



INTEGRAL PRIVACY NOTICE

## **INTEGRAL PRIVACY NOTICE**

Desarrollo Marina Vallarta, S.A. de C.V., is a company that markets lodging rights and touristic services from the hotels Sea Garden, Grand Luxxe and Celebrate Park; located in México (hereinafter referred as "DMV"). 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 (jointly, 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. We put at your disposal this Privacy Notice in order to clearly and specifically inform you about the personal data we collect, the means by which they are collected, as well as the processing we give to them, always mediating our commitment to protect your privacy, under the highest standards of ethics, responsibility and professionalism.

### **A. IDENTITY AND ADDRESS OF THE DATA CONTROLLER:**

Desarrollo Marina Vallarta, S.A. de C.V.

Av. Paseo de las Marina Sur, #220, Marina Vallarta, Puerto Vallarta, Jalisco, C.P. 48335.

### **B. CONTACT DATA OF PRIVACY OFFICER:**

Email: [datospersonales@grupovidanta.com](mailto:datospersonales@grupovidanta.com)

Phone: 52 01 322 226 4000 ext. 62586

### **C. PERSONAL DATA COLLECTED:**

For the purposes set forth in this Privacy Notice, DMV may process your personal data, same that you will directly provide through physical or electronic formats or by means other than those indicated always in accordance with the Legislation. The data collected through the indicated means are:

#### 1. IF YOU ARE A **CUSTOMER**, WE PROCESSTHE FOLLOWING CATEGORIES OF PERSONAL DATA:

- 1.1. Identification data;
- 1.2. Contact data;
- 1.3. Property data;
- 1.4. Fiscal data;
- 1.5. Biometric data;

Under oath, you declare, that the data you provide to DMV is true, complete and accurate. Any false, incomplete or inaccurate information will be your sole responsibility.

### **D. PRIMARY PURPOSE OF PROCESSING PERSONAL DATA THAN GIVE RISE TO LEGAL RELATIONS, NECESSARY FOR THE MARKETING OF AGREEMENTS FOR LODGING RIGHTS AND SERVICES THAT YOU ASK TO DMV ARE:**

#### 1. IF YOU ARE A CUSTOMER:

- 1.1. Fulfillment of contractual obligations. When contacting you, we need to identify you and verify the products and services that we must provide.
- 1.2. Changes in products and services.
- 1.3. Identification, verification and contact, in any type of legal or business relationships with DMV or its subsidiaries.
- 1.4. Billing services and products you buy from us.
- 1.5. To carry out the payment, collection and reimbursement processes, if applicable, of the products and services you acquire with us.

In addition, we use your personal information for the following secondary purposes that are not necessary for the requested service, that give rise to the legal or business relationship with DMV, but allow us to offer you a better service:

1.  To develop studies and programs for marketing or advertising purposes or commercial prospecting.
2.  For recordkeeping oriented to the future provision of products and services.
3.  To inform you in the future of products and services that may be of your interest.
4.  To send advertising, promotions and newsletters that may be of interest to you from DMV.
5.  To make surveys regarding the quality of our products and / or services.

In case you do not want your personal data to be used for any or all of the secondary purposes, mark with an "x" inside the check box. If a box (es) is (are) not marked, you express your consent to process 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 Notice 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 Privacy Officer to request it through the authorized formats, which you can find in the following link: <https://avisos.vidanta.com/formatosARCO/en/nuevovallarta/SDA-NV-Desarrollo-Marina-Vallarta.pdf>.

#### **E. PERIOD OF CONSERVATION OF YOUR PERSONAL DATA**

DMV will keep your Personal Data during the contractual relationship with you; according to the terms established in the Fiscal Code of the Federation and applicable laws or until you ask us to eliminate them.

#### **F. 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 at our offices 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".

#### **G. MEANS OF EXERCISING RIGHTS of ACCESS, RECTIFICATION, CANCELLATION, OPPOSITION, REVOCATION OF CONSENT TO THE PROCESSING OF YOUR PERSONAL DATA, DATA PORTABILITY AND THE RIGHT TO BE FORGOTTEN:**

In order of law you can access, rectify, cancel or oppose to use and / or process your personal information, revoke the consent for processing of your personal data, request the right of portability of your personal data, as well as request the right to be forgotten as follows:

1. Access: If you want to know which personal data we have in our database, for what we use them, and how we processing your personal information.
2. Rectification: If you want to request the rectification in one or more of your personal data in case they are wrong, need change or are incomplete.
3. Cancellation: If you want us to delete from our records and / or database your personal data.
4. Opposition: If you want to object us the use of your personal data.
5. Data Portability: The holder / interested party may request their personal data granted to the responsible and / or request to responsible to transmit them to another responsible without his / her being prevented from doing so.
6. Right to be forgotten: To request the deletion of data in the general internet search engines without delay, provided that they are no longer necessary according to their purpose, the consent is withdrawn or they are treated unlawfully.
7. Revocation of consent to the processing of your Personal Data: Request that your data no longer be processed by DMV.

To exercise any of the aforementioned rights, you must send your request in writing and 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". For the purposes of the foregoing you or your legal representative may download the "ARCO Rights Exercise Format" available through the following link: <https://avisos.vidanta.com/formatosARCO/en/nuevovallarta/SDA-NV-Desarrollo-Marina-Vallarta.pdf>; the request must be sent by certified mail and must be accompanied by the documentation that is indicated in the format, with the purpose that the " Privacy Officer" can authenticate your identity and/or that of your legal representative.

The "Privacy Officer", will communicate the answer to you or your legal representative within a maximum period of 20 (twenty) business days from the date on which the notification of your request takes effect. If your request is appropriate, it will be effective within 15 (fifteen) business days following the date on which you were notified of the response.

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 have to continue processing 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.

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):

1. 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. When DMV considers appropriate according to the Holder, may mark different means to reproduce the information, always in accordance to the law.

1.1. 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 in site" through an appointment agreed with our "Privacy Officer" at 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 (fifteen) days from the date we respond to your request.

During your visit:

1.1.1. 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 third parties personal data.

2. The mechanisms and procedures so that, where appropriate, the Holder may REVOKE his consent to the processing of his personal data. In certain circumstances, the revocation of your consent, will imply (i) that the Data Controller can't continue providing the services you requested, or (ii) the conclusion of your business relationship with us:

2.1 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 Privacy Officer to our offices located at 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".

For questions or more information regarding the procedure or means to (i) limit the use or disclosure of personal data, (ii) exercise ARCO rights (access, rectification, cancellation and opposition), or (iii) exercise the right to revoke consent, we provide you the following contact details:

E-mail: [datospersonales@grupovidanta.com](mailto:datospersonales@grupovidanta.com) or contact the Privacy Officer at the following telephone number: 52 01 322 226 4000 Extension 62586 and 64713.

#### H. TRANSFER OF DATA:

As part of a business group, DMV may transfer your personal data with affiliated companies of the same group, as well as with independent third parties in order to comply with the services you request and for the purposes indicated below:

ADDRESSEE OF PERSONAL DATA	PURPOSE(S)	REQUIERES CONSENT
<input type="checkbox"/> Subsidiary companies and specialized third parties.	Prospecting and profiling potential clients. Evaluating customer satisfaction and quality service. Sending promotions and advertising. Transportation service, if requested. Parcel service.	Yes
<input type="checkbox"/> Bank of America, N.A.	Subscription to credit card program.	Yes
<input type="checkbox"/> Barclays Bank PLC.	Subscription to credit card program.	Yes
<input type="checkbox"/> VCM Capital, S.A.P.I. de C.V.	Application for financing.	Yes
<input type="checkbox"/> MapfreTech, S.A.	Traveler's insurance application if requested.	Yes
<input type="checkbox"/> International Cruise & Excursions, INC (ICE).	Subscription with exchange company.	Yes
<input type="checkbox"/> Resort Condominiums International de México, S. de RL de C.V. (RCI)	Subscription with exchange company.	Yes
<input type="checkbox"/> The San Francisco Exchange Company (SFX).	Subscription with exchange company.	Yes
<input type="checkbox"/> Interval International, INC. / Intercambios Internacionales de Vacaciones, S.A. de C.V. (INTERVAL).	Subscription with exchange company.	Yes
<input type="checkbox"/> Mexican banking institutions	Payments process and / or refunds if applicable.	Yes
<input type="checkbox"/> Operadora PayPal de México, S. de R.L. de C.V.	Payments process and / or refunds if applicable.	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 checkbox at the left of each option. If the box(es) is(are) not marked, you state your consent to transfer your data for such purposes and to those recipients.

If you are reading this Privacy Notice 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 Privacy Officer to request it.

#### **I. INFORMATION PROTECCIÓN:**

1. Personal Data Security Management System
2. Standards based on ISO 27001
3. Security procedures for our staff
4. Limited access to our facilities

#### **J. ELECTRONIC MEDIA, COOKIES OR WEB BEACONS:**

We inform you that on our website we use cookies and other technologies through which it is possible to monitor your browsing behavior based on IP and the places where it comes from. The personal data we collect through forms are the name and email.

You can disable all cookies, avoid accepting new cookies, make your browser notify you when you receive a new cookie through the "help" button found in the toolbar and exist in most browsers.

#### **K. MEANS OF COMMUNICATION FOR CHANGES AND / OR MODIFICATIONS TO THE PRIVACY NOTICE**

**DMV** reserves the right to change this privacy notice at any time. If there is a change in this privacy notice, DMV will communicate it posting a notice on our website <https://avisos.vidanta.com/en/dmv.pdf>. For your safety and peace of mind, check at any time the content of this integral Privacy Notice on our website to be informed about updates, changes or modifications.

#### **L. 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 (thirty) days of negotiation, the parties have not reached an agreement, the provisions of the Federal Law for the Protection of Personal Data held by Individuals shall be complied with the National Institute of Transparency, Access to Information and Protection of Personal Data.

#### **M. 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.

#### **N. LEGAL BASIS OF THE PRIVACY NOTICE**

- The LFPDPPP (Federal Law for the Protection of Personal Data Held by Individuals) which is the law that is responsible for protecting personal data in Mexico.
- The RGPD (Regulation (EU) 2016/679 of the European Parliament and the Council of 27 April 2016 on the protection of natural persons) which is the new European Union regulation for the regulation of the treatment of personal data.

#### **O. AUTORIDAD**

If you believe that your right to the protection of your personal data has been damaged by any conduct or omission on the part of DMV, or presumes any violation of the provisions of the Federal Law on Protection of Personal Data Held by Individuals, its Regulation and other applicable ordinances, may file their disagreement with the National Institute of Transparency, Access to Information and Protection of Personal Data (INAI).

#### **P. VALIDITY:**

This is the most current version of our privacy notice, which became effective as of April 20, 2018.  
Last update September 17, 2018

