

## INTEGRAL PRIVACY NOTICE

**Operadora Turística Hotelera, S. A. de C. V.** (Hereinafter referred as “OTH”) is the company that operates and manages the Sea Garden, Mayan Palace, The Grand Mayan, The Grand Bliss y Grand Luxxe hotels (Hereinafter referred as “The Hotels”), 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.

In accordance with the applicable law, you agree that the processing of your personal data shall be carried according to the following **Integral Privacy Notice**:

**IMPORTANT NOTE:** If you are viewing this Privacy Notice on our website or have it available through any other remote means of electronic communication and you wish to exercise any of the options here indicated or your rights granted by the Legislation, please contact our "Personal Data Manager" to request it in accordance with this Privacy Notice.

### 1. Identity and address of the responsible entity:

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

### 2. Personal data collected:

#### 2.1. Information that will be collected from the holders (personal data that will be subjected to treatment).

2.1.1. If you are a **customer** or **tourist**, we treat the following categories of personal data:

- a) Identification data;
- b) Contact data;
- c) Property data;
- d) Fiscal data;
- e) Other data.
  - Health information in case of emergency or if you visit any of our facilities as appropriate.
  - Family information to report to in case of emergency.
  - Data of your companions (registered people) in the room or suite.
  - Vehicle identification data (plates)
  - Image in photography and / or video.

2.1.2. If you are an **employee** or **candidate**, we treat the following categories of personal data:

- a) Identification data;
- b) Contact data;
- c) Academic data.
- d) Property data;
- e) Ideological data;
- f) Health data;
- g) Biometric data;
- h) Image in photography and / or video.

2.1.3. If you are a **supplier**, we treat the following categories of personal data:

- a) Identification data;
- b) Contact data;
- c) Property data;
- d) Biometric data;
- e) Image in photography and / or video.

2.1.4. If you are a **visitor**, we treat the following categories of personal data.

- a) Identification data;

- b) Contact data;
- c) Property data;
- d) Biometric data;
- e) Image in photography and / or video.

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

## 2.2. Explicit sensitive personal data to be processed.

As noted above, in case of being required or necessary we will treat health data. If you do not want to provide us your health information, for your own safety, we will not be able to provide related services that require it. If you provide us your health information, you will state your express consent to your treatment.

## 3. Purposes of data processing:

### 3.1. Primary purposes of processing personal data are the following and give rise to legal relations (what will personal information be used for?)

Personal data we collect from you, as a **customer** or **tourist**, are used for the following purposes which are necessary for the service you request:

- a) Fulfillment of contractual obligations. When contacting you, we need to identify you and verify the products and services that we must provide;
- b) For tourist services: accommodation, concierge, room service, banquets, children's club, SPA, if required.
- c) Identification, verification and contact;
- d) For your safety during your stay in "OTH" we establish security measures and facilities surveillance, including monitoring, video cameras, control and surveillance of physical and logical access;
- e) Billing services and products you buy;
- f) Collecting payment for services and products you buy from us;
- g) Health and safety care if necessary;
- h) Identify you in any type of legal or business relationship with OTH or its subsidiaries;
- i) To provide transportation services from the airport to "The Hotels".

Personal data we collect from you, as an **employee** or **candidate**, are used for the following purposes which are necessary for the relationship you have with "OTH":

- a) Identification, verification, contact and fulfillment of employment contract;
- b) Evaluation and service quality control;
- c) Promotion and / or hiring processes;
- d) Socio-economic and psychometric studies;
- e) Employment benefits;
- f) Security and control of access to facilities;
- g) Surveillance using video camera;
- h) Health and safety care if necessary.

Personal data we collect from you, as a **supplier**, are used for the following purposes which are necessary for the relationship you have with "OTH":

- a) Fulfillment of contractual obligations;
- b) Billing of goods and services purchased;
- c) Payment, reception and / or return of goods and services purchased;
- d) Identification, verification and contact;
- e) Security and control of access to facilities;
- f) Surveillance using video cameras.

Personal data we collect from you, as a **visitor**, are used for the following purposes:

- a) Identification and contact;
- b) Security and control of access to facilities;
- c) Surveillance using video cameras.

### **3.2. Identify and distinguish the purposes that gave rise to and are necessary for the legal relationship between the responsible and the owner and those purposes which are not necessary ("Secondary Purposes")**

In addition, we use your personal information for the following secondary purposes that are not necessary for the requested service, but allow us to offer you a better service:

- a)  Develop studies and programs for statistical purposes, advertising or commercial prospecting of OTH and/or "The Hotels";
- b)  Maintenance of service records for future purposes;
- c)  Send information on products and services, current or future that might interest you to know;
- d)  Sending advertising, promotions and newsletters that might interest you to know about OTH and/or "The Hotels";
- e)  For quality surveys of our products and / or services;
- f)  Provide medical care or be aware of 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 an "x" in the box to the left. If a box is not marked, you express your consent to treat 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 Policy 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 Data Administrator to request it.

### **3.3. If they exist, the purposes related to the treatment should be included for marketing, advertising or commercial prospecting.**

As we pointed out in section 3.2, we will provide marketing, advertising or commercial prospecting treatment to your personal data. If you do not want your data to be treated for these purposes, please follow the instructions detailed in section 3.2.

### **4. 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 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".

### **5. Means of exercising ARCO rights (access, rectification, cancellation and / or opposition) or the right to withdraw consent:**

**5.1.** You may exercise your ARCO rights by sending your request by certified mail addressed to the Privacy Officer to our 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: ARCO RIGHTS REQUEST".

**5.2.** 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 treating 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.

**5.2.1.** 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):

- a) 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.
- b) 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 to website" through an appointment agreed with our "Personal Data Manager" in 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:

- 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.
  - You will not be allowed to take photographs or make copies of any document.
- c) When OTH deems it appropriate, it may agree with the holder to reproduce the information other than that informed in the privacy notice.

**5.3.** The mechanisms and procedures so that, where appropriate, the owner may revoke his consent to the processing of his personal data:

5.3.1. 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 Personal Data Manager to our 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 the inscription "URGENT: RIGHT OF REVOCATION".

5.3.2. In certain circumstances, the revocation of your consent will imply (a) that the Responsible person cannot continue providing the service you requested, or (b) the termination of your business relationship with us.

**5.4.** For questions or more information regarding the procedure or means to (a) limit the use or disclosure of personal data, (b) exercise ARCO rights (access, rectification, cancellation and opposition), or (c) exercise the right to revoke consent, we provide the following contact details:

E-mail: [datospersonales@grupovidanta.com](mailto:datospersonales@grupovidanta.com) or contact the Privacy Officer at the following telephone number: 01 322 226 4000 Extension 62586 and 64713.

**6. The clause stating whether or not the holder accepts the transfer, when required:**

Your personal data and purposes are transferred to the following third parties: if the following transfers need your consent:

**6.1.** If the personal data are carried out, the third recipient of personal data and the purposes:

Recipient 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"/> First Class Golf Vacation, S.A. de C.V.	To provide the golf course services.	Yes
<input type="checkbox"/> Subsidiary companies and specialized third parties	Satisfaction Assessment and Service Quality. Promotion and advertising delivery. Work transfers.	Yes
<input type="checkbox"/> LAYIS ECONOMIK SC	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

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 space, line or box that appears to the left of each option. If the line (s) is not marked, you state your consent to transfer your data for such purposes and to those recipients.

If you are reading this Privacy Policy 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 Personal Data Officer to request it.

**7. Information on the use of mechanisms in remote or local media of electronic communication, optics or another technology (such as cookies or web beacons), that allow to collect personal data automatically and simultaneously at the time the holder makes contact with them, where applicable:**

OTH does not use cookies to collect Personal Data. We do not authorize our IT service suppliers to use tracking technologies.

**8. Procedures and means through which the responsible person will notify the holders the privacy notice changes:**

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 as follows: (a) sending an email to the account we have registered and / or (b) posting a notice on our website (<http://www.vidanta.com>) OTH will not be responsible if you do not receive the notice of change in the privacy notice if there is a problem with your email account or internet data transmission. For your safety and peace of mind, check at any time the content of this integral privacy notice on our website (<http://www.vidanta.com>).

**9. 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 days of negotiation, the parties have not reached an agreement, the provisions of the Federal Law for the Protection of Personal Data in the possession of Private Individuals shall be complied with the National Institute of Transparency, Access to Information and Protection of Personal Data.

**10. 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.

**11. Validity:**

This is the most current version of our privacy notice, which became effective as of April 20, 2017. Last update November 09, 2017.