



INTEGRAL PRIVACY NOTICE

## INTEGRAL PRIVACY NOTICE

Operadora Turística Hotelera, S.A. de C.V., is the company that operates and manages The Mayan Palace hotel (Hereinafter referred as "OTH"), located in Bahía de Banderas, Nayarit. 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 Mexican Legislation in this matter, we follow the best international practices in management and administration of personal data. In any case, we will handle your personal data with high standards of ethics, responsibility and professionalism. We put at your disposal this Privacy Notice in order to clearly and specifically inform you about the personal data we collect, the means by which they are collected, as well as the processing we give to them, 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:

Operadora Turística Hotelera, S.A. de C.V.

Av. Paseo de las Moras s/n, Fracc. Náutico Turístico, Nuevo Vallarta, Bahía de Banderas, Nayarit, México, C.P. 63735.

### B. CONTACT DATA OF "PRIVACY OFFICER":

Email: [datospersonales@grupovidanta.com](mailto:datospersonales@grupovidanta.com)

Phone: 52 01 322 226 4000 ext. 62586 and 64713.

### C. PERSONAL DATA COLLECTED:

For the purposes set forth in this Privacy Notice, OTH may collect your personal data, same that you will directly provide through physical or electronic formats or by means other than those indicated always in accordance with the Legislation. The data collected through the indicated means are:

#### 1. IF YOU ARE A CUSTOMER, WE PROCESS THE FOLLOWING CATEGORIES OF PERSONAL DATA:

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

#### 2. IF YOU ARE AN EMPLOYEE OR CANDIDATE TO OCCUPY A POSITION WITH OTH, WE PROCESS THE FOLLOWING CATEGORIES OF PERSONAL DATA:

- 2.1 Identification data.
- 2.2 Contact data and /or references.
- 2.3 Academics.
- 2.4 Property data
- 2.5 Ideological.
- 2.6 Health.
- 2.7 Biometrics.
- 2.8 Image in photograph and/or video.

#### 3. IF YOU ARE A SUPPLIER, WE PROCESS THE FOLLOWING CATEGORIES OF PERSONAL DATA:

- 3.1 Identification data.
- 3.2 Contact data.
- 3.3 Fiscal data;
- 3.4 Property data
- 3.5 Biometrics.
- 3.6 Image in photograph and/or video.

#### 4. IF YOU ARE A VISITOR, WE PROCESS THE FOLLOWING CATEGORIES OF PERSONAL DATA:

- 4.1 Identification data.
- 4.2 Contact data.
- 4.3 Image in photography and/or video.

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

**D. PRIMARY PURPOSE OF PROCESSING PERSONAL DATA THAN GIVE RISE TO LEGAL RELATIONS IS NECESSARY FOR THE MARKETING OF AGREEMENTS FOR LODGING RIGHTS AND SERVICES THAT YOU ASK TO OTH ARE:**

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

- 1.1 Fulfillment of contractual obligations. We need to identify you and verify the products and services that we must provide.
- 1.2 For tourist services, such as: accommodation, concierge, room service, banquets, events and conventions, restaurants, children's club or spa, in case you request them.
- 1.3 Identification, verification and contact.
- 1.4 For your security during your stay at OTH, we establish security measures and surveillance of the facilities, including monitoring, video cameras, control and surveillance of physical and logical access.
- 1.5 Billing services and products you buy from us..
- 1.6 For your attention in case of health or safety incidents.
- 1.7 To identify you for any type of legal or business relationship with OTH or its subsidiaries.
- 1.8 For the provision of transportation service from the airport to OTH.
- 1.9 For the provision of golf course, academy and sports club services.
- 1.10 For refund processes if applicable.

**2. IF YOU ARE AN EMPLOYEE OR CANDIDATE TO OCCUPY A POSITION WITH OTH:**

- 2.1 Identification, verification, contact and employment contract fulfillment.
- 2.2 Evaluation and service quality control.
- 2.3 Promotion and/or hiring processes.
- 2.4 Socio-economic and psychometric studies.
- 2.5 Employment benefits.
- 2.6 Security and controlling access to our premises.
- 2.7 Video surveillance.
- 2.8 Health and safety care if necessary.

**3. IF YOU ARE A SUPPLIER FOR OTH:**

- 3.1 Fulfillment of contractual obligations.
- 3.2 Billing of goods and services purchased.
- 3.3 Payment, reception and / or return of goods and services purchased.
- 3.4 Identification, verification and contact.
- 3.5 Security and controlling access to our premises.
- 3.6 Video surveillance.

**4. IF YOU ARE A VISITOR FOR OTH:**

- 4.1 Identification and contact.
- 4.2 Security and controlling access to our premises.
- 4.3 Video surveillance.

In addition, we use your personal information for the following secondary purposes that are not necessary for the requested service, that give rise to the legal or business relationship with OTH, but allow us to offer you a better service:

1.  To develop studies and programs for marketing or advertising purposes or commercial prospecting from OTH.
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.
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.

In case you do not want your personal data to be used for any or all of the secondary purposes, mark with an "x" inside the check box. If a 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 us.

If you are reading this Privacy Notice on our website or have it available through any other means of electronic communication and you object to the processing of "Secondary Purposes" above mentioned, please contact our Privacy Officer to request it through the authorized formats, which you can find in the following link: <https://avisos.vidanta.com/formatosARCO/en/nuevovallarta/SDA-NV-Operadora-Turistica-Hotelera-MP.pdf>.

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

OTH 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 RESPONSIBLE PERSON OFFERS THE HOLDER 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 "Privacy Officer" to our offices 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".

#### **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:** If you want to know which personal data we have in our database, for what we use them, and how we processing your personal information.
- 2. Rectification:** If you want to request the rectification in one or more of your personal data in case they are wrong, need change or are incomplete.
- 3. Cancellation:** If you want us to delete from our records and / or database your personal data.
- 4. Opposition:** If you want to object us the use of your personal data.
- 5. Data portability:** The holder/interested party may request their personal data granted to the responsible and/or request to responsible to transmit them to another responsible without his/her being prevented from doing so.
- 6. Right to be forgotten:** To request the deletion of data in the general internet search engines without delay, provided that they are no longer necessary according to their purpose, the consent is withdrawn or they are treated unlawfully.
- 7. Revocation of consent to the processing of your personal data:** Request that your data no longer be processed by OTH.

To exercise any of the aforementioned rights, you must send your request in writing and by certified mail addressed to the "Privacy Officer" to our office 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" that we make available through the following link: <https://avisos.vidanta.com/formatosARCO/en/nuevovallarta/SDA-NV-Operadora-Turistica-Hotelera-MP.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 "Privacy Officer" can authenticate your identity and/or that of your legal representative.

The "Privacy Officer", will communicate the answer to you or your legal representative within a maximum period of 20(twenty) business days from the date on which the notification of your request takes effect. If your request is appropriate, it will be effective within 15(fifteen) business days following the date on which you were notified of the response.

However, it is important to take into consideration that we will not be able to satisfy your request for ARCO rights in all cases, as it is possible that for some legal obligation we will continue processing your personal data. If this is the case, we will let you know the corresponding obligations and proceed, if necessary, to block them for their conservation according to the period of time the law requires until their definitive disposal.

If you exercise your right of access to your personal data, we will offer you the following options (please indicate in your request which of the two options you want):

- 1.** Send you by e-mail (or the address indicated in your request) your personal data in a declarative way. In that statement we will provide you with a complete list of all your personal data we have in our database. When OTH considers appropriate according to the Holder, may mark different means to reproduce the information, always in accordance to the law.

**1.1** If you wish to see the systems, covers, physical documents or databases that contain your personal data, we will offer you the "right of access in site" through an appointment agreed with our "Privacy Officer" 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 no longer than 15 days from the date we respond to your request.

#### **During your visit:**

**1.1.1** You will be allowed to see only your personal data. We reserve the right to block any confidential information, proprietary information, industrial secret, bank secrecy, technical secrecy, trade secret, professional secrecy or personal data of third parties.

2. The mechanisms and procedures so that, where appropriate, the Holder may REVOKE his consent to the processing of his personal data. In certain circumstances, the revocation of your consent, will imply (i) that the Data Controller can't continue providing the services you requested, or (ii) the conclusion of your business relationship with us.

2.1 By means of a separate sheet, you may request the revocation of your consent for processing your personal data by sending your request by certified mail addressed to the "Privacy Officer" to our offices 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 the inscription "URGENT: RIGHT OF REVOCATION".

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 to revoke consent, we provide the following contact details:

Email: [datospersonales@grupovidanta.com](mailto:datospersonales@grupovidanta.com) or contact the "Privacy Officer" at the following phone number: 52 01 322 226 4000 ext. 62586 and 64713.

#### H. TRANSFER OF DATA:

As part of a business group, OTH 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 or medical services in the locality	For medical treatment or Health Services Management	Yes
<input type="checkbox"/> Subsidiary companies and specialized third parties	Satisfaction Assessment and Service Quality Promotion and advertising delivery Work transfers Employment references of employees	Yes
<input type="checkbox"/> LAYIS ECONOMIK, S.C.	Contact details for conducting socio-economic studies	Yes
<input type="checkbox"/> Gapsa Vallarta, S.A. de C.V.	To provide transportation services, if requested	Yes
<input type="checkbox"/> Mexican banking institutions	Payments process and / or refunds if applicable Process payroll card for employees	Yes
<input type="checkbox"/> Edenred México, S.A. DE C.V.	Process food voucher card for employees	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.

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 our "Privacy Officer" to request it.

#### I. INFORMATION PROTECTION:

1. Personal Data Security Management System.
2. Standards based on ISO 27001.
3. Security procedures for our staff.
4. Limited access to our facilities.

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

We inform you that on our website we use cookies and other technologies through which it is possible to monitor your browsing behavior based on IP and the places where it comes from. The personal data we collect through forms are the name and email.

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:

OTH reserves the right to change this privacy notice at any time. If there is a change in this privacy notice, OTH will communicate it posting a notice on our website <https://avisos.vidanta.com/en/nvomp.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) is the law that is responsible for protecting personal data in Mexico.
2. The RGPD (Regulation (EU) 2016/679 of the European Parliament and the Council of April 27 2016 on the protection of natural persons) is the new European Union regulation for the regulation of the treatment 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 OTH, 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, 2017.  
Last update September 17, 2018.



MAYAN  PALACE®