

## DATA PROTECTION AND PRIVACY POLICY

The company BENSAUDE, S.A. ("**BENSAUDE**") and the companies (i) Açores 2000 Soc. Desenvolvimento Turístico Açores, S.A.; (ii) HTA, Hotéis, Turismo e Animação dos Açores, S.A.; (iii) Proturotel, Promoção Turística e Hoteleira, S.A.; and (iv) Bensitur, Sociedade Açoriana de Investimentos Turísticos LDA. (hereinafter "**BENSAUDE Hotels Collection**"), in the enforcement of their activities within the scope of the mobile application "Bensaude Hotels Collection" (hereinafter "App"), process personal data, i.e., information relating to an identified or identifiable natural person ("**Data Subject(s)**"), being considered identifiable a natural person who can be identified, directly or indirectly, in particular by reference to an identifier, such as a name, an identification number, location data, electronic identifiers or to one or more factors specific to physical, physiological, genetic, mental, economic, cultural or social identity of that natural person ("**Personal Data**").

All of the above companies are part of the economic group called "**BENSAUDE Group**".

In cases in which BENSAUDE determines the purposes and means of processing personal data in the scope of its activities will be considered as the Data Controller, ensuring the sole compliance with the Data Protection Legislation.

The companies identified above that are part of BENSAUDE Hotels Collection, in the cases which determine the purposes and means of processing personal data within the scope of their activities, will be considered as Jointly Responsible for Treatment, ensuring compliance with the Data Protection Legislation.

The use of the App by any User shall be ruled by the Terms and Conditions of use ("**Terms and Conditions**"), and its use implies an acceptance of these Terms and Conditions by the User. If the user rejects the Terms and Conditions, the user must immediately cease using the App.

In these terms BENSAUDE and BENSAUDE Hotels Collection, ensure compliance with the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016, Law no. 58/2019, of August 8, and other applicable legislation and matters of protection and privacy ("**Data Protection Legislation**").

Under the terms of the Data Protection Legislation, BENSAUDE and BENSAUDE Hotels Collection strive to process Personal Data in accordance with all applicable principles, namely i) Principle of Lawfulness, Loyalty and Transparency; ii) Principle of Purpose Limitation; iii) Data Minimization Principle; iv) Accuracy Principle; v) Retention Principle and vi) Principle of Integrity and Confidentiality.

Accordingly, this Policy of Data Protection and Privacy ("**Privacy Policy**") is hereby established, being BENSAUDE and BENSAUDE Hotels Collection committed to perform any and all operations of Personal Data processing, in accordance with the provisions of the following:

### 1. Grounds for Lawfulness and Purposes of Data Treatment

Personal Data of the Data Subjects will be processed by BENSAUDE and BENSAUDE Hotels Collection according to the following grounds of lawfulness:

Grounds of Lawfulness	What do they consist of?
Consent	The Data Subject may consent to their processing by means of a free, specific, informed and explicit manifestation of will, by which he/she accepts, by means of a statement (written or oral) or an unequivocal positive act (by filling out an option), that his/her Personal Data will be to be processed.
Pre-contractual inquiries or the enforcement of a contract	Personal Data may be processed if they are necessary, but not limiting, to the performance of a contract for the supply of services and/or supply of products to which one is a party as an employee, customer and/or supplier, or to carry out pre-contractual inquiries at one's request.
Fulfillment of a legal obligation	Personal Data may be processed to secure and ensure compliance with legal obligations to which one is subject by means of the laws of a Member State and/or of the European Union.
Defending vital interests of the Data Subject	Personal Data may be processed to ensure the protection of one's vital interests, in particular when such processing is essential to one's life.
Legitimate Interests	BENSAUDE and BENSAUDE Hotels Collection, other Controllers or Third Parties, may process Personal Data provided if such does not override one's interests or fundamental rights and freedoms.

In view of the above, the collection of Personal Data on the basis of the grounds of lawfulness exposed will be essentially for purposes related to the development of BENSAUDE's and BENSAUDE Hotels Collection's corporate purpose, as well as for the contracts and legal obligations of the same, so that the non-collection of Personal Data will imply the impossibility of executing the purposes for which the Personal Data are subject of processing.

## 2. Treatment of Personal Data in the App

BENSAUDE and BENSAUDE Hotels Collection treat Personal Data of the Data Subject as follows:

Purpose for processing	Processing Activities	Basis of Lawfulness	Retention Term
App Management by BENS AUDE	Account creation and authentication of access	Processing of Terms and Conditions	Duration of the registration in the App
App Management by BENS AUDE Hotels Collection	Analysis and processing the activity of the User held in the App	Enforcement of the Terms and Conditions	Duration of the registration in the App
Client's Management by BENS AUDE Hotels Collection	Analysis and enforcement of pre-check-in	Pre-contractual diligences or enforcement of contractual conditions of BENS AUDE Hotels Collection	For the period necessary for the fulfillment of the contractual conditions and/or legal obligations
Commercial and marketing activities	Sending newsletters promotions, campaigns and discounts by BENS AUDE Hotels Collection	Consent	Up to 1 year after last contact
Commercial and marketing activities	Sending newsletters promotions, campaigns and discounts by the companies of BENS AUDE Group	Consent	Up to 1 year after last contact

### 3. Personal Data processed in the App

For the purposes stated BENS AUDE and BENS AUDE Hotels Collection process the following Personal Data:

Purpose	Personal Data
App Management	Identification Data, Contact Data, Authentication Data and Access (such as name, email, user account, username, password and creation date)
Client Management	Personal Identification Data, Contact Data, Booking Data (such as first name, last name gender, date of birth, country, taxpayer number, email, phone/mobile number, expiration date and place of issue of Personal Identification Data, signature, date of arrival, date of departure and the hotel)
Commercial and Marketing Activities	Contact Data

#### **4. Processing Methods**

The processing of Personal Data will be carried out automatically and manually by computer tools, applying logics strictly related to the purposes and, in any case, promoting the security and confidentiality of Personal Data.

#### **5. Disclosure and Transmission of Personal Data**

BENSAUDE and BENSAUDE Hotels Collection employees will process Personal Data of the Data Subjects for the performance of their work duties and will process the Personal Data exclusively as specified in this Privacy Policy.

Personal Data may be made available to third parties in charge of providing services to BENSAUDE and BENSAUDE Hotels Collection ("**Subcontractors**") bound by a written contract and to treat data according to this Privacy Policy and may not process them, directly or indirectly, for any other purpose, for their own benefit or for the benefit of a third party.

Data Subjects have the right to obtain a complete and up to date list of Subcontractors (if any) contracted by BENSAUDE and BENSAUDE Hotels Collection, by sending a specific request to BENSAUDE and BENSAUDE Hotels Collection under the terms specified in Section 9 of this Privacy Policy.

In compliance with legal obligations, the Personal Data of the Data Subjects may be reported to third parties for their own purposes, namely banks and insurance companies, judicial, administrative, supervisory or regulatory authorities, and entities that lawfully carry out data compilation, prevention actions and fraud combat.

One's Personal Data may also be processed by the entities that manage social networks or the functionalities made available on the App, such as for the purpose of sharing content or account creation, according to their respective privacy policies, which we recommend that you read before using the App.

#### **6. International Transfers**

BENSAUDE and BENSAUDE Hotels Collection may transfer the Personal Data of the Data Subject outside the European Economic Area ("EEA") to locations that may not guarantee the same level of protection.

However, where applicable, BENSAUDE and BENSAUDE Hotels Collection will only transfer Personal Data outside the EEA according to the following measures:

- When the transfer is carried out to a location, by a method, or under circumstances, which the European Commission deems to ensure adequate protection of Personal Data;
- When standard contractual data protection clauses, approved by the European Commission or a competent supervisory authority, have been implemented;
- When none of the above applies, but the law nevertheless authorizes such transfer, for example, if it is necessary for the establishment, exercise or defense of a right, in legal proceedings.

You may request detailed information about security measures that BENS AUDE and BENS AUDE Hotels Collection have implemented regarding data transfers of Personal Data outside the EEA and, where applicable, a copy of the standard contractual data protection clauses in force at BENS AUDE and BENS AUDE Hotels Collection through the contacts provided in Section 9.

## 7. Rights of the Data Subjects

According to the current or future Data Protection Legislation BENS AUDE and BENS AUDE Hotels Collection inform that Data Subjects have the right to access, rectification limitation, portability, erasure and the right to oppose the processing of Personal Data, under certain circumstances, which may be exercised in accordance with this chapter of the Privacy Policy.

Rights	What do they consist of?
Right to provide information	The Data Subject has the right to obtain clear, transparent and easily understandable information about how BENS AUDE and BENS AUDE Hotels Collection use its Personal Data and which are its rights. This is why BENS AUDE and BENS AUDE Hotels Collection provide all this information in this Privacy Policy.
Right to access	The Data Subject has the right to obtain information about which Personal Data BENS AUDE and BENS AUDE Hotels Collection are processing (if they are processing) and certain information (similar to the information provided in this Privacy Policy) about the way in which this Data is processed. This right allows one to be aware that Data is being used in accordance with the Data Protection Legislation. BENS AUDE and BENS AUDE Hotels Collection may refuse to provide the requested information whenever, to do so, BENS AUDE and BENS AUDE Hotels Collection have to reveal Personal Data of another person or the information negatively impacts the rights of another person.
Right to rectification	If the Data Subject's Personal Data is incorrect or incomplete (for example, if your name or address is incorrect or wrong), a request may be addressed to BENS AUDE and BENS AUDE Hotels Collection to take reasonable steps to correct them.
Right to erasure data	This right is also known as the "right to be forgotten" and, in simple form, it allows the Data Subject to request the erasure or

	<p>erasure his/her data, provided that there are no valid grounds for BENSUADE for BENSUADE and BENSUADE Hotels Collection to continue using it or its use is unlawful. This is not a generic right to erasure, as exceptions are possible (for example, necessary for the defense of a right in legal proceedings).</p>
Right to restriction of processing	<p>The Data Subject has the right to "block" or prevent the further use future use of his/her Data while BENSUADE and BENSUADE Hotels Collection evaluate a request for rectification or as an alternative to erasure. Where processing is limited, BENSUADE and BENSUADE Hotels Collection will still be able to store data, but may not use them further. BENSUADE and BENSUADE Hotels Collection maintain a list of the data subjects who requested to "block" the further use of their data to ensure that this limitation is respected.</p>
Right to portability of data	<p>The Data Subject has the right to obtain and reuse certain Personal Data for his or her own purposes in various organizations. This right applies only to own Data that has been provided to BENSUADE and BENSUADE and BENSUADE Hotels Collection and which BENSUADE and BENSUADE Hotels Collection processes with one's consent and those processed by automated means.</p>
Right to object	<p>The Data Subject has the right to object to certain types of processing, for reasons relating to his/her particular situation, at any time during processing, for the purposes of the legitimate interest of BENSUADE, BENSUADE Hotels Collection or of third parties. BENSUADE Hotels Collection may continue to process such Data if it can prove "compelling legitimate reasons overriding legitimate reasons for the processing which override one's interests, rights and liberties" or if such Data is necessary for the establishment, exercise or defence of legal claims.</p>
Right to file a complaint	<p>The Data Subject has the right to lodge a complaint with the competent supervisory authority, "Comissão Nacional de Proteção de Dados" - CNPD, if he/she considers that the Processing of Personal Data infringes his/her rights and/or the Data Protection Legislation.</p>

Where the lawful basis for the processing of one's Personal Data is consent or legitimate interest, one may respectively withdraw consent or object to the processing, at any time, without any consequence, but without the lawfulness of the processing carried out in the meantime. In case of withdrawal of consent or in the event of express opposition, BENSUADE and BENSUADE Hotels Collection will immediately cease processing the Personal Data for the purpose in question, unless there is a need to process the Data for the fulfillment of legal and/or contractual obligations.

It is possible, at any time, in writing, to exercise the rights enshrined in the Data Protection Legislation and other applicable legislation through the means described in Section 9 of this Privacy Policy.

## **8. Security and Confidentiality**

To ensure the security and confidentiality of Personal Data, protected databases are used, among others, with appropriate firewalls and passwords, in accordance with the provisions of the Data Protection Legislation. Access to Personal Data is only possible to authorized employees, who have a genuine need to use Personal Data, according to the principles of security and confidentiality. Violations of this Privacy Policy by employees of BENSUADE and BENSUADE Hotels Collection may give rise to disciplinary action. Compliance with the rules and procedures of BENSUADE and BENSUADE Hotels Collection is monitored and checked periodically.

## **9. How to Contact BENSUADE and BENSUADE Hotels Collection on matters of**

### **Privacy and Data Protection**

Data Subjects may exercise their rights by contacting BENSUADE and BENSUADE Hotels Collection by the following methods: i) Rua de Lisboa, Edifício Varela, 9500 Ponta Delgada; ii) sending an e-mail to the mailbox [protecaodedados@bensaude.pt](mailto:protecaodedados@bensaude.pt).

Data Subjects may also contact the Data Protection Officer of BENSUADE and BENSUADE Hotels Collection by sending an email to the mailbox [dpo@bensaude.pt](mailto:dpo@bensaude.pt).