

# PRIVACY POLICY

## 1. INTRODUCTION

Data protection and your privacy is of the highest importance to us. This privacy policy represents our data protection declaration through which we would like to **transparently provide information** on the nature, scope, purpose and conditions under which we collect, use and process personal data, as well as on the rights you are entitled to as a data subject. The processing of your personal data shall always be in line with the General Data Protection Regulation (GDPR), as well as specific Croatian data protection regulations.

## 2. WHO IS DATA CONTROLLER?

As the data controller, **D-Marin Mandalina** has implemented numerous technical and organizational measures to ensure the comprehensive protection of personal data processed through our website and on our premises. In case of any questions regarding your personal data or our data protection practice, do not hesitate to contact us:

MARINA ŠIBENIK d.o.o.

Obala Jerka Šižgorića 1

22 000 Šibenik, Croatia

Data Protection Officer (DPO): [privacy.croatia@d-marin.com](mailto:privacy.croatia@d-marin.com)

## 3. PERSONAL DATA WE COLLECT

**D-Marin Mandalina** collects your personal data and other information, such as your personal identification and contact details, business identification and contact details, other contractual details, mailing and billing address, financial and payment information, other information related to your reservation, stay or visit to the marina, information about your yacht, boat and other vehicles you bring onto our property, publicly available information etc. This includes but is not limited to the following: name and surname, personal PIN, passport number, nationality, address, date of birth, gender, (mobile) phone number, e-mail address, profession, crew members, other contractual details, insurance information, communication preferences, credit card and invoice details and other types of information that you choose to provide to us or that we are obliged or allowed to obtain about you.

We may also collect information about you **from third parties**, such as travel agencies, online booking services or other external partners in your travel arrangements, from your social media services (depending on your settings on such services), as well as from other third-party sources that are lawfully entitled to share your data with us. We use this information (and may add it to the other information we have about you) for the purposes and under conditions described in this Privacy Policy.

## 4. HOW WE USE YOUR DATA

Processing of your personal data is based on a particular **lawful basis**. We fully respect the principle of **purpose limitation**, so your personal data are collected for specified, explicit and legitimate purposes and will not be further processed in a manner that is incompatible with those purposes. Also, we adhere to the principle of **limited duration** of data processing, so your personal data will only be processed as long as it is necessary or proscribed to do so.

Primarily, processing of your personal data is necessary for the performance of a **contract with you** or providing you with certain services **upon your request** (e.g. berth reservation, discount approval for berth in marina or other marina within D-Marin Group, organizing additional activities).

In certain cases, we are required to process your personal data to comply with the **legal obligations** (e.g. guest registration with the competent authority).

Additionally, following **the consent** obtained from you, we may process your personal data for some other specific purposes. In such case, detailed description, conditions, and specific purposes will be clearly stated and explained on the consent form.

We strive to provide you with the best possible service; therefore, we consider certain processing to be in our **legitimate interest**, based on your existing or former relationship with you and in accordance with your reasonable expectations. Among other things, such legitimate interest would be conducting direct marketing activities and carrying out a voluntary satisfaction survey during and after your stay in D-Marin Mandalina.

If you wish to obtain more information regarding purposes for which we process your personal data, please contact us at [privacy.croatia@d-marin.com](mailto:privacy.croatia@d-marin.com).

## 5. YOUR CONSENT AND CHOICES

In certain cases, we may need your consent for processing your personal data for a specific purpose (e.g. dispatch of newsletters). Depending on the development and improvement of our services and business practice, a **consent form** will be made available on our website or it will be offered to you upon the registration at the marina, and is independent of our provision of services under the contract.

By ticking the appropriate box on our **consent form** (“**opt-in**“) you can affirmatively express your consent to one or more purposes of processing, explained in detail on the form itself. Categories of personal data that may be processed are strictly limited to those that are necessary (e.g. identification details) and/or those that were provided by you as an expression of your preferences or demands (e.g. preferences, special requests). We shall keep special records of the consents obtained and ensure the successful exercising of all your rights related to it.

You have **the right to withdraw** your consent at any time, which will not affect the lawfulness of processing based on your consent before its withdrawal. If you wish to exercise this right, please contact us at [privacy.croatia@d-marin.com](mailto:privacy.croatia@d-marin.com).

## 6. YOUR RIGHTS

According to the GDPR, you are entitled to exercise the following rights:

### ***Right of access***

You have the right to ask us to confirm whether we are processing your personal data and to inform you on how they are being processed, in particular – for what purpose(s), which categories of personal data, are we sharing your data with anyone, how long will they be stored etc. You can also obtain a copy of your personal data being processed by D-Marin Mandalina.

***Right to rectification (correction)***

You have the right to request rectification of your personal data that are inaccurate, as well as the right to have your incomplete personal data completed. This can be done through submitting a request to us or providing a supplementary statement.

***Right to erasure (“right to be forgotten“)***

In certain circumstances, you are entitled to demand erasure of your personal data, in particular when your data is no longer necessary in relation to the purposes for which they were collected and processed, if your data have been unlawfully processed or if you withdraw your consent on which the processing was solely based and there is no other legal ground for processing of your personal data. However, in accordance with the GDPR, we shall not comply with your request for erasure of personal data, if processing of such is necessary for compliance with legal obligations, exercising the right of freedom of expression and information, for the establishment, exercise or defence of legal claims and other.

***Right to restriction of processing***

You have the right to request that D-Marin Mandalina limits the processing of your personal data in certain cases, such as:

- during the process of responding to your request to update or correct personal data;
- if processing of your data was unlawful, but you do not want us to erase your data;
- in case we no longer require your personal data for the purposes of the processing, but you want us to retain them for the establishment, exercise or defence of legal claims;
- when you have submitted an objection to processing based on our legitimate business interests, pending our response to such objection.

In case you have obtained restriction of processing of your personal data, D-Marin Mandalina shall inform you prior to lifting such restriction.

***Right to data portability***

You have the right to request that D-Marin Mandalina provides you (or a third party that you designate) with your personal data in a structured, commonly used and machine-readable format. Please note that the right to data portability applies only to personal data that you have provided to us, the processing was carried out by automated means and based on your consent or was necessary for the performance of a contract.

***Right to object***

You have the right to object to processing of your personal data:

- for direct marketing purposes and activities based on our legitimate interest (including profiling related to such marketing);
- for statistical purposes, unless such processing is necessary for the performance of a task carried out for reasons of public interest;
- if the processing is based on our legitimate business interests, unless we are able to demonstrate compelling grounds for such processing or we need to process your personal data in relation to legal claims.

In case you object to our marketing activities or you decide to unsubscribe from receiving them, which you are allowed to do at any time, we shall immediately cease to process your data for that purpose.

### ***Automated individual decision-making, including profiling***

In conducting its business, D-Marin Mandalina does not make decisions based solely on automated processing, including profiling, which would produce legal effects concerning you. Human intervention/involvement is always a part of our decision-making process and you are welcome to express your point of view on issues concerning you.

For exercising any of the above-mentioned rights, we would kindly ask you to **contact us** at [privacy.croatia@d-marin.com](mailto:privacy.croatia@d-marin.com). After receiving your e-mail, we will provide you with the written request for exercising the rights regarding your personal data, as well as all the necessary instructions and additional information. We shall respond to your request without undue delay, usually within 30 days of our receipt of your request, unless there are extraordinary circumstances, which you will be duly notified about. If you wish to unsubscribe from receiving our newsletters and other marketing materials, you can do that easily by clicking the “*Unsubscribe*” button found at the end of every such e-mail.

If you have any other questions about our data practices or the exercise of your rights, please do not hesitate to contact us at [privacy.croatia@d-marin.com](mailto:privacy.croatia@d-marin.com).

In any case, you have the right to lodge **a complaint with the supervisory authority**. In Croatia, the competent body is Croatian Personal Data Protection Agency, Selska cesta 136, 10 000 Zagreb, [www.azop.hr](http://www.azop.hr).

## **7. RECIPIENTS OF YOUR DATA**

In conducting our business, providing you with the services you requested and to ensure compliance with our legal obligations, we may share your personal data with other subjects. This includes but is not limited to: public (regulatory or government) authorities, affiliated companies within D-Marin Group that provide services to D-Marin Mandalina, such as management, finance, strategic planning, pricing, marketing and communications, procurement, IT support in compliance with data transfer requirements, external IT maintenance company, business partners that provide specific travel or leisure services upon your request or other similar service providers and suppliers that work on our behalf for the performance of any contract.

## **8. TRANSFER OF DATA OUTSIDE THE EU**

In line with the purposes described in this Privacy Policy, we may transfer the personal data we collect about you to third countries outside the EU/EEA that are not considered by the European Commission as countries providing an adequate level of personal data protection. In particular, in certain cases we transfer your personal data outside the EU/EEA, where the management company is located. In accordance with the GDPR, we use **appropriate safeguards** for such transfers – the EU standard contractual clauses. To obtain a copy of these clauses or additional information on our third-country data transfers, you may send your request to [privacy.croatia@d-marin.com](mailto:privacy.croatia@d-marin.com).

## **9. HOW LONG WILL YOUR DATA BE STORED?**

We take seriously the GDPR principles of **data minimisation and purpose and storage limitation**. D-Marin Mandalina retains your personal data for the time necessary to accomplish the purpose for which they were collected, usually for the duration of any contractual relationship and a certain period thereafter (needed for resolving potential claims and outstanding or threatened proceedings and similar). Our retention policy reflects our legitimate business needs, applicable statute of limitation periods and legal requirements. After the expiry of the applicable terms or when the purpose for processing is no more applicable or ceases to exist, your personal data will be securely deleted or anonymized. The exact retention periods are stated in the Data Retention Policy of the company.

#### **10. PERSONAL DATA PROTECTION**

D-Marin Mandalina has implemented **various technical and organisational measures** to protect your personal data from unauthorized access, loss, disclosure, modification or destruction, and to keep it accurate and up to date. Our employees, as well as service providers with whom we may share your personal data, are also obliged to exercise reasonable efforts and to ensure the confidentiality and security of your data. In the event that, despite all the security measures undertaken, the confidentiality or availability of your personal data is somehow compromised, we shall immediately notify the competent supervisory authority and/or data subjects, in accordance with the applicable laws or regulations.

#### **11. VIDEO SURVEILLANCE**

One of safety measures in use is **video surveillance** that covers certain areas and parts of marina premises. The purpose of video surveillance is solely to protect you and your property, other guests and their property, as well as our employees and our property. The resulting recordings shall not be used for any other purpose. Each area covered with video surveillance is clearly marked with the appropriate sticker and the recordings are stored for no longer than six months, in accordance with the applicable laws.

#### **12. CHANGES TO THIS POLICY**

We may change this Privacy Policy, in accordance with the improvements in legislation, technology or our business practice. These changes shall become immediately applicable and valid when the amended version of Privacy policy is posted on our website, so please check it from time to time. If we decide to change our Privacy policy in a significant way, we shall notify you in advance in an appropriate manner.

This policy is in application as of September 18<sup>th</sup> 2023.