

# WELCOME TO BEACHCOMBER PRIVACY POLICY

This privacy policy will regularly be updated to reflect the way we process your personal data or any changes in the applicable laws

## WHO WE ARE

- I. New Mauritius Hotels Ltd (“NMH”/ “we” / “us” / “Beachcomber”) is a Mauritius-based publicly listed company trading as [Beachcomber Resorts & Hotels](#), and Beachcomber Tours in the [United Kingdom](#), [France](#), and [South Africa](#)
  
- II. For the purpose of this Privacy Policy, Beachcomber also includes any of its subsidiaries in Mauritius, Seychelles, Morocco, and Europe operating under Beachcomber tradename or any other tradename.
  
- III. Our contact detail is as follows:  
New Mauritius Hotels Ltd  
Beachcomber House, Botanical Garden Street  
Curepipe, Mauritius  
Phone number: +230 601 9000  
Fax Number: +230 601 9090  
Email Address: [privacy@beachcomber.com](mailto:privacy@beachcomber.com)

## OUR PRIVACY STATEMENT

- I. Beachcomber respects your privacy and is committed to protecting your personal data. This Privacy Policy will inform you as to how we protect the personal data we process and control relating to you (“personal data”) and tell you about your privacy rights. We want to ensure you are aware of our practices for processing your personal data.
  
- II. This privacy statement applies to personal data we collect about you, when you visit [Beachcomber Resorts & Hotels](#), and Beachcomber Tours in the [United Kingdom](#), [France](#), and [South Africa](#).
  
- III. Our Privacy Policy can be viewed on all webpages of [Beachcomber Resorts & Hotels](#) and Beachcomber Tours in the [United Kingdom](#), [France](#), and [South Africa](#). Alternatively, you can download a pdf version of the policy [here](#).

IMPORTANT: Please read this Privacy Policy together with any other privacy policy or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and the purpose for which we are using your data. This Privacy Policy supplements the other notices and is not intended to override them. Please click [here](#) to access the Glossary for the meaning of some of the terms used in this Privacy Policy.

IV. The following sections provide further details on how we protect your personal data:

1. [For which purpose we collect your personal data and which legal basis](#)
2. [Which categories of data we collect about you](#)
3. [Do we use third-party links to websites and programs](#)
4. [How your personal data is collected](#)
5. [How we use cookies](#)
6. [How we use your personal data when you visit our resorts and hotels](#)
7. [How we use personal data for marketing purposes](#)
8. [What your rights are in respect of marketing communications](#)
9. [Who the intended recipients of your personal data are](#)
10. [How long will we use your personal data for](#)
11. [Transfer of your personal data](#)
12. [How we protect your personal data](#)
13. [What rights do you have in respect of the processing of your personal data](#)

## 1. FOR WHICH PURPOSE WE COLLECT YOUR PERSONAL DATA AND WHICH LEGAL BASIS

1.1 We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- I. Where we need to perform the contract we are about to enter into or have entered into with you.
- II. Where it is necessary for our [legitimate interest](#) (or those of a third party) and your interests and fundamental rights do not override those interests.
- III. Where we need to comply with [a legal or regulatory obligation](#).

- 1.2 We will process your personal data for the purposes mentioned above based on your prior consent, to the extent such consent is mandatory under applicable laws.

IMPORTANT: Except for certain information that is required by law, your decision to provide any personal data to us is voluntary. You will therefore not be subject to adverse consequences if you do not wish to provide us with your personal data, or you fail to provide that data when requested. However, please note that if you do not provide certain information, we may not be able to accomplish some or all of the purposes outlined in this Privacy Policy, in particular, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with services available at our Resorts). In this case, we may have to cancel a service you have with us but we will notify you if this is the case at the time.

- 1.3 We will not use your personal data for purposes that are incompatible with the purposes for which we collected it, and of which you have been informed, unless it is required or authorized by law, or it is in your own vital interest (e.g. in case of a medical emergency) to do so.
- 1.4 We may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law. For example, in order to prevent fraud and other illegal activity, and for verification process of any online transaction or payment.
- 1.5 We use your personal data only where required for specific purposes. Please click **here** for
  - I. a list of the purposes for which we use your personal data and
  - II. an overview of the legal basis for each such purpose.

## 2. WHICH CATEGORIES OF DATA WE COLLECT ABOUT YOU

- 2.1. We collect personal data of Beachcomber employees, potential employees, customers, suppliers and service providers, shareholders and website users. If the data we collect are not listed in this Privacy Policy, we will give individuals (when required by law) appropriate notice of which other data will be collected and how we will be using them.
- 2.2. If you provide us with personal data of another person (other than a child), you are responsible for ensuring that such person is made aware of the information contained in this Privacy Policy and that the person has given you his/her consent for sharing the information with us.
- 2.3. The personal data we collect includes:
  - I. Identity Data includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender
  - II. Contact Data includes billing address, delivery address, email address and telephone numbers.
  - III. Financial Data includes data necessary for processing payments and fraud prevention, including credit/debit card numbers, payment card details including security code numbers and other related billing information, bank account and payment card details.
  - IV. Transaction Data includes details about payments to and from you and other details of services you have purchased from us.
  - V. Technical Data (if applicable) includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our website.

- VI. Profile Data includes your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.
  - VII. Usage Data includes information about how you use our website and services.
  - VIII. Marketing and Communications Data includes your preferences in receiving marketing from us and our third parties and your communication preferences.
- 2.4. We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.
- 2.5. We also collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data, which will be used in accordance with this Privacy Policy.
- 2.6. We do not collect 'sensitive personal data' also known as Special Categories of Personal Data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.
- 2.7. In limited cases where we do seek to collect sensitive data (for example your food preference, allergies, health conditions when using for example our Kids Club, SPA, and/or Fitness Center, or any of our leisure activities or facilities, current medication, any physical conditions that affect your mobility) we will do so in accordance with data privacy law requirements and/or ask for your explicit consent.

**IMPORTANT:** This website is not intended for children and we do not knowingly collect data relating to a child under the age of 18. By law, parents or guardians of the child have the obligation to provide data related to the child. In this case, we shall make every reasonable effort to verify using any reasonable means (including but not limited to any written supporting evidence) that the express consent has been given or authorized.

- 2.8. The above-mentioned categories of personal data have been obtained either directly from you (for example, when you provide information to sign up for a newsletter or register to comment on a forum website) or indirectly from certain third parties (for example, through our website's technology). Such third parties include our affiliates, public authorities, public websites and social media, suppliers and vendors.

**IMPORTANT:** It is important that the personal data we hold about you is accurate and current. Please keep us informed and click [here](#), if your personal data changes during your relationship with us.

### 3. DO WE USE THIRD-PARTY LINKS TO WEBSITES AND PROGRAMS

- 3.1. The use of our website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you.
- 3.2. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy/statement of every website you visit.

### 4. HOW YOUR PERSONAL DATA IS COLLECTED

- 4.1. We use different methods to collect data from and about you including through:
  - I. **Direct interactions:**
    - a. You may give us your personal data when you fill in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- book a stay at one of our Resorts;
- use and/or purchase services offered at the Resorts (for example, Kids Club, Teens Club, Spa, Boat House, etc.);
- create an account on one of our websites;
- subscribe to publications;
- request brochures or newsletters to be sent to you;
- enter a competition, promotion or survey;

b. If you contact us, we may keep a record of that correspondence;

c. Any postings, comments or other content that you upload or post to on websites.

## II. Automated technologies or interactions

As you interact with our websites, we may automatically collect Technical Data about your equipment, browsing actions and patterns, [traffic data](#). We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our [cookie policy](#) for further details

## III. Third parties or publicly available sources

We may receive personal data about you from a [traffic data](#).

## 5. HOW WE USE COOKIES

5.1. If using our website, you can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies.

5.2. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly.

For more information about the cookies we use, please click [here](#).

## 6. HOW WE USE YOUR PERSONAL DATA WHEN YOU VISIT OUR RESORTS AND HOTELS

- 6.1. We use closed circuit television (CCTV) images to provide a safe and secure environment for our guests, employees, suppliers and service providers and to protect our premises and property.
- 6.2. Our policy includes potential processing of your personal data through CCTV and access management systems in case such CCTV and access management systems are active.
- 6.3. The Company's CCTV facility records images only. There is no audio recording i.e. conversations are not recorded on CCTV.

## 7. HOW WE USE PERSONAL DATA FOR MARKETING PURPOSES

- 7.1. The source of our marketing data relates to the data and information collected through our direct interactions with you, or through our automated technologies, and data we obtain from our subsidiaries or Beachcomber Tours in France, the United Kingdom and South Africa.
- 7.2. We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

## 8. WHAT YOUR RIGHTS ARE IN RESPECT OF MARKETING COMMUNICATIONS

- 8.1. You can exercise your right to prevent us from using your personal data for direct marketing by ticking certain boxes on the forms we use to collect your personal data, or by utilizing opt-out mechanisms in e-mails we send to you.

IMPORTANT: Your explicit consent will be required if you do not wish to receive any of our promotional offers and marketing communications from us.

- 8.2. In each case, you have not opted out of receiving that marketing, you will receive promotional offers from us. We may then use your Identity Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide, which services and offers may be relevant for you.
- 8.3. You will also receive marketing communications from us if you have requested information from us or purchased or made a booking with us, or if you provided us with your details when you entered a competition or registered for a promotion. IMPORTANT: You can also exercise the right to discontinue marketing communications to you, or to have your personal data removed from our database at any time by contacting us. In such cases, we will retain minimum personal data (for example, personal data provided to us as a result of a booking or previous service experience at our Resorts) to note that you opted out in order to avoid contacting you again. Alternatively, you may want to use this link to inform us about your opt-out preferences.

## 9. WHO THE INTENDED RECIPIENTS OF YOUR PERSONAL DATA ARE

- 9.1. We do not share your personal data with any company outside Beachcomber for marketing purposes, but should this be the case, we will get your express opt-in consent before we proceed.
- 9.2. In relation to the purposes for which we collected your personal data, we may have to share your personal data to:
- I. Employees of Beachcomber Resorts & Hotels, and Beachcomber Tours in France, the United Kingdom and South Africa, or any of our other subsidiaries,
  - II. Employees of our internal audit functions;
  - III. Internal third parties such as our preferred service providers (such as IT systems suppliers and support, and other service providers) from whom we require

- a. to respect the security of your personal data, and to treat it in accordance with the law, and
- b. not to use your personal data for their own purposes, and
- c. only to process your personal data for specified purposes and in accordance with our instructions.

9.3. We may require to share your personal data to external third parties:

- I. Our professional advisors that is our accountants, auditors, lawyers, insurers, bankers, and other outside professional advisors in all countries where Beachcomber operates;
- II. Any public or enforcement authority in Mauritius or elsewhere, or in case of a court, administrative or governmental order to do so.

## 10. HOW LONG WILL WE USE YOUR PERSONAL DATA FOR

10.1. 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.

10.2. 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 unauthorized 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.

10.3. By law we have to keep basic information about our customers (including Identity Contact, Financial and Transaction Data) for ten (10) years or such number of years according to the applicable laws, after they cease being customers for tax and other judicial purposes.

10.4. Please [contact us](#) for further details on retention periods for different aspects of your personal data.

10.5. In some circumstances, you can ask us to delete your personal data: see [Request erasure](#) below for further information.

- I. In some circumstances, we may anonymize your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

## 11. TRANSFER OF YOUR PERSONAL DATA

11.1. When sharing your personal data within Beachcomber, whether this involves transferring your data outside the countries where Beachcomber operates, we ensure your personal data is protected as per the [applicable laws](#) requirements.

11.2. Whenever we transfer your personal data, we ensure a similar degree of security and protection is afforded to it. For further details, please [contact us](#).

## 12. HOW WE PROTECT YOUR PERSONAL DATA

12.1. We maintain organizational, physical and technical security measures

- I. to prevent your personal data from unauthorized access, alteration, disclosure, accidental loss, and destruction, and
- II. based on the nature of the personal data, to protect your personal data from the harm that may result in unauthorized access, alteration, disclosure, destruction of the data and its accidental loss.

12.2. In particular, our preventive and protective measures include

- I. [the pseudonymisation](#) and [encryption](#) of personal data; and

- II. the ability to ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and services through our disaster recovery management procedure.

12.3. We limit access to your personal data to those employees, agents, and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

12.4. We maintain procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

If you have any questions about this Privacy Policy, including any requests to exercise your legal rights, please contact us using the details set out below.

Primary Contact (Mauritius)

Full name of legal entity: New Mauritius Hotels Ltd

Email address: [privacy@beachcomber.com](mailto:privacy@beachcomber.com)

Representation in France

**[Click here](#)**

Representation in the UK

**[Click here](#)**

Our DPO in the UK and in France are the point of contact of

- I. the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)), and
- II. the Commission Nationale de l'informatique et des Libertés (CNIL), the French regulatory authority in respect of data privacy law. Please contact our DPO in respect of any questions in respect of the GDPR.

IMPORTANT: You should understand that the open nature of the internet is such that information and personal data flows over networks connecting you to our systems without security measures and may be accessed and used by people other than those for whom the data are intended.

## 13. WHAT RIGHTS DO YOU HAVE IN RESPECT OF THE PROCESSING OF YOUR PERSONAL DATA

13.1. You have the right to, in the circumstances and under the conditions, and subject to the exceptions, set out in applicable laws:

- I. Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- II. Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- III. Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing, where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- IV. Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

- V. Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- VI. Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain services to you. We will advise you if this is the case at the time you withdraw your consent.

13.2. Right to lodge a complaint at any time with the Data Protection Commissioner of Mauritius (DPC). If you are an EU citizen, you have the right to lodge a complaint with the regulatory authority of the country of your residence, work place or where the data breach has occurred.

**IMPORTANT:**

- I. If you wish to exercise any of the rights set out above or need any clarification thereon, please contact us.
- II. We would appreciate the chance to deal with your concerns before you approach the DPC, ICO or CNIL, so please contact us in the first instance.
- III. We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

13.3. Pursuant to the GDPR, and if you are an EU Citizen, you have the right of portability that is the right to receive your personal data, which you have previously provided in a 'commonly use and machine readable format' and have the right to transmit that data to another controller, for so long as such rights do not violate any third party fundamental rights and freedom, and subject to such other exceptions set forth under the GDPR.

## List of Specific Purpose and Legal Bases

Below are all the ways we plan to use your personal data, and the legal bases we rely on to do so. We have also identified what our legitimate interest are where appropriate. We may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please [contact us](#), if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Lawful basis for processing including basis of <u>legitimate interest</u>
To register you as a new Client through our online booking system, reservation desk, check-in and check-out at our hotels	<u>Performance of a contract</u> with you and ensuring a tailor made experience at <a href="#">Beachcomber Resorts &amp; Hotels</a>
<p>To manage our relationship with you which will include</p> <ul style="list-style-type: none"> <li>a) To manage our relationship with you which will include notifying you about changes to Privacy Policy,</li> <li>b) asking you to leave a review or take a survey</li> </ul>	<ul style="list-style-type: none"> <li>a) <u>Performance of a contract</u> with you</li> <li>b) Necessary to comply with <u>a legal and regulatory obligation</u></li> <li>c) Necessary for our <u>legitimate interest</u> (to keep our records updated and to study how customers use and appreciate our services)</li> </ul>
<p>To enable you to partake in a prize draw, any raffle or competition or complete a survey</p> <p>To provide one of our brochures or sweepstakes entry forms;</p> <p>To allow you to subscribe to promotional e-mails or newsletters</p>	<ul style="list-style-type: none"> <li>a) <u>Performance of a contract</u> with you</li> <li>b) Necessary for our <u>legitimate interest</u> (to study how customers use and appreciate our services, to develop them and grow our business)</li> </ul>

Purpose/Activity	Lawful basis for processing including basis of <u>legitimate interest</u>
To allow you to benefit of services provided by our preferred service providers of <u>Beachcomber Resorts &amp; Hotels</u>	
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	<p>a) Necessary for our <u>legitimate interest</u> (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganization or group restructuring exercise)</p> <p>b) Necessary to <u>comply with a legal and regulatory obligation</u></p>
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	Necessary for our <u>legitimate interest</u> (to study how customers use our services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, services, marketing, customer relationships and experiences	Necessary for our <u>legitimate interest</u> (to define types of customers for services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	Necessary for our <u>legitimate interest</u> (to improve our service to you)
Marketing our products and services to you (unless you objected against such processing)	Justified on the basis of our <u>legitimate interest</u> for ensuring that we offer the best possible service to you

## Glossary

**Applicable laws** means for the purpose of this Privacy Policy, the Data Protection Act, 2017 of Mauritius, and any regulations that may come thereunder, and in respect of European Union citizens, the law of the country of their residence for the purpose of the GDPR (as defined below);

**Biometric data** means any personal data relating to the physical, physiological or behavioral characteristics of an individual which allow his unique identification, including facial images or dactyloscopic data;

**Consent** means any freely given specific, informed and unambiguous indication of the wishes of a data subject, either by a statement or a clear affirmative action, by which he signifies his agreement to personal data relating to him being processed.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

**Direct marketing** means the communication of any advertising or marketing material which is directed to any particular individual.

**Encryption** means the process of transforming data into coded form;

**GDPR** means the European Union General Data Protection Regulation, which came into force in 25 May 2018;

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interest. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interest against any potential impact on you in respect of specific activities by [contacting us](#).

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Personal data**, or personal information means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

**Processing** means an operation or set of operations performed on personal data or sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

**Pseudonymisation** means the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information and the additional information is kept separately and is subject to technical and organizational measures to ensure that the personal data are not attributed;

**Third party** means a person or public body other than a data subject, a controller, a processor or a person who, under the direct authority of a controller or processor, who or which is authorized to process personal data;

**Traffic data** means any data relating to a communication by means of a computer system and generated by the system that form part in the chain of communication, indicating the communication's origin, destination, route, time, date, size, duration, or type of underlying service.