

# PRIVACY POLICY



**DISCOVERY HOTEL  
MANAGEMENT**



# PRIVACY POLICY

## A. GENERAL PART

### A.1. COLLECTION AND PROCESSING OF USER DATA

Within the scope of the availability of the website hosted in **www.santiagohotel.pt** and of the services and communications made available therein, SUMMER C COLORS - AGRUPAMENTO TURÍSTICO E IMOBILIÁRIO - ACE, headquartered at Rua Joaquim António de Aguiar n.º 66, 1070 153, Lisbon, Portugal, under the single registration number and corporate person 510945961, national trademark holder no. 529580 DHM DISCOVERY HOTEL MANAGEMENT (hereinafter referred to as "DHM") may request the user to make available personal data, information provided by the user that allow DHM to identify and / or contact you ("Personal Information").

As a rule, Personal Data is requested when the User registers on the website, requests a contact and / or sending of newsletters, subscribes to a particular Service, acquires a product or establishes a contractual relationship with DHM.

Personal Data collected and processed consists of information regarding the name, gender, date of birth, telephone, mobile phone, email, address, tax identification number, credit card data (collected for billing purposes only), although it may come to collect other Personal Data that may be necessary or convenient for the provision of Services by DHM.

When collecting Personal Data, DHM provides the User with detailed information about the nature of the data collected and about the purpose and processing that will be performed with respect to the Personal Data, as well as the information mentioned in clause 8.

DHM also collects and processes information about the characteristics of the user's hardware device and browser/software features, as well as information about the pages visited by the User within the site. This information may include browser type, domain name, access times and links by which the User has accessed the Site.

("Usability Information"). We only use this information to improve the quality of the user's experience on website.

Usability Information and Personal Data are identified in this Privacy Policy as "User Data".

For the purposes of this Privacy Policy, a contractual relationship means any contract established between DHM and its related entities, regardless of their purpose.



## A.2. DATA PROCESSORS

As part of the processing of User Data, DHM uses or may have recourse to third parties, subcontracted by it, for, on behalf of DHM, and in accordance with its instructions, process the User Data, in accordance with the law and this Privacy Policy.

These processors may not disclose the User Data to other entities without DHM having given prior written authorization to do so, and are also prevented from contracting other processors without DHM's prior authorization.

DHM will only enter into agreements with processors that have implemented the appropriate technical and organizational measures, in order to guarantee the defense of the User's Data. DHM shall bind all the processors contracted by a written agreement that covers the object and duration of the processing, the nature and purpose of the processing, the type of personal data, the categories of data subjects and the rights and obligations of the parties.

After the collection of personal data, DHM provides the User with information on the categories of processors that, in this case, may process data on behalf of DHM.

## A.3. DATA COLLECTION CHANNELS

DHM can collect data directly (ie, directly from the user) or indirectly (ie, through partner organizations or others). The collection can be done through the following channels:

**Direct collection:** in person, by phone, by e-mail and through the website;

**Indirect collection:** through partners or group companies and official entities.

## B. GENERAL PRINCIPLES APPLICABLE TO THE PROCESSING OF USER DATA

In terms of general principles regarding the processing of personal data, DHM undertakes to ensure that the User Data processed by it is:

- Accurate and updated whenever necessary, ensuring that inaccurate data, taking into account the purposes for which they are processed, is erased or corrected without delay;

Data processing performed by DHM is legal when at least one of the following situations occurs:

- The User has without doubt given their consent to the processing of User Data for one or more specific purpose;
- The processing is necessary for the implementation of a contract in which the User is a party, or for pre-contractual procedures at the request of the User;
- The processing is necessary for the fulfilment of a legal obligation to which DHM is subject;



- Processing is necessary for the defense of the fundamental interests of the User or another individual;
- The processing is necessary for legal interests pursued by DHM or by third parties (unless the interests or fundamental rights and freedoms of the User requiring the protection of personal data prevail).

DHM undertakes to ensure that the processing of User Data takes place under the conditions and respecting the principles above mentioned.

The User has the right to withdraw his consent at any time when DHM, based on the User's agreement, performs the User Data processing. Such withdrawal of consent, however, does not jeopardize the legal basis of the processing carried out by DHM based on the consent that was previously given.

The time on which the data is filed and stored varies according to the purpose for which the information is being processed.

However, there are legal requirements that require the data to be preserved for a minimum period. Thus, and where there is no specific legal obligation, data will be stored and kept only for the minimum period necessary for the purposes that led to their collection or subsequent processing, being eliminated when that processing ends.

## **B.1. USE AND PURPOSES OF USER DATA PROCESSING**

DHM processes the User Data for the following purposes:

- Provision of hotel services and associated services (restaurants, bars, spa, etc.);
- Contact management;
- Invoicing and billing;
- Registration on the website;
- Providing information to the User upon requests, about new products and services that have been made available on the site or at the hotel, special offers and campaigns, updated information on DHM's business operations and, generally, for the purpose of marketing DHM, using any means of communication;
- Allowing access to restricted areas of the site;
- Ensuring that the site meets the User's needs by developing and publishing content that is best adapted to the requests made and the type of User, improving the search capabilities and functionalities of the site and obtaining associated or statistical information regarding to the user's profile (analysis of consumption profiles);
- Recording of telephone calls that may be made in connection with the request or provision of information about reservations, vouchers and other products or services and their commercial conditions of use and the establishment of any contractual relationship, either during the formation phase of the contract or while it is in force;



- DHM may also combine user information with anonymous demographic information for research purposes and may use the result of that research to provide you with relevant content on the website. In certain restricted areas of the site, DHM may also combine Personal Data with Usability Information to provide the User with more personalized content.

The User Data collected by DHM is not shared with third parties without the User's consent, except in the situations mentioned in the following paragraph. However, in the User requests services with DHM that are provided by other data controllers for the processing of personal data, User Data may be consulted or accessed by such entities, to the extent that it is necessary for the provision of such data services.

DHM may disclose the User Data to other entities if and whenever it is necessary to the fulfillment of the contract established between the User and DHM or for pre-contractual procedures at the request of the User. User Data can also be disclosed if necessary for the fulfilment of a legal obligation to which DHM is subject or to pursue our legitimate interests. In the event of the disclosure of User Data to third parties, reasonable efforts will be made to ensure that the party who receives the Data employs it in all means appropriate to this Privacy Policy.

## **B.2. IMPLEMENTED TECHNICAL, ORGANIZATIONAL AND SECURITY MEASURES**

In order to ensure the security of User Data and maximum confidentiality, we treat the information you have provided in an absolute confidential manner, in accordance with our internal security and confidentiality policies and procedures, which are updated periodically as required, as well as accordance with the terms and conditions legally set forth.

Depending on the nature, scope, context and purpose of the data processing, as well as the risks arising from the processing of the rights and freedoms of the User, DHM undertakes to apply, both when defining the means of processing and at the time of the processing itself, the technical and organizational measures necessary and adequate for the protection of User Data and for compliance with legal requirements.

DHM also undertakes to ensure that, by default, only data that is necessary for each specific purpose is processed and that such data are not made available without human intervention to an indeterminate number of people.

In terms of general measures, DHM adopts the following:

- Regular audits to assess the effectiveness of the technical and organizational measures implemented;
- Sensitization and training of personnel involved in data processing operations;
- Pseudonymization and encryption of personal data;
- Mechanisms capable of ensuring the permanent confidentiality, availability and resilience of information systems;
- Mechanisms to ensure the restoration of information systems and



access to personal data in a timely manner in the event of a physical or technical incident.

### **B.3. INTERNATIONAL DATA TRANSFERS**

Personal data collected and used by DHM will not be disclosed to third parties established outside the European Economic Area. If, in the future, such a transfer takes place for the reasons mentioned above, DHM undertakes to ensure that the transfer complies with the applicable legal provisions, in particular determining that country's suitability regarding data protection and the requirements applicable to such transfers.

### **B.4. USE OF COOKIES**

Cookies are small files that are sent to your computer or mobile phone whenever you visit a website. Cookies are sent back to the website in each sequential visit or to another website that recognizes the cookie. Cookies are useful because they enable a website to recognize the user's device, allowing an efficient browsing through the webpages, saving its preferences and improving the user experience.

Some cookies sent by the server will only live throughout the session and they expire when you close the browser.

Other cookies are used to remember when a user returns to the website and have a larger lifespan.

Most browsers automatically accept cookies. You can change the settings on your browser to refuse or to be notified whenever a cookie is created. To obtain more information about cookies, including how to check which cookies were created on your device or how to manage and eliminate them on different browsers, check [www.allaboutcookies.org](http://www.allaboutcookies.org).

You may also change on your browser the settings regarding activation, deactivation and elimination of cookies. To do that, follow the instructions on your browser (usually located in the options "Help", "Tools" or "Edit"). Deactivating a cookie or a set of cookies does not eliminate it from your browser, which you will have to do manually.

If you block or eliminate cookies that DHM uses, it is possible that you will not be able to enjoy all the functionalities of the website.

We use the following cookies:



## Generic Cookies

Name	Provider	Purpose	Expires
PHPSESSID	Guestcentric	Session management	Session
simpleab-index	Guestcentric	A/B Testing	2 Month
cookietest	Guestcentric	Website personalization	Session
_ga	Google	Google Analytics	2 years
_gid	Google	Google Analytics	24 hours
GC_AB	Guestcentric	A/B Testing	Session
_gcsession	Guestcentric	Session management	Session
gc_ckWarn	Guestcentric	Cookie acceptance	1 year
bgCookie	Guestcentric	User preferences	1 year

## Shopping Recovery Cookies

Name	Provider	Purpose	Expires
GCShoppingVisits_<GCID>	Guestcentric	Count visits to control popup display	1 month
GCShoppingRecovery_<GCID>_EXIT	Guestcentric	Display shopping recovery	1 month

## Shopping Activation Cookies

Name	Provider	Purpose	Expires
GCShoppingActivations_<GCID>_BEST_RATE_GUARANTEED	Guestcentric	Popup display control	10 minutes
GCShoppingActivations_<GCID>_LAST_RESERVATION	Guestcentric	Popup display control	10 minutes
GCShoppingActivations_<GCID>_LAST_RESERVATIONS	Guestcentric	Popup display control	10 minutes
GCShoppingActivations_<GCID>_LAST_WEEK_STAYS	Guestcentric	Popup display control	10 minutes
GCShoppingActivations_<GCID>_BEST_OFFER	Guestcentric	Popup display control	10 minutes
GCShoppingActivations_<GCID>_TODAY_BEST_OFFER	Guestcentric	Popup display control	10 minutes
GCShoppingActivations_<GCID>_TODAY_BEST_OFFER	Guestcentric	Popup display control	10 minutes

## Guestcentric Application Cookies

Name	Provider	Purpose	Expires
PHPSESSID	Guestcentric	Session management	Session
_gc_tmstp	Guestcentric	Session management	Session
TawkConnectionTime	Tawkto	Online chat support tool	Session
Tawk_55d60a87fb34b9810657e9e2	Tawkto	Online chat support tool	6 months
_cfduid	Tawkto	Online chat support tool	1 year
_tawkuuid	Tawkto	Online chat support tool	6 months
_ga	Google	Tracking	2 years
_gid	Google	Tracking	24 hours



## C. USER RIGHTS (DATA SUBJECT)

### C.1. RIGHT TO INFORMATION

#### C.1.1. INFORMATION PROVIDED TO THE USER BY DHM (WHEN DATA IS COLLECTED DIRECTLY FROM THE USER)

- The identity and contacts of DHM, as a data controller and, if applicable, of its representative;
- The purposes of the processing, as well as, if applicable, its legal basis;
- If the processing of the data is based on the legitimate interests of DHM or a third party, an indication of such interests;
- If applicable, recipients or categories of recipients of personal data;
- If applicable, information that personal data will be transferred to a third country or an international organization, when the European Commission has decided that the third country, a territory or one or more specified sectors within that third country, or the international organization in question ensures an adequate level of protection;
- Term for the retention of personal data;
- The right to request DHM's permission for personal data, as well as its correction, elimination or limitation, the right to oppose its processing and the right to access the data;
- If the processing of the data is based on the User's consent, the right to withdraw it at any time, without compromising the legality of the processing carried out based on the consent previously given;
- The right to file a complaint before the CNPD (Comissão Nacional de Protecção de Dados [National Commission for Data Protection]) or other supervisory authority;
- Indication of whether the communication of personal data constitutes a legal or contractual requirement to enter into a contract and whether the holder is required to provide the personal data and the possible consequences of not providing such data;
- If applicable, the existence of automated decisions, including the definition of profiles, and information on the underlining reasoning, as well as the importance and expected consequences of such processing for the data subject;
- If the User Data is not collected directly by DHM from the User, in addition to the aforementioned information, the User is also informed about the categories of personal data being processed, as well as the origin of the data and, whether they are from public accessible sources;
- In the event of DHM intends to proceed with further processing of the User Data for a purpose other than that for which the data was collected, before this processing, DHM shall provide the User with information about that purpose and any other information of interest, under the terms hereby referred.





## **C.1.2. PROCEDURES AND MEASURES IMPLEMENTED TO FULFILL THE RIGHT TO INFORMATION**

The information referred to in paragraph in C.1.1. is provided in writing (including electronic means) by DHM to the User prior to the processing of the personal data in question. In accordance with applicable law, DHM is under no obligation to provide the User with the information mentioned in paragraph C.1.1. when and to the extent that the User already has knowledge of them.

This information is provided by DHM at no cost.

## **C.2. RIGHT OF ACCESS**

DHM provides the means to access, the user, to your Personal Data. The User has the right to obtain from DHM a confirmation of which personal data concerning him are subject to processing and, if applicable, the right of access to your personal data and the following information:

- The purposes of data processing;
- The categories of personal data in question;
- The addressees or categories of recipients to whom the personal data have been or will be disclosed, in particular to recipients based in other countries or belonging to international organizations;
- The term for the retention of personal data;
- The right to ask DHM to correct, eliminate or limit the processing of personal data, or the right to prevent such processing;
- The right to file a complaint with the CNPD or other supervisory authority;
- If the data has not been collected from the User, the available information on the origin of such data;
- The existence of automated decisions, including the definition of profiles, and information on the underlying reasoning, as well as the importance and expected consequences of such processing for the data subject;
- The right to be informed about the appropriate safeguards associated with the transfer of data to third countries or international organizations.

Upon request, DHM will provide the User, free of charge, with a copy of the User Data that is being processed. The provision of other copies requested by the User may entail administrative costs.

## **C.3. RIGHT TO RETIFICATION**

The User has the right to request, at any time, rectification of his or her Personal Data, as well as the right to have incomplete personal data completed, including by means of an additional declaration.

In the event of rectification, DHM shall inform each recipient/entity to whom the data has been transmitted of that rectification, unless such communication proves impossible or involves a disproportionate effort on behalf of DHM.



## **C.4. RIGHT TO ERASURE OF PERSONAL DATA (“RIGHT TO BE FORGOTTEN”)**

You have the right to request and obtain, from DHM, the deletion of your data when one of the following reasons apply:

- The User Data is no longer required for the purpose for which it was collected or processed;
- The User withdraws the consent on which the data processing is based and there is no other legal basis for such processing;
- The User opposes the treatment under the right to object and there are no prevailing legitimate interests justifying the processing;
- If User Data is processed illegally;
- If User Data must be deleted in order to comply with a legal obligation to which DHM is subject;

Under the applicable legal terms, DHM is under no obligation to delete User Data to the extent that the processing proves necessary to fulfil a legal obligation to which DHM is subject or for the purposes of declaring, exercising or defending DHM’s rights in judicial proceedings.

If data is deleted or erased, DHM shall inform each recipient/entity to whom the data has been transmitted of the deletion, unless such communication proves impossible or involves a disproportionate effort on behalf of DHM.

Where DHM has made the personal data public and is obliged to delete it under the right to erasure, we undertake, taking account of available technology and the cost of implementation, including technical measures, to inform controllers which are processing the personal data that the data subject has requested the erasure of any links to, or copy or replication of, those personal data.

## **C.5. RIGHT TO RESTRICTION OF PROCESSING**

The User has the right to obtain, on the part of DHM, a restriction on the processing of the User Data, if one of the following situations occurs (the restriction consists of marking the personal data retained with the aim of limiting its processing in the future):

- If the accuracy of personal data is contested, for a period that allows DHM to verify its correctness;
- If the processing is unlawful and the User opposes the deletion of the data, requesting, instead, a restriction on its use;
- If DHM no longer requires the User Data for processing purposes, but such data is required by the User for the purposes of declaring, exercising or defending their rights in judicial proceedings;
- In the event of the User objecting to the processing, until it is verified that DHM’s legitimate reasons prevail over those of the User.

When User Data is subject to restrictions, they may only be processed, with the exception of storage, with the consent of the User or for the purpose of declaring, exercising or defending a right in judicial proceedings, defending the rights of another natural or legal person, or for public interest reasons



provided by law.

DHM shall inform the User who has obtained a restriction on the processing of their data before that restriction is lifted.

In the event of restriction of processing of data, DHM shall inform each recipient/entity to whom the data has been transmitted of the restriction, unless such communication proves impossible or involves a disproportionate effort on behalf of DHM.

## **C.6. RIGHT TO DATA PORTABILITY**

The User has the right to receive the personal data concerning him or her, which he or she has provided to DHM, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller if:

- The processing is based on the consent or a contract to which the User is a party;
- and
- The processing is performed by automated means.

The right of portability does not include inferred or derived data, i.e. personal data that are generated by DHM because of, or resulting from, analysis of the data being processed.

Users are entitled to have their personal data transmitted directly between the data controllers, whenever this is technically possible.

## **C.7. RIGHT TO OBJECT THE PROCESSING**

Users have the right at any time, for reasons relating to their particular situation, to object to the processing of personal data concerning them in the exercising of legitimate interests pursued by DHM or when the processing is carried out for purposes other than those for which personal data were collected, including the definition of profiles, or when personal data are processed for statistical purposes.

DHM shall terminate the processing of User Data unless it can demonstrate urgent and legitimate reasons for such processing that prevail over the User's interests, rights and freedoms, or for the purposes of declaring, exercising or defending DHM's rights in legal proceedings.

When User Data is processed for the purpose of direct sales (marketing), Users have the right to oppose at any time the processing of the data that concern them for the purposes of said marketing, which includes the definition of profiles insofar as it relates to direct marketing. If Users object to the processing of their data for the purposes of direct marketing, DHM must cease the processing of the data for this purpose.

Users also have the right not to be subject to any decision made solely on the basis of automated processing, including the definition of profiles, that has an effect in the legal sphere or has a significant similar effect, unless the decision:



- It is necessary for the execution or execution of a contract between the User and DHM;
- Is authorized by legislation to which DHM is subject; or
- It is based on the explicit consent of the User.

## **C.8. PROCEDURES TO THE EXERCISE OF THE RIGHTS BY THE USER**

You can exercise the right to access, rectification or erasure of personal data or restriction of processing concerning your data and to object to processing as well as the right to data portability by contacting our DPO through the e-mail [dpo@discoveryportugal.com](mailto:dpo@discoveryportugal.com).

DHM will respond in writing (including by electronic means) to the User's request within a maximum period of one month from the receipt of the request, except in particularly complex cases, for which this period may be extended up to two months.

If the requests submitted by the User are manifestly unjustified or excessive, especially due to their repetitive nature, DHM reserves the right to charge administrative costs or refuse to comply with the request.

## **C.9. PERSONAL DATA BREACH**

In the case of a personal data breach, DHM shall, without undue delay and, where feasible, not later than 72 hours after having become aware of it inform the User of that breach.

We are not obliged to do that if:

- If DHM has implemented appropriate technical and organizational protection measures, and those measures were applied to the personal data affected by the personal data breach, in particular those that render the personal data unintelligible to any person who is not authorized to access it, such as encryption;
- If DHM has taken subsequent measures which ensure that the high risk to the rights and freedoms of data subjects referred to in paragraph 1 is no longer likely to materialize; or
- If communication to the User would involve a disproportionate effort on behalf of DHM. In this case, DHM will release a public communication or take a similar action by which the User will be informed.



## **D. CONFIDENTIALITY OF EMAILS**

The emails sent by DHM and all its attachments are CONFIDENTIAL, being destined exclusively to the individual or entity indicated therein as recipients. If you read any email message and you are not the intended recipient, you are hereby notified that any use, distribution, redirection or other form of disclosure to another, print or copy of the message is expressly prohibited under applicable laws. If you have received an email message in error, we request that you immediately notify us by email at [dpo@discoveryportugal.com](mailto:dpo@discoveryportugal.com) and immediately delete it. DHM - Discovery Hotel Management declines all responsibility for the content of the e-mail messages that are altered or falsified.

## **E. FINAL PART**

### **E.1. UPDATES TO THE PRIVACY POLICY**

DHM reserves the right to make changes to this Privacy Policy at any time. In the case of modification to the Privacy Policy, the date of the most recent change, available at the top of this page, shall also be updated. If the change is substantial, a notice will be placed on the site.

### **E.2. APPLICABLE LAW AND LEGAL JURISDICTION**

The Privacy Policy as well as the collection, processing or transmission of User Data are all governed by the provisions of EU Regulation 2016/679 passed by the European Parliament and Council on 27 April 2016, and by the laws and regulations applicable in Portugal.

Any litigation arising from the validity, interpretation or implementation of the Privacy Policy, or related to the collection, processing or transmission of User Data, must be submitted exclusively to the jurisdiction of the courts of Lisbon, without prejudice to mandatory legal rules.