

# Privacy Policy

## 1. Background and scope

This Privacy Notice (“Notice”) sets out how XL Halloworld Travel processes and protects the privacy of your personal information.

XL Halloworld Travel needs to collect, use and disclose personal information in order to perform our business functions and activities, including making and managing travel bookings on behalf of our customers. We are firmly committed to protecting the privacy and confidentiality of personal information and to maintaining various physical, electronic and procedural safeguards to protect personal information in our care.

XL Halloworld Travel processes the personal information of data subjects in accordance with the provisions of the Protection of Personal Information Act No. 4 of 2013 (“POPIA”), as amended.

For the purposes of the General Data Protection Regulation 2016/679 (“GDPR”) we are a “data controller” and/or a “Responsible Party” in terms of POPIA for the processing of personal information you provide to us in connection with:

- our provision of business travel services;
- event management services;
- the provision of retail travel services; and
- for the purpose of all our marketing activities.

## 2. What personal information do we collect?

Personal information has the meaning given under POPIA, and, where the GDPR applies, the meaning of personal data given under the GDPR. Personal information generally means information which relates to a living individual who can be identified from that information, or from that information and other information in a person’s possession, including any expression of opinion, whether true or not, and whether recorded in material form or not, about an identified or reasonably identifiable individual, and any indication of intention in respect of an individual.

Generally, the type of personal information we collect about you is the information that is needed to facilitate your travel arrangements and bookings and to arrange travel related services and/or products on your behalf.

We therefore typically process the following types of personal information about you:

- contact information (such as name, residential/ mailing address, telephone number, email address);
- payment account information (credit/debit card details, including card type, card number, security number and expiry date);
- passport details;
- loyalty program / frequent flyer details;
- health information such as your dietary requirements and health issues (if any); and

- other details relevant to your travel arrangements or required by the relevant travel service provider(s) (e.g. airlines and accommodation or tour providers).

When you contact us for other purposes, we may also collect personal information about you in relation to those purposes. For example, we may collect your personal information so we can contact you about a competition you have entered (e.g. if you win) or to respond to an enquiry or feedback you have sent to us. We also collect information that is required for use in the business activities of XL Halloworld Travel and our related entities, including for example, financial details necessary in order to process various transactions and relevant personal information you may elect to provide to us.

In some circumstances, we may collect personal information from you which may be regarded as sensitive information under POPIA. Sensitive information may include (without limitation) your racial or ethnic origin, philosophical or religious beliefs or affiliations, sexual preferences or practices, membership of political, professional or trade associations (for use in booking special rates), biometric and genetic information, passwords and financial information and health information. Please note that, when necessary for travel arrangements, we may collect from a responsible adult personal information relating to a child of any age, but we do not knowingly collect any such information directly from children.

We will only collect sensitive information in compliance with POPIA, with your explicit consent and where it is reasonably necessary for, or directly related to, one or more of our functions or activities (e.g. to make travel arrangements), unless we are otherwise required or authorised to do so by law. To the extent permitted or required under POPIA, you consent to us using and disclosing your sensitive information for the purpose for which it was collected. For example, if you provide health information to us in connection with a travel insurance application you would like to make, you consent to us using and disclosing that health information in connection with arranging that travel insurance on your behalf. A further example is if you disclose your religious beliefs to us because you are interested in, for example, certain holiday packages, in which case you consent to us using and disclosing that information in connection with facilitating your request. We will not use or disclose sensitive information for purposes other than those for which it was collected, unless we subsequently receive your consent to use it for another purpose.

### **3. How do we collect personal information?**

We will only collect personal information in compliance with POPIA. We usually collect your personal information from the information you submit during the course of your relationship with us. We will collect this information directly from you unless it is unreasonable or impracticable to do so.

Generally, this collection will occur:

- when you deal with us either in person, by telephone, letter, email;
- when you connect with us via social media.

We may collect personal information about you:

- when you purchase or make enquiries about travel arrangements or other products and services;
- when you enter competitions or register for promotions;
- when you subscribe to receive marketing from us (e.g. e-newsletters);
- when you request brochures or other information from us; or
- when you provide information, or use our services, on social media.

We may also collect your personal information (other than sensitive information) when you complete surveys or provide us with feedback.

In some circumstances, it may be necessary for us to collect personal information about you from a third party. This includes where a person makes a travel booking on your behalf which includes travel arrangements to be used by you (e.g. a family or group booking or a travel booking made for you by your employer). Where this occurs, we will rely on the authority of the person making the travel booking to act on behalf of any other traveller on the booking.

Where you make a travel booking on behalf of another person (e.g. a family or group booking or a travel booking made for an employee), you agree you have obtained the consent of the other person for XL Halloworld Travel to collect, use and disclose the other person's personal information in accordance with this Notice and that you have otherwise made the other person aware of this Notice.

You should let us know immediately if you become aware that your personal information has been provided to us by another person without your consent or if you did not obtain consent before providing another person's personal information to us.

We make every effort to maintain the accuracy and completeness of your personal information which we store and to ensure all of your personal information is up to date. However, you can assist us with this considerably by promptly contacting us if there are any changes to your personal information or if you become aware that we have inaccurate personal information relating to you (see section 13 below). We will not be responsible for any losses arising from any inaccurate, inauthentic, deficient or incomplete personal information that you, or a person acting on your behalf, provide to us.

#### **4. How do we use your personal information?**

We will only process your information, where:

- you have given your consent to such processing (which you may withdraw at any time, as detailed at section 8 below);
- the processing is necessary to provide our services to you;
- the processing is necessary for compliance with our legal obligations; and/or
- the processing is necessary for our legitimate interests or those of any third party recipients that receive your personal information (as detailed in sections 5 and 6 below).

In detail: Where you contact us in relation to a travel booking or query, the purpose for which we collect your personal information is generally to provide you with travel advice and/or to

assist you with booking travel and/or travel related products and services. However, the purpose for collection may differ depending on the particular circumstances as disclosed in this Notice (e.g. collection of your personal information for the purpose of your participation in a competition, provision of feedback, etc.).

When you book or otherwise arrange travel related products and services through us, we usually act as an agent for the relevant travel service providers (e.g. for a hotel). In this case, we process your personal information as necessary so as to provide the services you requested from us. This usually includes collecting personal information about you both for our internal purposes as described in this Notice and for the travel service provider for whom we act as agent (e.g. to provide you with the booked services). For example, if you book a flight through us, then we use your personal information to enable your flight to be booked and disclose it to the airline to enable the airline to provide the flight service to you.

We may therefore share your information with our travel service providers such as hotel, airline, car rental, or other providers, who fulfil your travel bookings. Please note that these travel service providers also may use your personal information as described in their respective privacy policy and may contact you as necessary to obtain additional information about you, facilitate your travel reservation, or provide you with your requested services. We encourage you to review the privacy policies of any third-party travel service providers whose products you purchase through us. We will provide you with copies of all relevant travel service provider terms, conditions and privacy policies on request.

We act as agent for or on behalf of many thousands of travel service providers around the world, so it is not possible for us to set out in this Notice all of the travel service providers for whom we act or their locations. For more information about the disclosure of personal information to travel service providers located overseas, please refer to section 6 below.

If you have any concerns regarding the transfer of your personal information to a travel service provider, or you wish to contact us for further information, please refer to the “Feedback / Complaints / Contact” section below (section 13).

The purposes for which we collect personal information further include:

- providing you with services and tools you choose to use (for example, saving travel preferences, wishlists or saving personal information to allow for pre-population of online forms);
- identification of fraud or error;
- regulatory reporting and compliance;
- developing and improving our products and services and those of our related entities;
- servicing our relationship with you by, among other things, creating and maintaining a customer profile to enable us to service you better or presenting options we think may interest you, based on your recorded preferences;
- gauging customer satisfaction and seeking feedback regarding our relationship with you and/or the service we have provided;
- to facilitate your participation in loyalty programs;
- for research and analysis in relation to our business and services, including but not limited to trends and preferences in sales and travel destinations;
- internal accounting and administration;

- to comply with our legal obligations and any applicable customs/immigration requirements relating to your travel; and
- other purposes as authorised or required by law (e.g. to prevent a threat to life, health or safety, or to enforce our legal rights).

Where permitted by POPIA, we may use your personal information to send you targeted marketing activities relating to our products and services (and those of third parties) that we think may interest you, unless you have requested not to receive such information. These may include, but are not limited to, mail outs, electronic marketing and notifications as described below, and telephone calls). We will only use your personal information to send electronic marketing materials to you if you have opted-in to receive them by requesting one of our consultants to do so for you.

Should you no longer wish to receive promotional/marketing material from us, participate in market research or receive other types of communication from us, please refer to the “Feedback / Complaints / Contact” section below (section13).

## **5. Is personal information disclosed to third parties?**

We do not and will not sell, rent out or trade your personal information. We will only disclose your personal information to third parties in the ways set out in this Notice and, in particular, as set out below, and in accordance with POPIA. Note that, in this Notice, where we say “disclose”, this includes to transfer, share (including verbally and in writing), send, or otherwise make available or accessible your personal information to another person or entity.

Your personal information may be disclosed to the following types of third parties:

- our contractors, suppliers and service providers, including without limitation:
  - in each of the circumstances set out in section 4 (“How do we use your personal information?”);
  - suppliers of IT based solutions that assist us in providing products and services to you (such as any external data hosting providers we may use);
  - event and expo organisers;
  - mailing houses, freight services, courier services; and
  - external business advisers (such as lawyers, accountants, auditors);
- travel service providers such as travel wholesalers, tour operators, airlines, hotels, car rental companies, transfer handlers and other related service providers;
- any third party to whom we assign or novate any of our rights or obligations;
- financial institutions such as banks, when processing financial transactions;
- a person making your travel booking on your behalf, where you are travelling on a booking made on your behalf by another person (for example, a family member, friend or work colleague);
- your employer, where you are an employee of one of our corporate, business or government clients and you are participating in an event or travelling for work purposes;
- a person who can verify to us that they have a relationship with you (e.g. a family member) where you are not contactable, and the request is, in our opinion, in your interest (for example, where the person is concerned for your welfare or needs to undertake action on your behalf due to unforeseen circumstances);
- as required or authorised by applicable law, and to comply with our legal obligations;

- customs and immigration to comply with our legal obligations and any applicable customs/immigration requirements relating to your travel;
- government agencies and public authorities to comply with a valid and authorised request, including a court order or other valid legal process;
- various regulatory bodies and law enforcement officials and agencies, including to protect against fraud and for related security purposes; and
- enforcement agencies where we suspect that unlawful activity has been or may be engaged in and the personal information is a necessary part of our investigation or reporting of the matter.

When you engage us to book flights on your behalf, we will provide your personal information (i.e. name, email address and/or mobile number) to the relevant airline. This enables airlines to advise passengers of irregular flight operations and disruptions (e.g. flight cancellations, schedule changes) directly.

Other than the above, we will not disclose your personal information without your consent unless we reasonably believe that disclosure is necessary to lessen or prevent a threat to life, health or safety of an individual or to public health or safety or for certain action to be undertaken by an enforcement body (e.g. prevention, detection, investigation, prosecution or punishment of criminal offences), or where such disclosure is authorised or required by law (including applicable privacy / data protection laws).

Our social networking platforms are operated by third parties, eg social networks, and are clearly identified as such. These third parties may use or share personal information in accordance with their own privacy policies. We strongly suggest you review the third parties' privacy policies if you use the relevant features.

## **6. Is personal information transferred overseas?**

We may disclose your personal information to certain overseas recipients, as set out below. We will ensure that any such international transfers are either necessary for the performance of a contract between you and the overseas recipient or are made subject to appropriate or suitable safeguards as required by POPIA. We will provide you with copies of the relevant safeguard documents on request (see section 13 below).

It is possible that information will be transferred to an overseas recipient located in a jurisdiction where you will not be able to seek redress under POPIA and that does not have an equivalent level of data protection as in your jurisdiction. To the extent permitted by POPIA we will not be liable for how these overseas recipients handle, store and process your personal information.

### **Travel service providers located overseas**

In providing our services to you, it may be necessary for us to disclose personal information to relevant overseas travel service providers. We deal with many different travel service providers all over the world, so the location of a travel service provider relevant to your personal information will depend on the travel services being provided. The relevant travel service providers will in most cases receive your personal information in the country in which they will provide the services to you or in which their business or management is based.

## **Our third party service providers located overseas**

We may also disclose your personal information to third parties located overseas for the purpose of performing services for us, including the storage and processing of such information. Generally, we will only disclose your personal information to these overseas recipients in connection with facilitation of your travel booking and/or to enable the performance of administrative and technical services by them on our behalf.

We deal with many different service providers all over the world, so it is not possible for us to set out in this Notice all of the different countries to which we may send your personal information. However, if you have any specific questions about where or to whom your personal information will be sent, please refer to the “Feedback / Complaints / Contact” section below (section13).

## **7. Security of information**

We are committed to safeguarding and protecting personal information and will implement and maintain appropriate technical and organisational measures to ensure a level of security appropriate to protect any personal information provided to us from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal information transmitted, stored or otherwise processed. XL Halloworld Travel has implemented various physical, electronic and managerial security procedures in order to protect the personal information it holds from loss and misuse, and from unauthorised access, modification, disclosure and interference. XL Halloworld Travel regularly reviews security technologies and will strive to protect your personal information as fully as we protect our own confidential information. XL Halloworld Travel is not responsible for any third party’s actions or their security controls with respect to information that third parties may collect or process via their websites, services or otherwise.

We will destroy or de-identify personal information once we no longer require it for our business purposes, or as required by law.

## **8. Your rights in relation to the personal information we collect**

If you wish to make a Subject Access Request to:

- access, update, modify, rectify, erase, object to, or obtain a copy of the personal information that we hold on you; or
- restrict or stop us from using any of the personal information which we hold on you, including by withdrawing any consent you have previously given to the processing of such information; or
- where any personal information has been processed on the basis of your consent or as necessary to perform a contract to which you are a party, request a copy of such personal information in a suitable machine-readable format or have that personal information transmitted by us to another controller/Responsible Party

you can request this by contacting us as set out in section 13 below. You will receive acknowledgement of your request and we will advise you of the timeframe within which you will receive your information pack.

We endeavour to respond to such requests within a month or less, although we reserve the right to extend this period for complex requests.

We reserve the right to deny you access for any reason permitted under applicable laws. Such exemptions may include national security, corporate finance and confidential references. If we deny access or correction, we will provide you with written reasons for such denial unless it is unreasonable to do so and, where required by POPIA, will note your request and the denial of same in our records.

You have the right to lodge a complaint with a relevant supervisory authority.

Further correspondence regarding your request should only be made in writing to the applicable Data Protection Officer as set out in section 13 below.

Please note that, if you request that we restrict or stop using personal information we hold on you, or withdraw a consent you have previously given to the processing of such information, this may affect our ability to provide services to you or negatively impact the services we can provide to you. For example, most travel bookings must be made under the traveller's full name and must include contact details and appropriate identification (e.g. passport details). We cannot make bookings for you without that information.

You must always provide accurate information and you agree to update it whenever necessary. You also agree that, in the absence of any update, we can assume that the information submitted to us is correct, unless we subsequently become aware that it is not correct.

In any of the situations listed above, we may request that you prove your identity by providing us with a copy of a valid means of identification in order for us to comply with our security obligations and to prevent unauthorised disclosure of personal information.

To the extent permissible by law, we reserve the right to charge you a reasonable administrative fee for any manifestly unfounded or excessive requests concerning your access to your personal information, and for any additional copies of the personal information you request from us.

## **9. Social Media Integrations**

Our mobile application may use social media features and widgets (such as “Like” and “Share” buttons/widgets) (“**SM Features**”). These are provided and operated by third party companies (e.g. Facebook) and either hosted by a third party or hosted directly on our mobile application. SM Features may collect information such as the page you are visiting on our mobile application, your IP address, and may set cookies to enable the SM Feature to function properly.

If you are logged into your account with the third party company, then the third party may be able to link information about your visit to and use of our mobile application to your social media account with them. Similarly, your interactions with the SM Features may be recorded by the third party. In addition, the third party company may send us information in line with their policies, such as your name, profile picture, gender, friend lists and any other information you have chosen to make available. You can manage the sharing of information



and opt out from targeted marketing via your privacy settings for the third party social media platform.

Your interactions with these SM Features are governed by the privacy policy of the third party company providing them. For more information about the data practices of these third party companies, and to find out more about what personal information is collected about you and how the third party uses such personal information, please refer to their privacy policy directly.

## **10. IP addresses**

When you use any of our mobile applications or open electronic correspondence or communications from us, our servers may record data regarding your device and the network you are using to connect with us, including your IP address. An IP address is a series of numbers which identify your computer, and which are generally assigned when you access the internet.

We may use IP addresses for system administration, investigation of security issues and compiling anonymised data regarding usage of our mobile applications.

## **11. Tracking Technologies / Cookies**

We may use third-party web analytics services on our mobile apps, such as those listed in our Cookies Policy. The analytics providers that administer these services use technologies such as cookies and web beacons to help us analyse how visitors use our websites and apps.

## **12. Linked Sites**

Our mobile apps may contain links to third party websites over which we have no control. We are not responsible for the privacy practices or the content of such websites. We encourage you to read the privacy policies of any linked third party websites you visit as their privacy policy and practices may differ from ours.

## **13. Feedback / Complaints / Subject Access Requests / Contact**

You can direct any questions or complaints about the use or disclosure of your personal information to the contact information below.

We will investigate all complaints promptly and diligently to address your concerns and resolve any disputes quickly. If a complaint or dispute cannot be resolved through our internal process, we agree to alternative dispute resolution procedures administered by **XXXX**. If you are unsatisfied with the resolution of your complaint, you may contact **XXX** at **XXXXXX** to open a case with them.

You may have the option to select binding dispute resolution for the resolution of your complaint under certain circumstances, provided you have taken the following steps: (1) raised your complaint directly with us and provided us the opportunity to resolve the issue; (2) made use of the independent dispute resolution mechanism identified above; and (3) raised the issue through the relevant data protection authority to resolve the complaint at no

cost to you. For more information on binding arbitration, see US Department of Commerce's Privacy Shield Framework: Annex I (Binding Arbitration), available at <https://www.privacyshield.gov/article?id=ANNEX-I-introduction>.

If you wish to make a Subject Access Request to inform us of a change or correction to your personal information, request a copy of the information we collect on you, request deletion of your information or would like to restrict the further processing of your data, please contact your consultant or our Data Protection Officer. We will respond to these requests within the time period required by the applicable jurisdiction.

Similarly, if you have any enquiries, comments or complaints about this Notice or our handling of your personal information, please contact your consultant or the Data Protection Officer using the details set out below and we will respond as soon as practicable.

#### **14. Changes to our Notice**

We may amend this Notice from time to time. We will post prominent notice to alert you of any significant changes to our Privacy Notice and indicate at the end of the Notice when it was most recently updated. It is your responsibility, and we encourage you, to check with us from time to time in order to determine whether there have been any changes where you may have missed such notification.

This Privacy Notice was last updated on 27 May 2021.