

Privacy Policy

COMPREHENSIVE PRIVACY NOTICE

OTM NAVIERA, S.A. de C.V., with an address to hear and receive notifications located at Paseo de las Moras Ave. (unnumbered), Fracc. Náutico Turístico, Nuevo Vallarta, in the municipality of Bahía de Banderas, Nayarit, México, Z.C. 63735, we are a company dedicated to the operation and provision of maritime passenger transport services, through the cruise ship named Vidanta Elegant (Hereinafter referred to as “**OTM**”). Our company is committed to protect your privacy under the provisions of the Federal Law on Protection of Personal Data Held by Private Parties (Ley Federal de Protección de Datos Personales en Posesión de los Particulares) [“LFPDPPP”], its regulations, the Guidelines of the Privacy Notice, and other legal provisions applicable in the Mexican Republic (hereinafter and collectively, the “Legislation”). In addition to the provisions of the Legislation, OTM has adopted the best international practices in “Personal Data” management and administration, with the final purpose to clearly and specifically inform which Personal Data we collect, how it is collected, As well as the treatment we give to them, always mediating our commitment to protect your privacy under the highest standards of ethics, responsibility, and professionalism, we put this Privacy Notice at your disposition.

A. PERSONAL DATA WE COLLECT.

For the fulfillment of the legal relationship and the provision of the requested services, if you are our passenger on board or visit our facilities, OTM may collect from you the following categories of Personal Data, either through physical or electronic formats:

- Identification and contact data.
- Property Data, (bank data for collection, tax data for billing).
- Biometric data, (Fingerprints, facial recognition, voice signature, image data in photographs and / or videos).
- Data of family member(s) to whom to notify in case of emergency.
- Details of your companions (registered persons) in the cabine or suite.
- Health data, (Allergies, illnesses, ailments).

Within the categories of Property Data, Biometric Data and / or Health Data, since they are considered as Sensitive Personal Data that require special protection, OTM will give special treatment to them and will request your express and written consent in accordance with the provisions of the Legislation and the purposes established in this Privacy Notice.

B. THE PERSONAL DATA PROCESSING BY OTM, HAS THE FOLLOWING PURPOSES.

- For identification, verification and / or contact, in any type of legal or business relationship with OTM.
- For the fulfillment of contractual obligations regarding the transportation and lodging services on a cruise that we must provide.
- For the provision of additional services to the transportation and lodging on a cruise that you request, such as: concierge, cabin service, restaurants, spa, gym, transportation from the Vidanta Nuevo Vallarta hotel to the Vidanta Elegant cruise ship and / or vice versa.
- For your attention in case of security incidents during your stay in our facilities, for which we establish security and surveillance measures, including monitoring through video cameras, facial recognition, luggage inspection by x-ray system, security control and physical and logical access surveillance.
- To carry out the collection and billing of the services requested by you, as well as to execute reimbursement processes if applicable.
- For your attention in case of health incidents.

Additionally, we use your Personal Data for the following "Secondary Purposes" that are not necessary for the fulfillment of the legal relationship that gives rise to the processing of Personal Data, but that allow and facilitate us to provide you with better care:

- To develop studies and programs for marketing or advertising purposes.
- For record keeping for future service provision.
- To inform you of current or future products, services, advertising, promotions and newsletters that may be of your interest.
- To carry out quality and satisfaction surveys of our products and / or services.

In case you do not want your Personal Data to be used for any of the Secondary Purposes, we invite you to follow the procedure established in point "E." of this Privacy Notice. The

refusal to use your Personal Data for these Secondary Purposes may not be a reason for us to deny the provision of the services and / or products that you request or contract with OTM.

C. CONSERVATION PERIOD OF YOUR PERSONAL DATA.

OTM will keep your Personal Data for the duration of the legal relationship with you, or according to the established terms in the Legislation, or until you request us to delete them, as long as the Legislation allows it.

D. MEANS TO LIMIT THE USE OR DISCLOSURE OF PERSONAL DATA.

If you wish to express your refusal to use or disclose Personal Data, you may request your registration in our "**Exclusion List**". To request inclusion in our Exclusion List, you must follow the process established in point "E." of this Privacy Notice.

E. EXERCISING OF THE: (i) ACCESS, RECTIFICATION, CANCELLATION, AND OPPOSITION RIGHTS ("ARCO Rights"); (ii) REQUEST THE REVOCATION OF THE CONSENT TO THE TREATMENT OF YOUR PERSONAL DATA; (iii) DATA PORTABILITY; AND (iv) RIGHT TO BE FORGOTTEN.

In accordance with the Legislation, you may exercise your right of access to know the Personal Data we have about you in our records, as well as to know what we use them for and the treatment we give them, you can rectify or request their correction in case of being inaccurate; You can request its cancellation, as well as express your opposition to the use and treatment; request the right of portability; or revoke the consent for its treatment, as well as request the right to be forgotten.

For the purposes of exercising any of the rights indicated above, we ask you to download the format that we make available to you through the following web link:

<https://vidantaelegant.com/assets/files/en/ARCOvidantaelegant.pdf>. The request must be sent by email to the account: datospersonales@grupovidanta.com and must be accompanied by the documentation indicated in said format. Our "Personal Data Office" will notify you of the response within a maximum period of 20 (twenty) business days from the date on which the notification of your request takes effect. If your request is appropriate in accordance with the guidelines established in the Legislation and this Privacy Notice, it

will become effective within 15 (fifteen) business days following the date on which we notify you of the corresponding response.

When OTM deems it convenient, it may agree with Personal Data Owner, the alternative means for registration in our Exclusion List, always acting in accordance with the Legislation, so that our "Personal Data Office" can authenticate your identity and be able to respond to your request.

It is important to mention that not in all cases we will be able to satisfy your request for ARCO rights, revocation of consent, portability or right to be forgotten, since it is possible that due to some legal obligation we will need to continue keeping and / or treating your Personal Data in accordance to this Privacy Notice. If this is the case, we will inform you by indicating the corresponding obligations and we will proceed, where appropriate, blocking the corresponding Personal Data, the above during the term that the Legislation requires for its conservation and until its elimination is definitive.

In case of doubts or if you wish to obtain more information regarding the procedure to (i) limit the use or disclosure of your Personal Data, (ii) ARCO rights exercise (access, rectification, cancellation and opposition), or (iii) exercise the Right to revoke consent, we offer you the following means of contact:

Email: datospersonales@grupovidanta.com or contact the "Personal Data Office" at the telephone number 322 226 4000 Extension 64713. Business hours from Monday to Friday from 9:00 a.m. at 2:00 p.m. and 3:00 p.m. at 6:00 p.m. Mexico City Central time.

F. DATA TRANSFER.

OTM may transfer your Personal Data with affiliated or subsidiary companies, as well as with independent third parties with whom it has a legal relationship, in order to comply with the services that you request from us and in accordance with the following:

ADDRESSEE OF PERSONAL DATA	PURPOSE

Medical services on board and/or on land.	For medical treatment or Health Services Management
Specialized third parties.	<ul style="list-style-type: none"> • Provision of tourist services, such as, excursion services on land. • Provision of services and fulfillment of contractual obligations. • Sending promotion and advertising related to the services.
Port Agency.	Processing of documents with maritime authorities (manifest).
Secretaría de Marina (SOLAS Agreement).	Report of boat departures (Souls on board).
Banking Institutions.	Payments process and/or refunds if applicable.

G. ELECTRONIC MEDIA, COOKIES OR WEB BEACONS.

We inform you that on our website we use analytical cookies that allow us to monitor your browsing behavior on our website, to offer you a better experience. In the same way, we can use other technologies through which we could collect Personal Data always in accordance with the purposes described in this Privacy Notice.

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

H. COMMUNICATION MEANS FOR CHANGES AND / OR MODIFICATIONS TO THE PRIVACY NOTICE.

OTM reserves the right to update, change or modify this Privacy Notice at any time. In the event of any change, OTM will communicate it through our website: https://vidantaelegant.com/assets/files/VC_PrivacyNotice.pdf.

I. JURISDICTION.

This Privacy Notice is governed by Mexican law and any controversy will be resolved before the competent Mexican authorities. By accepting this Privacy Notice, you waive any other jurisdiction and legislation that may correspond to you by reason of your address.

J. AUTHORITY.

If you consider that your right to Personal Data Protection has been injured by any conduct or omission on the part of OTM, or you presume any violation of the provisions set forth in the Legislation and other applicable regulations, you may file your disagreement with the National Institute of Transparency, Access to Information and Protection of Personal Data [Instituto Nacional de Transparencia, Acceso a la Información y Protección de Datos Personales] (INAI).

K. VALIDITY

This is the most recent version of our Privacy Notice, which became effective as of February 1st, 2019.

Date of last modification, August 17, 2023.

This document is written in Spanish language version and is translated into English in good faith by OTM, however, it is understood and accepted that, in case of doubt or controversy regarding its interpretation, the Spanish version will prevail in all cases.