

# **FESTANATION PRIVACY POLICY**

Last updated: 07 September 2018

## **1. About this policy**

This document (our “privacy policy”) sets out information into how we use personal information relating to people we interact with including, for example, customers and website users. It serves as an expression of our commitment to protecting their private personal information, but is not a contract. Please see Section 17 below for the rights which the law provides you with in relation to your personal data.

## **2. Your consent**

We will only use and retain your personal data with your consent or other lawful basis. We ask for your consent on those occasions and in those places where we specify what we will use your personal data for.

## **3. Copyright notice**

This document, and all content of our websites is Copyright © 2018 Festanation ALL RIGHTS RESERVED.

## **4. About us**

This is the privacy policy of Festanation (referred to as “we”, “us” or “our”). “Festanation” is the trading name of Festanation. Company number 61067660. We are incorporated under the laws of Netherlands. Our registered office is Molenstraat 19, 5087 BM, Diessen, The Netherlands.

## **5. Contacting us**

If you have any questions about our privacy policy or about how we process your personal data, including any complaints, please contact us either by e-mail to [info@festanation.com](mailto:info@festanation.com), telephone on +31 6 22 22 12 12, or by post to Molenstraat 19, 5087 BM, Diessen, The Netherlands.

## **6. Our commitment**

We respect your right to privacy and we aim to ensure you have a trustworthy experience with us, including when using our websites or shops and booking with or through us. We understand that you care about how your personal data is used by us, and we want to share with you the policies and practices we’ve adopted. This way you can feel confident about how we handle your personal data.

## **7. Who our privacy policy covers**

### **7.1 Our customers**

Our privacy policy sets out how we process personal data (including information) relating to individuals who are:

- booking or enquiring about booking travel services with or through us; or
- the recipients of any travel services booked with or through us (e.g. you are the passenger for a booking or booking enquiry made by someone else for you); or
- customers or potential customers or recipients of travel services that can be booked with or through us.

### **7.3 When we are data processor only**

Please however note that this privacy policy does not apply where we are processing personal data strictly as a sub-contractor or data processor on behalf of a third party, and not on our own account. In this case, you should look to that third party and its privacy policy, who will be answerable for how we process that personal data.

### **7.4 Terms used in this policy**

When we refer to “you” and “your” in this privacy policy, we refer to you, any such individual whose personal data we process from time to time.

When we refer to “processing” of your personal data, this includes obtaining, recording, storing or holding your personal data, and anything we do with it, such as organizing, adapting or altering it, retrieving, consulting or using it, disclosing it or otherwise making it available to others, combining it with other data, and blocking, erasing or destroying it.

When we refer to “travel services” this covers all products and services which may be booked with or through us, such as accommodation, tours, transport and transfers (whether by air, coach, bus, train, ferry, taxi or other means), cruises, and charters, and it includes both

(1) all such products and services which we supply or operate ourselves (including where we sub-contract); and

(2) any such products and services provide by a third party which we book for you (acting as agent for you or that third party). Travel services also includes any services we or a third party provide in association with travel, such as obtaining visas, foreign exchange, and providing local representatives and support.

## **8. What types of personal data we may process**

This section summarizes the types of personal data about you that we process:

### **8.1 Data concerning you as an individual**

We may collect the following:

- name,
- age,
- gender,
- address,
- telephone,
- mobile,
- e-mail,
- Credit card and other payment details, and financial information,
- your preferences,
- any other information provided to us by or in relation to you which concern you as an individual.

### **8.2 Enquiry and Booking information**

Information concerning enquiries and bookings made with or through us for travel services, including where you are making the enquiry or booking or are the recipient of the travel services to which the enquiry or booking relates. This information may include:

- records of enquiries and searches for holiday and travel products made by or on your behalf,
- needs and other data relevant to your enquiry;
- details of results, quotes, proposals, estimates and other information given in response to enquiries;
- details of the holiday, accommodation, travel, and other travel services booked or enquired about;
- details of the passengers travelling;
- details of the provider of the travel services (e.g. tour operator);
- dates and times of travel;
- price;
- payment details (including card details);
- passport information and visa information

### **8.3 Survey Information**

Information collected or generated out of any surveys we conduct.

### **8.4 Competition Information**

Information collected or generated out of any competitions or promotions we run.

### **8.5 Account and Registration Information**

Information concerning any accounts, registrations, or memberships with us.

### **8.6 Correspondence**

Correspondence, communications and messages, including between you and us, and between us and third parties, including relating to any booking or booking enquiry, or performance of any contract.

### **8.7 Website Usage Information**

We may collect information about your visits to, browsing of, and use of our website, unless your web browser blocks this. The range of data we collect will depend on how you interact with our website.

This information may include:

- your IP address (a unique identifier allocated to your computer for your connection to the internet);
- your computer device details (PC, tablet, smartphone, watch etc.);
- the make and version of web browser (e.g. Internet Explorer, Firefox, Safari, Opera, Chrome) you are using;
- your operating system (e.g. Windows, Windows Phone, OSX, iOS, Android, Linux etc);
- your time-zone;
- your browser plug-ins;
- any web-page you came from, identified as the referrer web page address by your web browser;
- cookies;
- page response times;
- download error;
- pages and parts of pages you visit;
- usage you make of our website, including enquiries and searches undertaken, and registrations for accounts, forums etc.;
- services and products you viewed;
- length of visit to website and pages;
- page interaction information (such as scrolling, keys pressed, mouse clicks, touches, and mouse-overs).

This will normally be collected and used anonymously, and aggregated for analysis, with your name and any characteristics identifying you remaining anonymous, but our privacy policy will apply, and it will be treated as your personal data, if this information is in any way linked to you personally

This information may also include:

- data inputted into forms and fields;
- registrations for any accounts,
- forum,
- feedback mechanism,
- social functionality,
- newsletters or other features of our site;
- usernames and passwords,

- log-in / out history, and settings;
- actions taken within any account or other registration, including view and update and changes to settings; and posts to any forum, feedback, review or other social functionality on our website.

## **8.8 Cookie Notice**

What are Cookies?

A 'cookie' is a small piece of data sent from a website and stored on the user's computer by the user's web browser while the user is browsing. When you visit a site that uses cookies for the first time, a cookie is downloaded onto your computer/mobile device so that the next time you visit that site, your device will remember useful information such as items added in the shopping cart, visited pages or logging in options. Cookies are widely used in order to make websites work, or to work more efficiently, and our site relies on cookies to optimize user experience and for features and services to function properly.

What Cookies do we use?

There are different types of cookies. They all work in the same way, but have minor differences and we may use the following:

**Session cookies**

Session cookies last only for the duration of your visit and are deleted when you close your browser. These facilitate various tasks such as allowing a website to identify that a user of a particular device is navigating from page to page, supporting website security or basic functionality.

**Persistent cookies**

Persistent cookies last after you have closed your browser, and allow a website to remember your actions and preferences. Sometimes persistent cookies are used by websites to provide targeted advertising based upon the browsing history of the device.

We use persistent cookies to allow us to analyse customer visits to our site. These cookies help us to understand how customers arrive at and use our site so we can improve the overall service.

**Strictly necessary cookies**

These cookies are essential in order to enable you to move around the website and use its features, and ensuring the security of your experience. Without these cookies services you have asked for, such as applying for products and managing your accounts, cannot be provided. These cookies don't gather information about you for the purposes of marketing.

**Performance cookies**

These cookies collect information about how visitors use a web site, for instance which pages visitors go to most often, and if they get error messages from web pages. All information these cookies collect is only used to improve how a website works, the user experience and to optimise our advertising. By using our websites you agree that we can place these types of cookies on your device, however you can block these cookies using your browser settings.

**Functionality cookies**

These cookies allow the website to remember choices you make (such as your username). The information these cookies collect is anonymized (i.e. it does not contain your name, address etc.) and they do not track your browsing activity across other websites. By using our websites you agree that we can place these types of cookies on your device, however you can block these cookies using your browser settings.

**Targeting cookies**

These cookies collect several pieces of information about your browsing habits. [They are usually placed by third party advertising networks]. They remember that you have visited a

website and this information is shared with other organisations such as media publishers. These organisations do this in order to provide you with targeted adverts more relevant to you and your interests.

8.9 How can I exercise choice regarding cookies and other types of online tracking?

Most web browsers allow some control to restrict or block cookies through the browser settings, however if you disable cookies you may find this affects your ability to use certain parts of our website or services.

For more information about cookies visit <https://www.aboutcookies.org>.

9. How we collect or generate your personal data

This section sets out the ways in which we may collect or generate personal data concerning you.

9.1 Visiting our website

By visiting and using our website you or your computer may provide personal data. This includes: information which is automatically provided by your browser to our servers; information record on our web servers about your interaction with our website and pages viewed; information we capture or place on your computer or generate using cookies or other technologies on our website; and information you input into forms and fields on our website.

**9.2 Data you provide**

Your personal data will include data you provide (or later amend), whether:

- from correspondence with you
- verbally to us over the phone or in person
- by filling in any field or form on a website
- by filling in any printed form we provide you with
- by email
- from documents you provide use with
- from updates to any information you provide to us from time to time.

This includes when you:

- register or subscribe for any service
- make an enquiry or booking for a trip or other travel services whether in person, by phone, through our website or otherwise
- send us your comments or suggestions
- subscribe to any newsletter or other publication
- and request sales and advertising information, including brochures.

**9.3 Data obtained from third parties**

We may obtain personal data concerning you from third parties, including from:

- providers of any holidays, accommodation, other travel services which are enquired about or booked, and their intermediaries

**9.4 Data generated by us**

We and any suppliers or sub-contractors working for us may generate personal data relating to you, including:

- in connection with responding to and dealing with any enquiry, booking or complaint
- in performing any booking or other contract with you
- through the analysis of your personal data
- data gained from your use of our website

10. What do we use your personal data for?

This section sets out the uses which we make of your personal data and the legal basis on which we rely to do this.

### 10.1 Operate our website

To operate and provide the search, booking, accounts, review, forums and other services, facilities and functions of our websites. This includes managing any accounts or registrations you have with our websites and making changes to your settings and profile at your request.

### 10.2 Provide information and respond to enquiries

To provide information to you about our website, systems and services, including to respond to booking enquiries and searches for trips and travel, and to keep you updated generally. This is done on the basis of our legitimate interests in ensuring our business is run efficiently.

### 10.3 Bookings and other contracts

To enable you to make bookings, and to fulfill, provide, perform, administer, manage, and enforce all bookings, orders, and other contracts which relate to you (including if you are a passenger in a booking made by someone else), and to process any transactions authorised or made with us which relate to you. This is done on the basis of our legitimate interests in ensuring our business is run efficiently.

### 10.4 Payments

To collect and make payments due and administer our accounts. This is necessary for the preparation of any contract between us.

### 10.5 Communication with customers

To communicate with you concerning any enquiries, bookings, travel services provided, problems and complaints, and to respond to any submissions, enquiries or requests from you. This is done on the basis of our legitimate interests in ensuring our business is run efficiently.

### 10.6 Record Keeping

To keep internal records and maintain reasonable archives, including concerning as to enquiries, bookings, contracts, travel services, and complaints. This is done on the basis of our legitimate interests in ensuring our business to run efficiently.

### 10.7 Manage and Improve our business

To analyse, audit, provide, operate, administer, maintain and improve our business, website, systems, and services;

- to carry out surveys and analyse the results
- to run promotions and competitions
- undertake product or customer research/development
- to assist us in and help us to improve our sales
- editorial, advertising and marketing processes
- to carry out other business development and improvement activities
- to provide training to our staff, sub-contractors and suppliers.

For example, we may use your personal data to help us profile how our customers generally are using our websites and booking travel services with (or through) us. We may also use this information to ascertain interests so that we can better tailor our business offerings. This is done on the basis of our legitimate interests in ensuring our business to run efficiently.

### 10.8 Advertising

To report aggregate information concerning usage of our websites to our advertisers. We normally create anonymous statistical data about browsing actions and patterns, and do not identify any individual.

### 10.9 Anything you have specifically consented to

For any purpose which we have obtained your consent to. We will do this only where you have a choice whether to consent or not, you have control over that data and you have had to take an affirmative step to give consent on an informed basis.

## **10.10 Consequences of Not Providing your Data**

You are not obligated to provide your personal information, however, where the information is required for us to provide you with our services/deliver your products, we may not be able to offer some/all our services without it.

## **11. Period for retaining your data**

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

## **12. Use of your personal data for direct marketing**

We do not use or disclose your personal data for direct marketing purposes unless:

– we have obtained your consent to this, such as through an opt-in box on any form or website of ours

– you have made a booking with us and there is a legitimate interest to do so

In addition to data protection law if we use your personal information for direct marketing purposes we may also be subject to additional rules that regulate direct marketing. The term “direct marketing” essentially means direct marketing material or advertising at a particular individual.

### **12.1 Direct marketing by us**

We will use your personal data to send you marketing information (including adverts and details of promotions) about travel services:

(a) offered by us

(b) which can be booked with third parties through us

Where applicable we will only send you marketing information about the categories of travel services you have selected. Also, we will only contact you in the manner you agreed to (e.g. by email).

### **12.2 Withdrawing from Direct Marketing**

You are free to stop receiving marketing information from us at any time by contacting us as detailed in this privacy notice or by following the instructions set out in our marketing communications. If you email us to withdraw your consent, it would be helpful if you could insert the word “Unsubscribe” as the subject heading.”

When you elect to stop receiving marketing information we will, from that point onwards, not share your information further with any other third parties.

You are also free, at any time, to notify any third party to whom we have previously passed your contact details to, that you no longer wish to receive marketing communications from them.

## **13. Disclosure of your personal data**

We transfer your personal data to third parties in the following circumstances: –

### **13.1 Credit Checks etc.**

We may disclose your personal data to third parties (including intermediaries) as necessary to carry out any checks regarding your financial standing. The identities of these parties may change from time to time. They may include credit reference agencies and other companies for use in credit decisions, for fraud prevention and to pursue debtors.

### **13.2 Bookings and performance of contracts**

We disclose your personal data to third parties (including intermediaries) as necessary to deal with any booking enquiry being made by or for you, to make any booking requested by or for you, to perform and administer any booking for you or other contract with or in respect of you.

This may include;

- to collect payments to be made by you,
- to investigate and respond to complaints, and
- to enforce any booking or other contract with you.

Such third parties may include any suppliers or sub-contractors and their agents (e.g. airlines, coach, ferry or train companies, hoteliers, hire companies, cruise companies, tour operators etc.). The identities of these parties may change from time to time and are engaged so we can provide our services to you.

### **13.3 Suppliers of travel and other services**

We may disclose your personal data to any third party (e.g. supplier, contractor sub-contractor) we make any enquiries with concerning or engage or sub-contract to perform any booking or other contract, including to provide any travel, tour or other products or services we have agreed to provide to you in order to perform our contract with you.

We may disclose your personal data to any supplier with whom we make any enquiry concerning or book any travel or other products and services for you as agent (whether as agent for you, someone representing you, or the supplier), such as a tour operator. Details of any third party tour operators or other third parties who will be responsible for or supply you with the travel services booked or enquired about, may be obtained from us on request, and may be stated in any tour or other brochure provided by us.

### **13.4 Public forums etc.**

Where any facility on our website is clearly designed to make certain of your personal data public (e.g. posts you make to any public forum or reviews facility) then any personal data you provide in relation to that forum or other facility, which is provided in circumstance where it is clear that it is intended to be published, will be disclosed to the public accordingly, subject to moderation by us and to the terms of this privacy policy.

### **13.5 Legal requirements**

We may supply personal data to a government authority or regulator where required to:

- comply with a legal requirement,
- for the administration of justice,
- for the purposes of customs, visas and immigration, or
- where reasonably required to protect your vital interests or
- enforce any booking or other contract.

We may disclose your personal data where otherwise required by or permitted by law.

### **13.6 Business Customers who are businesses (not individuals)**

If you are a business or organisation (“Business Customer”), and we are holding personal data of any authorised representative (such as an employee agent, employee, officer, owner, partner, or director), then we may disclose to them that personal data.

If a Business Customer is making a booking or booking enquiry on behalf of an individual, with that person’s authority, then we may disclose to our Business Customer that individual’s personal data as reasonably required in connection with such booking or enquiry, or the subsequent performance of or payment for any booking made.

### **13.7 Business acquirers**

If our business is ever transferred to a third party, then your personal data will be transferred to the acquirer to enable them to continue our business.



## **14. How third parties will handle your personal data**

Where we provide your personal data to a third party one of the following two circumstances will apply:

### **14.1 Processing on our behalf**

In some cases, your personal data may be held and otherwise processed by others on our behalf. We have not included the names of our service partners as these will change over time. We will remain responsible for what they do with your personal data, and your personal data will only be held and processed by them in accordance with our instructions and this privacy policy. The sharing of your data is necessary for the performance of any contract with you and for the efficient provision of our services.

### **14.2 Processing on their own account**

In other cases, your personal data may need to be provided to them to be held and processed by them in their own right and on their own account. In such case, they will have their own responsibility for your personal data, subject to their own privacy policy, and we will not be responsible for what they do with it following disclosure. This will only be done to perform the contract

## **15. Location of your personal data**

We (and any affiliate, subcontractor or other person processing your personal data on our behalf) may transfer, store and otherwise process your personal data anywhere within the European Economic Area ("EEA").

We will only send your personal data outside the EEA to companies either within our group or to parties with whom we have a contract. We ensure your personal data is protected by requiring all our group companies to follow the same rules when processing your personal data. This means within our group and for those other organisations with whom we have contracts we ensure that we have in place adequate safeguards in respect of such transfers outside the EEA. You can find out about what adequate safeguards these are by contacting us using the details provided in section 2 of this privacy notice.

## **16. Keeping your data secure**

### **16.1 Our security measures**

We take appropriate technical and organizational measures to secure your information and to protect it against unauthorized or unlawful use and accidental loss or destruction, including:

- only sharing and providing access to your information to the minimum extent necessary, subject to confidentiality restrictions where appropriate, and on an anonymized basis wherever possible;
- using secure servers to store your information;
- verifying the identity of any individual who requests access to information prior to granting them access to information
- using Secure Sockets Layer (SSL) and Transport Layer Security (TLS) software or other similar encryption technologies to encrypt your personal and payment transactions

Transmission of information over email is not secure, and if you submit any information to us over the internet by email you do so entirely at your own risk. We cannot be responsible for any costs, expenses, loss of profits, harm to reputation, damages, liabilities or any other form of loss or damage suffered by you as a result of your decision to transmit information to us by email.

### **16.2 Your security measures**

For your own privacy protection, we encourage you to maintain anti-virus and other malware protection software on your computers and other devices, and to maintain your own measures

to protect your personal data. Please do not include sensitive personal data in any e-mails you may send to us, including payment card information.

We also encourage you to be careful about who you give personal data to. We never contact you to ask you for sensitive personal data, such as payment card information, or sensitive personal data such as passport numbers or log-in details, and we will only ask you for such information in person or through our website, or by telephone in connection with a booking you are making or have made. Please let us know if you someone purports to contact you in our name.

## **17. Your Rights**

Our privacy policy is not intended to create a contract or form part of any contract. You have certain non-contractual rights under the laws noted above, which we summarize below. If you contact us about these rights, we may ask for proof of your identity before we act, and may refuse to act if you do not provide this or your identity is not established by you. This is to ensure that your data is protected and kept secure. More information about your rights and our obligations can be found on <https://ico.org.uk>.

### **17.1 Access to your personal data**

You may request us to tell you whether we are processing personal data about you, to tell you what personal data we are processing and for what purposes, and to provide you with a copy of your personal data that we hold.

The law does allow us, in certain cases to refuse your request, and we will advise you at the time if this is the case.

### **17.2 Rectification**

You have the right to have your personal data amended if it is inaccurate or incomplete.

### **17.3 A right to object**

You have the right to object to the use of your personal information for direct marketing or where we use it on the basis that we say we have a legitimate interest in using it.

### **17.4 Deletion of Data inaccuracies**

You have the right to have your personal information deleted or removed in certain circumstances and we may have the right in some cases to refuse to do so.

### **17.5 Portability**

You have the right to obtain and re-use your personal information for your own use in certain circumstances.

### **17.6 Restrict Processing**

You may prevent or suppress the processing of your personal information in certain circumstances.

### **17.7 Complaints to applicable authority**

In addition to your rights above, it is open to you, if you have a complaint or concern, to seek assistance from a supervisory authority who has powers to compel us to comply with applicable laws and fine us for non-compliance. However, before you do so, we would hope that you will contact us first to discuss any complaint or concerns you have. You can contact us using the details provided in section 2 of this our privacy notice.

### **17.8 Right to withdraw your consent**

You are free to withdraw your consent at any time. Please contact using the details outlined in Section 5 of this policy.

See also section 12.3 for details as to how to unsubscribe from our mailing lists.

## **18. Changes to this privacy policy**

We may change this privacy policy at any time and from time to time without notice to you, including by publishing a new version on our website. You should check this privacy policy for updates each time you visit our website to be sure that you are aware of any changes. You should check the top of the document to see the latest version in force. Any change will be prospective only, and we will not make any changes that have retroactive effect unless legally required to do so.