

## **Privacy Policy**

### **1. Introduction**

In this document, 'Sandoz Foundation Hotels' (hereinafter referred to as 'SFH') refers to the Swiss companies Beau-Rivage Palace SA, Lausanne-Palace SA and Palafitte SA, which operate under these corporate names the Beau-Rivage Palace, Angleterre & Résidence, Château d'Ouchy, Lausanne Palace and Palafitte hotels. The activities deployed by these companies correspond to the traditional activities of the hotel trade, namely accommodation, catering, event organisation and SPA operation.

In this context, we, SFH, process personal data about our customers in order to honour our commitment to offer them a high level of service, in the context of all their interactions with SFH. The personal data collected by SFH is shared between all the aforementioned companies and institutions and is governed throughout by this privacy policy.

As part of this Privacy Policy, the term 'personal data' means all information, in any format and on any medium whatsoever, relating to an identified or identifiable natural person, including by reference to a name, identification number, location data, or online identifier.

This privacy policy is an integral part of the terms and conditions governing the provision of our hotel services. As a customer, you acknowledge and agree that we process, collect, store, use and transfer your personal data in accordance with this privacy policy.

This policy applies to the processing of personal data relating to the past, present and future customers of SFH-managed hotels, which SFH processes when a customer visits the website of a hotel operated by SFH, stays in one of these hotels or otherwise interacts with SFH, regardless of the form in which the information was obtained (orally, in writing or electronically).

### **2. Type of personal data we collect**

The types of personal data we process include:

- a. Surname, first name, sex, personal or professional details, date and place of birth, image, nationality and passport / visa information, family members accompanying you during your stay;
- b. Data concerning the profession;
- c. Data concerning your stay, date of arrival and departure, goods and services used, special requests made, observations indicated on your preferences for services (especially concerning rooms, catering, SPA care), telephone and fax numbers used, SMS and telephone messages received;
- d. Your credit card details, and your account details for any frequent traveller or travel partner programme;
- e. All information to anticipate and honour your special requests (for example, a state of health or a religion requiring specific accommodation or a particular diet, preference for newspapers, rooms, floors);

- f. The information, comments or content that you provide to us about your marketing preferences, in our satisfaction questionnaires, field researches, surveys, from participation in a promotional offer, or on our websites as well as those of third parties;
- g. Information collected while in an SFH hotel through the use of video surveillance systems, Internet systems (including wireless networks that collect data about your computer, smartphone, mobile device, or location), key card or other security systems and technological systems;
- h. The data collected during your access to SFH websites and hotels, when exchanging e-mails or when subscribing to newsletters;
- i. Contact information and other relevant information about employees attached to a company account or to a service provider or other individual with whom we deal (for example, travel agents, meeting and event organisers);
- j. Where the protection of the assets of our companies so requires, information relating to the solvency of customers.

In certain circumstances, it is possible that the personal data that you provide to us or that we collect constitutes sensitive personal data within the meaning of the laws of certain countries in terms of the protection of private life. Particularly sensitive personal data within the meaning of these personal data laws can identify or allow educated guessing of the racial or ethnic origin of an individual, their political opinions, their religious beliefs or other beliefs of a similar nature, their membership to a union or a professional organisation, mental or physical health status, medical treatment, genetic data, sex life or legal data (including information regarding the commission or alleged commission of a criminal offence).

In particular, we may process personal data about your state of health or your religion that you transmit to us in order to meet your needs and offer you the best adapted services. This sensitive personal data is not collected automatically, but only if you transmit it to us and is processed only to anticipate and meet your specific needs and expectations. Under no circumstances do we use this data for any other purpose, including marketing purposes.

By accepting this policy, you give your express consent to the processing of any personal data you provide to SFH as sensitive personal data, provided that it is processed in accordance with this policy. Except where required by law, you have no obligation to provide sensitive personal data of any kind to SFH, and if you choose not to do so, it will not prevent you from purchasing products or services from SFH hotels.

### **3. When do we collect personal data about you?**

The personal data we process is largely information that you or a person acting on your behalf and for your account voluntarily provided to us when:

- you are staying with or are the guests/customers of one of our establishments;
- you interact with us, via a website, by phone or e-mail, through social media and in any other way.

In certain circumstances, we also process personal data that we may have inferred from you based on other information that you provided to us or during the exchanges we had with you.

We may also receive personal data about you from a third party.

This policy applies regardless of how we obtain your personal data, including personal data that we have received from a third party.

#### 4. Why and how do we use your personal data?

In compliance with applicable law, we process, collect, use and disclose any relevant element of your personal data for the following purposes:

- a. to manage your stay with our hotels and offer you services appropriate to your needs and expectations;
- b. provide and charge for hotel rooms and other goods and services;
- c. manage hotel reservations and other services;
- d. deliver a high and personalised level of service; this includes information from and disclosed to third parties (such as additional customer services in hotels, local landmarks and transport companies);
- e. respond to requests for information and services, including for third-party services you have requested (e.g. restaurants or transport providers);
- f. honour our contractual obligations to you, and any entity involved in planning your trip (for example, travel agents, tour operators or your employer) and service providers (for example, credit card companies, airline operators and third-party companies linked to a loyalty scheme);
- g. send newsletters, marketing materials and promotional offers about our hotels and services;
- h. conduct market research, customer satisfaction and quality assurance surveys;
- i. protect our staff, customers and other visitors as well as our heritage from inappropriate and prejudicial behaviour by customers who may compromise security or safety (including damage to property, aggressive and inappropriate behaviour, theft, vandalism, lack of payment);
- j. comply with legal and regulatory requirements, particularly with regard to archiving and data retention;
- k. test and evaluate new products and services.

In any case, we only use your data to the extent required to further the above purposes.

#### 5. Legal basis of the processing of your personal data

We only process your personal data in the cases permitted by law. Most frequently, we use your personal data in the following circumstances:

- a. when necessary for the fulfilment of the accommodation **contract** or any other contract that we have entered into or are about to enter into with you;
- b. when necessary to pursue our **legitimate interests** or the legitimate interests of third parties, provided that your own interests do not prevail;
- c. to meet the **legal obligations** incumbent upon us, especially in the area of archiving and data retention;
- d. when you have consented to it after having been duly informed. Such **consent** is deemed to be given in relation to the sending of advertising offers and marketing materials, such as newsletters and other promotional offers. This consent may be withdrawn at any time as described in the section below<sup>12</sup>. This withdrawal will not, however, affect the lawfulness of consent-based processing prior to withdrawal.

## **6. Data conservation time**

We only keep your personal data for as long as necessary:

- for the performance of the previously mentioned services that you have requested;
- for the use of the aforementioned services of monitoring, advertising and analysis set up in the context of our legitimate interest;
- to fulfil our legal obligations.

We retain the data for a longer period of time as required by lawful data archiving requirements. Our archiving obligations, which include the obligation to retain data, derive in particular from the accounting and tax legislation. In accordance with these rules, commercial communication, contracts signed and accounting documents must be kept for up to 10 years.

In any case, we periodically check every three (3) years that the data we store is not kept longer than necessary.

## **7. Disclosure / transmission of your personal data to third parties/abroad**

We sometimes make some personal data available to partners who work with us, in the following cases:

- a. Any type of travel and reservations organisation;
- b. The hotel groups to which we are affiliated and/or with which we work (in particular Leading Hotels of the World, Preferred Hotels and Resorts and Small Luxury Hotels of the World);
- c. Service providers that are ancillary to our activity (transport, event organisers, suppliers of technical and computer equipment, credit card issuers);
- d. Other service providers related to our activity, for sending reservation confirmations, for the proposal of superior categories or additional services;
- e. Market research companies and other service providers to process, manage and use customer data and to evaluate their interest in our products and services.

In addition, we reserve the right to disclose any personal data we have about you if we are forced to do so by injunction or if a government agency legally requires us to do so, or if we determine that such action is necessary or desirable to comply with the law or to protect or defend our rights or property in accordance with applicable law. We also reserve the right to retain and collect personal data collected in order to comply with accounting and tax rules and regulations and applicable data retention laws.

Third-party companies to whom we transmit your personal data to pursue the purposes described in this policy may be located abroad or store their data abroad in countries that do not provide the same level of data protection as the law in force in Switzerland and the European Union. Where appropriate, we endeavour to take all appropriate and reasonable measures to ensure that your personal data is protected at all times by the protection applicable in Switzerland and in the European Union.

Most of the data we collect is stored on our own facilities. In some cases, the location of the hosting is imposed by the provider of the application using this data. When the place of accommodation is located in a country whose data protection level does not correspond to that in force in Switzerland or in the European Union, we strive to ensure that the protection of your personal data at all times corresponding to the protection applicable in Switzerland and in the European Union, through contractual clauses.

## 8. Information gathered when you visit our Websites

When you visit our websites, we gather information about how you use them. This information may include, for example, the IP address automatically assigned to your computer each time you browse the Internet, the date and time of your visit, the pages you visit and the time spent on each page, the type of Internet browser you are using, the operating system of your device, and the URL of other websites you have viewed before and after our website. This information is not related to you as an individual unless you create a user profile, but we may keep track of the device used.

### Cookies

We use cookie technology on our websites to enable us to evaluate and improve the functionality. Cookies in themselves cannot be used to reveal your identity. They identify your browser, but not you, from our servers when you visit our websites.

If you do not want to accept cookies, you can block them by configuring the settings of your Internet browser. However, if you block them, you will not be able to use all the features of our websites, including those of customisation associated with the creation of a user profile.

In particular, we analyse the use of websites through Google Analytics. We are not responsible for the data processing performed by this provider.

Additional information is available on:

<http://tools.google.com/dlpage/gaoptout?hl=en> et

<http://www.google.com/intl/en/analytics/privacyoverview.html> (general Google Analytics information and data protection).

## 9. Links to Third Party Sites

If you go to an SFH website and decide, for example, to make a reservation or purchase a gift certificate, you may be referred to third-party websites to which we are contractually bound, to provide you with these services. If you click on a link you found on our websites or any other website, you should always look at your browser's address bar to see if you have been redirected to another website. These Websites are administered by partners, as described in section 7. As such, they are subject to the same data protection requirements as us. Where the level of data protection in a country does not correspond with the one in force in Switzerland or Europe, we endeavour to take all appropriate and reasonable measures to ensure that your personal data is protected in the same way as protection in Switzerland or the European Union. You can also refer to their own privacy policy.

### Plugins

Our websites may also contain plugins and other features that integrate third-party social media platforms. You will have the option to activate them manually. If you do so, the third parties who manage these platforms will be able to identify you, they will be able to determine how you use this website and they will be able to associate and store this information with your profile for social media. We encourage you to review the privacy policies of these social media platforms to understand how your personal data will be used. If you activate these plugins and other features, you will do so at your own risk.

## **10. Information on data transfers to the United States**

For the sake of completeness, we inform users who are domiciled or headquartered in Switzerland that the US authorities have enacted surveillance measures in the United States that make it possible to register all personal data of all persons whose data has been transferred from Switzerland to the United States. This is done without discrimination, limitation or exception in relation to the objective pursued, and without objective criteria which would make it possible to restrict the access of the American authorities to the data collected and its subsequent use for specific and strictly limited purposes, likely to justify all the interventions associated with the consultation and use of these data. In addition, we inform you that persons residing in Switzerland do not benefit from any possible recourse in the United States allowing them to access the data concerning them and to obtain rectification or erasure, and that there is no effective judicial protection against the general right of access of US authorities. We inform the individuals concerned of this legal and factual situation in a precise way so that they can make an informed decision as to the consent to use their data.

We inform users with a domicile in Switzerland or in a member state of the European Union that according to respectively Switzerland and the European Union, the United States does not have a sufficient level of data protection. If, as stated in this Data Protection Statement, some of the recipients of the personal data we process are based in the United States or are hosting their data in the United States, we will endeavour to ensure that your data enjoys adequate protection, either by agreeing on contractual guarantees with these companies or by ensuring that these companies have adhered to the CH-US-Privacy Shield and/or EU-US-Privacy Shield certification system.

## **11. Security**

We adopt technically and organisationally appropriate security measures to protect your personal data from manipulation, partial or total loss, destruction and unauthorised access by third parties. Our security measures are constantly improved as technology evolves. For your part, we encourage you to always treat your payment information confidentially and close your browser window when you are done contacting us, especially when your computer is shared with others. We also take corporate data protection very seriously. Our employees and the service providers we contract are subject to a confidentiality obligation and are also required to comply with the legal requirements for data protection.

Moreover, because the security of your personal data is important to us, we use Secured Socket Layer access security software (('SSL') to encrypt the personal data you provide us with. If your browser is, like most, compatible with the SSL protocol, the personal data that you transmit to us online will be encrypted. You can verify that your personal data is transmitted using SSL encryption by ensuring that the closed padlock symbol appears in the bottom bar of your browser window. You can also ensure that your personal data will be encrypted using SSL by verifying that the beginning of the Internet address of this page, which was initially 'http', becomes 'https'. If neither the symbol nor the 'https' prefix appears, you are not certain that the personal data requested will be encrypted before being transmitted.

## **12. Right of access, rectification, deletion, limitation of processing; data portability right**

You always have the possibility to choose which personal data you wish to provide or not, or to oppose the processing of your personal data when it is based on a mission of public interest or on a



legitimate interest that we pursue. However, if you choose not to fill in certain details, your customer experience may be affected (for example, we cannot make a reservation without a name). The removal or limitation of the processing of all or part of your personal data may indeed limit our ability to serve you. In case of non-provision of the data referred to in section 2 let. a, any stay or booking with any of our hotels is impossible.

You have the right, on request and free of charge, to obtain information about the personal data processed about you. In addition, you have the right to rectify inaccurate data and have your personal data deleted, provided that there is no legal obligation to archive the data or legal authorisation for the processing of such data. You also have the right to request the limitation of the processing of your data or to oppose this processing when it is based on a mission of public interest or on a legitimate interest that we pursue. You also have the right to receive the data about you that you have transmitted to us in a structured, commonly used and machine-readable format (right to data portability). On request, we can also transmit the data to a third party of your choice.

Notwithstanding the foregoing, we reserve the right to retain certain data where there is a legal archiving obligation or legal authority for the processing of such data. Finally, we consider that we have a paramount legitimate interest in keeping the personal data necessary to protect our assets when this data concerns customers who have caused significant or frequent financial losses.

You can contact us for the aforementioned purposes by e-mail at [privacy@sandoz-hotels.ch](mailto:privacy@sandoz-hotels.ch) or using postal services to the following address: Beau-Rivage Palace SA – Privacy Office CP 225 – 1001 Lausanne - Switzerland. If we have doubts as to the identity of the person making the request, we may require the provision of additional information, including the presentation of a piece of identification, to confirm the identity of the person concerned before processing a request. We will honour your request within one month of receiving your request or, if applicable, confirmation of your identity. This period can be extended by two months due to the complexity of your request or a large number of requests. In this case, we will inform you of the extension of the response time and the reasons for this extension within one month of receiving your request.

### **13. Right of complaint to a supervisory authority on data protection**

You have the right at any time to lodge a complaint with a competent data protection supervisory authority if you believe that the processing of your personal data violates applicable data protection law.

### **14. General**

The last change to this privacy policy was on 8 June 2018. We reserve the right to adapt and modify it periodically without informing you in advance. We therefore recommend that you consult it regularly, especially when making a reservation or staying at one of our hotels.

If you have any questions or comments regarding the processing of your personal data, please contact us at [privacy@sandoz-hotels.ch](mailto:privacy@sandoz-hotels.ch) or at the following address: Beau-Rivage Palace SA – Privacy Office CP 225 – 1001 Lausanne - Switzerland.