ELECTRONIC MEDIA, COOKIES OR WEB BEACONS:

We inform you that on our website we use cookies and other technologies that may collect Personal Data and monitor your IP-based browsing behavior and the places where it comes from for the purposes described in this Privacy Notice.

You can disable all cookies, avoid accepting new cookies, make your browser notify you when you receive a new cookie through the "help" button found in the toolbar and exist in most browsers.

**K. MEANS OF COMMUNICATION FOR CHANGES AND / OR MODIFICATIONS TO THE PRIVACY NOTICE:**

VE reserves the right to update change or modify this Privacy Notice at any time. If there is a change in this Privacy Notice, VE will communicate it through our website <https://avisos.vidanta.com/en/cabveglxx.pdf> For your safety and peace of mind, check at any time the content of this integral Privacy Notice on our website to be informed about updates, changes or modifications.

**L. DISPUTE SETTLEMENT:**

In the event of a dispute arising from this Privacy Notice, the parties will first try to resolve it through negotiations in good faith and may be assisted by a professional mediator. If, after a maximum of 30 (thirty) days of negotiation, the parties have not reached an agreement, the provisions of the Federal Law for the Protection of Personal Data held by Individuals shall be complied with the National Institute of Transparency, Access to Information and Protection of Personal Data.

**M. JURISDICTION:**

By accepting this Privacy Notice, you waive any other jurisdiction and law that may apply. This Privacy Notice is ruled by Mexican laws, and any dispute will be resolved by the competent Mexican authorities.

**N. LEGAL BASIS OF THE PRIVACY NOTICE**

1. The LFPDPPP (Federal Law for the Protection of Personal Data Held by Individuals) which is the law that is responsible for protecting Personal Data in Mexico and its Regulations.
2. The GDPR (Regulation (EU) 2016/679 of the European Parliament and the Council of 27 April 2016 on the protection of natural persons) which is the new European Union regulation for the regulation of the processing of Personal Data.

**O. AUTHORITY**

If you believe that your right to the protection of your Personal Data has been damaged by any conduct or omission on the part of VE, or presumes any violation of the provisions of the Federal Law on Protection of Personal Data Held by Individuals, its Regulation and other applicable ordinances, may file their disagreement with the National Institute of Transparency, Access to Information and Protection of Personal Data (INAI).

**P. VALIDITY:**

This is the most current version of our Privacy Notice, which became effective as of April 20<sup>th</sup>, 2017.  
Last update, January 13<sup>th</sup>, 2020.

*This document is written in both Spanish and English, the translation is made in good faith by the Data Controller, however, it is understood and agreed that in case of doubt or controversy regarding its interpretation, the Spanish version will prevail in all cases.*



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