

NINETY-SIX  
HOTEL COLLECTION  
Privacy Notice



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## 1 Introduction

We respect the privacy of everyone to whom we provide our services. As a result, we would like to inform you regarding the way we would use your personal data. We recommend you read this Privacy Notice so that you understand our approach towards the use of your personal data. By submitting your personal data to us, you will be treated as having given your permission - where necessary and appropriate - for disclosures referred to in this policy. By using this web site, you acknowledge that you have reviewed the terms of this Privacy Notice (hereafter the “**Privacy Notice**”) and agree that we may collect, use and transfer your personal data in accordance therewith.

This Privacy Notice englobes our Hotels operated by Tropical Paradise Co. Ltd. and Hotel Chambly Limited (hereafter referred to as “**Ninety-Six Hotel Collection**”).

This Privacy Notice shall be governed by and construed in accordance with the relevant laws. This Privacy Notice explains how we obtain, use and disclose your personal data, as is required by the European Union General Data Protection Regulation (hereafter the “**GDPR**”) and the Mauritius Data Protection Act 2017 (hereafter the “**DPA**”). Ninety-Six Hotel Collection is committed to protecting your privacy impact and to ensure that your personal data is collected and used properly, lawfully and openly.

## 2 Who we are

More than 20 years of owning and managing five unique properties has placed the Ninety-Six Hotel Collection at the forefront of hospitality, offering the modern day traveller a distinctive lifestyle experience.

Tropical Paradise Co Ltd owns and operates The Labourdonnais Waterfront Hotel, Le Suffren Hotel & Marina and The Hennessy Park Hotel. Hotel Chambly Ltd owns and operates The Address Boutique Hotel, which is a fully owned subsidiary of Tropical Paradise Co Ltd.

Furthermore, we, as data controller, are responsible for deciding how we hold and use personal data about you. We are required under the GDPR and the DPA to notify you of the information contained in this Privacy Notice.

## 3 The data we collect

### 3.1 Collection of personal data

We collect and process your personal data mainly to provide you with access to our services, to help us improve our offerings to you, to support our contractual relationship with you and for certain other purposes explained below. The type of data we collect will depend on the purpose for which it is collected and used. We will only collect data that we need for that purpose and we may share the data within Ninety-Six Hotel Collection.

We collect data directly from employees, suppliers and clients. It includes collection of your personal details, for example when you purchase or supply a product or services to or from us or when you submit enquiries to us or contact us. Where possible, we will inform you what data you are required to provide to us and what data is optional.

The types of personal data that are collected and processed may include:

Categories of Personal Data:	Details:
<b>Contact details</b>	First name, surname, user name, user ID, postal address, physical address, billing address, email address, office phone, cell phone, fax number
<b>Individual details</b>	Sex (male/female), photo, nationality, birth, age, language, qualifications, employment history, marital status
<b>Identification details</b>	Identification numbers issued by government bodies or agencies such as your passport number, identity card number and driving licence number
<b>Financial information</b>	Financial history and well-being, pay details, pension details, tax details, bank details
<b>Credit risk and anti-fraud details</b>	Information which you need to collect in order to assess the risk in providing a service and provide a quote. This may include data relating to criminal convictions, credit history, purchase history, credit score, and information received from various anti-fraud databases or other special categories of personal data.
<b>Special categories of personal data</b>	Certain categories of personal data which have additional protection under the DPA and GDPR. The categories are physical health, mental health, ethnicity, disability, medical history, pregnancy status, biometric information, under 16 years old records or criminal convictions.

### 3.2 Data on minors

We may collect personal data on persons under 18 years of age. This will include name, nationality and date of birth and shall be supplied to us only by a parent or guardian. We recommend that your children do not send us any personal data without your prior consent.

### 3.3 Lawful basis for processing your personal data

We only process your personal data in accordance with the data protection laws and based on a lawful ground. Depending on the purpose of processing, we may process your personal data for more than one lawful ground. Please contact our DPC, should you have any queries on the lawful basis we are relying in order to process your personal data.

What are the lawful ground we are relying to process your personal data?

Lawful basis for processing	Our Activity
i. Consent	Any freely given specific, informed and unambiguous indication of your wishes with regards to processing of your personal data, for instance we will request your consent before collecting any sensitive information on you
ii. Contract	It is where we shall process your personal data in relation to the performance of a contract, for instance registration as a client and including registration on our online booking system.
iii. Legal obligation	It is where the processing is necessary in order to comply with the law, for instance when it comes to the retention period of your personal data, we will assess what the laws require from us
iv. Vital interest	It implies the protection of your lives, for instance asking for personal data, such as pregnancy status and other health information, on you before you may use our spa in order to ensure your vital interest.
v. Legitimate interest	Where the processing is necessary for our legitimate interests, for instance where we collect data analytics to improve our website, services and marketing activities.

### 3.4 Collection of Non-Personal data

We may automatically collect non-personal data about you such as the type of internet browsers you use or the website from which you linked to our website. We may also aggregate details which you have submitted to the site (for example, the products or services you are interested in). You cannot be identified from this data and it is only used to assist us in providing an effective service on this web site. We may from time to time supply third parties with this non-personal or aggregated data for uses in connection with this website.

## 4 Cookies Policy

Our website uses cookies to distinguish you from other users and to improve your experience when accessing this site.

#### **4.1 What is a cookie?**

Cookies are small data files that your browser places on your computer or device. Cookies help your browser navigate a website and the cookies themselves cannot collect any data stored on your computer or your files. When a server uses a web browser to read cookies they can help a website deliver a more user-friendly service. To protect your privacy, your browser only gives a website access to the cookies it has already sent to you.

#### **4.2 Why do we use cookies?**

We use cookies to learn more about the way you interact with our content and help us to improve your experience when visiting our website. Cookies remember the type of browser you use and which additional browser software you have installed. They also remember your preferences, such as language and region, which remain as your default settings when you revisit the website. Cookies also allow you to rate pages and fill in comment forms. Some of the cookies we use are session cookies and only last until you close your browser, others are persistent cookies which are stored on your computer for longer. Below is a list of the cookies we use:

- Sessions Cookies
- Third Party Marketing Cookies
- Third Party Statistics Cookies

#### **4.3 How are third party cookies used?**

For some of the functions within our websites we use third party suppliers, for example, when you visit a page with videos embedded from or links to YouTube. These videos or links (and any other content from third party suppliers) may contain third party cookies and you may wish to consult the policies of these third party websites for data regarding their use of cookies.

#### **4.4 How do I reject and delete cookies?**

We will not use cookies to collect personally identifiable data about you. However, should you wish to do so, you can choose to reject or block the cookies set by the websites of any third party suppliers by changing your browser settings - see the Help function within your browser for further details. Please note that most browsers automatically accept cookies so if you do not wish cookies to be used you may need to actively delete or block the cookies.

You can also visit [www.allaboutcookies.org](http://www.allaboutcookies.org) for details on how to delete or reject cookies and for further data on cookies generally. For details on the use of cookies in mobile phone browsers and for details on how to reject or delete such cookies, please refer to your handset manual. Note, however, that if you reject the use of cookies you will still be able to visit our websites but some of the functions may not work correctly.

### **5 How we use your data**

We will use your personal data only for the purposes for which it was collected or agreed with you, for instance:

- To analyse the effectiveness of our advertisements, competitions and promotion;
- To collect data about the device you are using to view the site, such as your IP address or the type of Internet browser or operating system you are using, and link this to your personal data so as to ensure that the site presents the best web experience for you;
- To evaluate the use of the site, products and services.
- For audit and record keeping purposes;

- For recruitment purposes;
- For payroll, attendance and training purposes;
- For medical checks;
- For credit rating;
- For monitoring and auditing site usage;
- In connection with legal proceedings;
- For marketing purposes;
- To assist with business development;
- Suggest products or services (including those of relevant third parties) which we think may be of interest to you.
- To carry out our obligations arising from any contracts entered into between you and us.
- To notify you about changes to our service.
- To respond to your queries or comments.
- To comply with legal and regulatory requirements to which we subscribe or which apply to us, or when it is otherwise allowed by law.
- For access to our fitness and wellness club
- For loyalty programme

## **6 Disclosure of personal data**

We may disclose your personal data to our business partners who are involved in the delivery of services to you. We have agreements in place to ensure that they comply with these privacy terms.

We may share your personal data with, and obtain data about you from:

- Third parties for the purposes listed above (including lawyers, bankers and auditors who provide consultancy, banking, legal and accounting services);
- Other companies in Eclosia Group for the purposes listed above when we believe it will enhance the services we can offer to you, but only where you have not objected to such sharing;
- Other third parties from whom you have chosen to receive marketing data.

We may also disclose your data:

- Where we have a duty or a right to disclose in terms of law;
- Where we believe it is necessary to protect our rights.

## **7 International transfers**

The third parties to whom we may disclose your personal data may be located outside of Mauritius. Those transfers would always be made in compliance with the GDPR and the DPA.

If you would like further details of how your personal data would be protected if transferred outside of Mauritius, please contact our Data Protection Committee (hereafter the “DPC”) by referring to section 13.

## 8 Personal data security

We are legally obliged to provide adequate protection for the personal data we hold and to stop unauthorised access and use of personal data. We will, on an on-going basis, continue to review our security controls and related processes to ensure that your personal data is secure.

Our security policies and procedures cover:

- Access to personal data;
- Computer and network security;
- Governance and regulatory issues;
- Monitoring access and usage of personal data;
- Physical security;
- Retention and disposal of data;
- Secure communications;
- Security in contracting out activities or functions

When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that personal data that we remain responsible for, is kept secure.

We will ensure that anyone to whom we pass your personal data agrees to treat your data with the same level of protection as we are obliged to.

## 9 Your data protection rights

Under the GDPR/DPA, you have rights we need to make you aware of. The rights available to you depend on our reason for processing your information.

### 9.1 Your right to erasure of your personal data

You have the right to ask us to delete your personal data in certain circumstances:

- When we no longer need your personal data;
- If you initially consented to the use of your personal data, but have now withdrawn your consent;
- If you have objected to us using your personal data, and your interests outweigh ours;
- If we have collected or used your personal data unlawfully; and
- If we have a legal obligation to erase your data.

Where we collect personal data for a specific purpose, we will not keep it for longer than is necessary to fulfil that purpose, unless we have to keep it for legitimate business or legal reasons. In order to protect data from accidental or malicious destruction, when we delete data from our services we may not immediately delete residual copies from our servers or remove data from our backup systems.

### 9.2 Your right of access to your personal data

You have the right to request a copy of the personal data we hold about you. To do this, simply contact our DPC (refer to section 13) and specify what data you would like. We will take all reasonable steps to confirm your identity before providing details of your personal data.

You will not have to pay a fee to access your personal data (or to exercise any of your other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.



### **9.3 Your right to rectification of your personal data**

You have the right to ask us to update or correct your personal data if you think it is inaccurate or incomplete. We will take all reasonable steps to confirm your identity before making changes to personal data we may hold about you. We would appreciate it if you would take the necessary steps to keep your personal data accurate and up-to-date by notifying us of any changes we need to be aware of.

### **9.4 Your right to restriction of processing**

You have the right to ask us to limit how we use your data. If necessary, you may also stop us from deleting your data. To exercise your right to restriction, simply contact our DPC (refer to section 13), say what data you want restricted and state your reasons. You may request us to restrict processing of your personal data in the following circumstances:

- If you have contested the accuracy of your personal data, for a period to enable us verify the accuracy of the data;
- If you have made an objection to the use of your personal data;
- If we have processed your personal data unlawfully but you do want it deleted;
- If we no longer need your personal data but you want us to keep it in order to create, exercise or defend legal claims.

### **9.5 Your right to object to processing**

You also have the right to object to us processing your personal data where your data is being used:

- For a task carried out in the public interest;
- For our legitimate interests;
- For scientific or historical research, or statistical purposes; or
- For direct marketing.

You should contact our DPC (refer to section 13) to inform that you are objecting to any more processing of your personal data and state in your objection why you believe we should stop using your data in this way. Unless we believe we have strong legitimate reasons to continue using your data in spite of your objections, we will stop processing your data as per the objection raised.

### **9.6 Your right to data portability**

The right to data portability allows you to ask for transfer of your personal data from one organisation to another, or to you. The right only applies if we are processing information based on your consent or performance of a contract with you, and the processing is automated. You can exercise this right with respect to information you have given us by contacting our DPC (refer to section 13). We will ensure that your data is provided in a way that is accessible and machine-readable.

## **10 Withdrawal of consent**

Furthermore, you may withdraw your consent provided to Ninety-Six Hotel Collection as regards to the disclosure & processing of your personal data for any particular purposes at any time. Should you avail yourself of this right, you will need to notify Ninety-Six Hotel Collection in writing at Caudan Waterfront, P.O Box 91, Port-Louis, Mauritius or at [dpo@ninetysixhotels.com](mailto:dpo@ninetysixhotels.com).

If you withdraw your consent, we might not be able to provide you certain products or services and you will be informed accordingly. However, notwithstanding the withdrawal of your consent, your personal data may still be processed by Ninety-Six Hotel Collection in the performance of its statutory duties.

You can further opt out of receiving communications from us at any time. Any direct marketing communications that we send to you will provide you with the data and means necessary to opt out.

## **11 Definition of personal data**

Personal data is any data from which you can be identified and which relates to you.

## **12 Amendments**

We reserve the right to make any changes to this Privacy Policy at any time. We therefore recommend that you consult it regularly and whenever you are using our websites and services.

## **13 How to contact us**

We have appointed a DPC to oversee compliance with and questions in relation to this Privacy Notice. If you have any questions about this Privacy Notice, including any requests to exercise your legal rights, please contact us using the details set out below on +(230) 202 4000 or at [dpo@ninetysixhotels.com](mailto:dpo@ninetysixhotels.com).

You have the right to complain to with a supervisory authority if you believe we have not handled your request in an appropriate manner.