

PRIVACY POLICY

1. In this Privacy Policy and Terms of Use, the following terms shall have the respective meanings specified below unless the context otherwise requires:

“**Club Swiss Gold**” means Swissôtel Hotels & Resorts’ exclusive, invitation only programme described at the uniform resource locator <http://www.swissotel.com/csg/index.shtml>;

“**Content**” means all information, documents, intellectual property, services and other material (including any software and links) available on the Swissôtel Website;

“**Disclose**” means the transfer or disclosure of Personal Information by Swissôtel Hotels & Resorts;

“**Guests Sign Up**” means the online form provided by Swissôtel Hotels & Resorts at the uniform resource locator http://www.swissotelcrm.com/gsu/sign_up_swissotel.htm or such other Internet address as Swissôtel Hotels & Resorts may specify;

“**Mandatory Information**” means information that Swissôtel Hotels & Resorts may ask you to provide on the Swissôtel Website which has been identified as mandatory, and without which Swissôtel Hotels & Resorts will be unable to process any request made by you;

“**Online Reservations**” means the online facility for Users to review and make room reservations at Swissôtel Hotels & Resorts;

“**Optional Information**” means information which Users may choose not to provide to Swissôtel Hotels & Resorts at their option;

“**Parties**” means Swissôtel Hotels & Resorts and the User, and “**Party**” means any one of them;

“**Personal Information**” means all personal information provided by the User to Swissôtel Hotels & Resorts, including but not limited to the User’s first and last name, title, mailing address, e-mail address, telephone and fax number, language, employer, business title, diverse preferences regarding accommodation and travel habits, credit card number and its expiration date, and other personal identifying information;

“**Policy**” means this Privacy Policy and Terms of Use;

“**Process**” means any use, storage or processing of Personal Information by Swissôtel Hotels & Resorts on the Swissôtel Website;

“**Purposes**” means Swissôtel Hotels & Resorts’ purposes for obtaining the Users Personal Information on the Swissôtel Website, including but not limited to:

- i. determining the availability of Swissôtel Hotels & Resorts services;
- ii. arranging room reservations at Swissôtel Hotels & Resorts;

- iii. enhancing the convenience of the User's present and future stays;
- iv. keeping the User informed about new products, services or offers which it believes may be of interest to the User; or
- v. any other purpose which Swissôtel Hotels & Resorts may from time to time determine;

"Swissotel Hotels & Resorts" shall where appropriate, be taken to refer to (a) any or all hotels or resorts operating under the Swissôtel name or brand; or (b) the entity owning, operating or managing the Swissôtel Website; or (c) the specific Swissôtel hotel or resort property that is the subject of or concerning any query, Personal Information, reservation or, payment submitted or made by the User or on his behalf, but shall not include the entity which hosts the Swissôtel Website or the server on which the Swissôtel Website resides.

"Swissôtel Website" means the website located at the uniform resource locator <http://www.swissotel.com> or such other Internet address as Swissôtel Hotels & Resorts may specify or register as the Swissôtel Website, and includes but is not limited to Online Reservations, Guest Sign Up and Club Swiss Gold;

"Trade Marks" shall mean, without any limitation, the "Swissôtel" and "Swissôtel Hotels & Resorts" names and trade marks, all names, trade marks and devices that are owned, registered or used by Swissôtel or are substantially similar to names, trade marks and devices owned, registered or used by Swissôtel, or are displayed on this Swissôtel Website.

"User" means any person who browses, visits or uses the Swissotel Website;

- a. Words using the singular or plural number also include the plural or singular number.
- b. Any reference to a "person" or "entity" includes a reference to an individual, a sole-proprietor, a partnership, an unincorporated association and a company.
- c. Any reference to a "Clause" is to a clause of the Policy.
- d. The headings in this Policy are inserted for convenience only and shall be ignored in construing this Policy.
- e. A reference to the word "include" or "including" shall not be construed as having any limiting effect.

2. Acceptance of Terms

- a. By accessing and/or using the Swissôtel Website, you accept and agree to be bound by this Policy. All Content available on the Swissôtel Website is

subject to this Policy. If you do not agreed to this Policy, you may not use, access or submit information to the Swissôtel Website.

- b. The Swissôtel Website shall be subject to the most current version of the Policy as may be applicable from time to time. Swissôtel Hotels & Resorts reserves the right to change, add to and cancel any or any part of this Policy without prior notice to you at any time, at Swissôtel Hotels & Resorts' sole discretion, by posting a copy of the amended Policy on the Swissôtel Website.
- c. This Policy shall be in the English and German languages, and at all times, including in the event of any discrepancy, the English version shall prevail.

3. General Privacy Policy

- a. Swissôtel Hotels & Resorts wants you to know that we are as concerned as you are about the privacy of any information that you may provide to us through the Swissôtel Website. Swissôtel Hotels & Resorts makes every attempt to ensure that all our business practices that involve the use of your information are compliant with privacy regulations in the countries where we operate.
- b. When you use certain online services of the Swissôtel Website, including but not limited to Online Reservations, Guest Sign Up and Club Swiss Gôld, Swissôtel Hotels & Resorts may ask you to provide certain information which relates to you by filling out and submitting the online forms.
- c. Accordingly, Swissôtel Hotels & Resorts wants to not only advise you of your privacy rights in relation to your use of our Swissôtel Website but also explain how we intend to respect them.

4. Providing Personal Information on Our Swissôtel Website

- a. Depending upon the service you wish to use, we may require you to provide Mandatory Information or Optional Information.
- b. If you do not provide the Mandatory Information with respect to a particular service, we will not be able to process any request you may make.
- c. There are no consequences where you elect not to provide Optional Information.
- d. Our web server will recognise your domain name, but not your e-mail address.
- e. We utilize 'cookie' technology in the public area of the Swissôtel Website to facilitate and increase your user experience of the Swissôtel Website by, for

example, prevent the same User from making repeated enrolments in Swissôtel Hotels & Resorts' Guest Sign Up.

5. How May Your Personal Information Be Used?

- a. We propose to Process the Personal Information provided by you to the Swissôtel Website for the Purposes.
- b. There are no consequences if you do not consent to the Purposes, except where specified on the Swissôtel Website.
- c. If you do not wish to have your Personal Information Processed for any of the Purposes then you will have the opportunity to indicate this in the manner set out at Clause below when you upon submitting any request to the Swissôtel Website.

6. To Whom and Where May Personal Information Be Disclosed

- a. Your Personal Information may, for the Purposes described above, be Disclosed by Swissôtel Hotels & Resorts to any or all of its subsidiaries, associated companies or affiliates wherever located in the world in whichever different jurisdiction they may operate, including but not limited to hotels or resorts operating under the Raffles or Fairmont name or brand, depending on which entity can best provide the information requested or products or services sought.
- b. Swissôtel Hotels & Resorts will not Disclose your Personal Information to third parties which are not subsidiary to, associated or affiliated with, or part of Swissôtel Hotels & Resorts. Where a third party Processes your Personal Information on behalf of Swissôtel Hotels & Resorts then such Processing will be governed by a contract in the form required by law.

7. Protection of Your Personal Information

- a. The Personal Information that you provide in connection with the Online Registration and Club Swiss Gold ('Self Adaptable Data') is protected in several ways.
 - Your information is encrypted when traveling over the Internet.
 - Access by you to this data is available through your User ID and a Password. We strongly recommend that you do not divulge your password to anyone.
 - Your information is stored on a secure server that resides behind a firewall after your information reaches Swissôtel Hotels & Resorts.

- The firewall is designed to block access to this data from outside Swissôtel Hotels & Resorts.
 - Inside Swissôtel Hotels & Resorts only selected Swissôtel Hotels & Resorts staff and contractors have access to the server via their password.
- b. Personal Information and other data that you provide (for example in connection with a current reservation), other than Self Adaptable Data, is protected in several ways. Since this information is not accessible from outside Swissôtel Hotels & Resorts, you will not be asked to select a User ID and a Password.
- Your information is encrypted when travelling over the Internet.
 - Your information is stored on a secure server that resides behind a firewall after your information reaches Swissôtel Hotels & Resorts.
 - The firewall is designed to block access to this data from outside Swissôtel Hotels & Resorts.
 - Only selected Swissôtel Hotels & Resorts staff and contractors have access to the server via their password.

8. Retention of Your Personal Information

- a. Your Personal Information will only be kept for such periods as is permissible by law.
- b. Where Swissôtel Hotels & Resorts no longer requires your Personal Information for the Purposes, it may permanently erase your Personal Information without prior notice to you.

9. Consent and Opt-Out

- a. By providing your Personal Information and then pressing the [Submit Request] link, you freely consent, subject to a notification to the contrary provided in the manner provided below, to Swissôtel Hotels & Resorts Processing your Personal Information for the Purposes and, where necessary, the Disclosing of your Personal Information for these Purposes to any or all entities within Swissôtel Hotels & Resorts as well as its subsidiaries, associated companies and affiliates, wherever they may, from time to time, be located.
- b. Where you do not wish to have Personal Information Processed for any or all of the Purposes, you should so indicate your preference in the text of an e-mail. If you wish to remove your Personal Information from our e-mail and / or direct mailing list providing you with information about new

products and services or offers that we believe may be of interest to you, please opt out by checking the appropriate box when you provide your Personal Information to the Swissôtel Website.

- c. You may at any time request Swissôtel Hotels & Resorts via e-mail to make available a copy of your Personal Information. You have the right to access, update, change, correct or delete your Personal Information and preferences at any time.
- d. In your correspondence with Swissôtel Hotels & Resorts under this Clause, please indicate the location on the Swissôtel Website where you provided your Personal Information with as much detail as possible. Inaccurate description will cause delay in processing your request.
- e. You may be able to amend certain Personal Information yourself. This can be accomplished by logging into your profile with your User ID and your Password, changing the appropriate information and submitting the modified form (subject to the instructions on the web page in question). Your access to this Personal Information should be provided, except in case of maintenance or disruption of our servers, or a Force Majeure Event.

10. **General Information**

- a. You may contact Swissôtel Hotels & Resorts at the following email address: Ask-us@swissotel.com
- b. Swissôtel Hotels & Resorts may change, amend, delete or add to the Purposes for Processing at any time and in its sole discretion, and shall notify you of the updated Purposes where required to do so, as soon as practicable. Swissôtel Hotels & Resorts will also publish the most current version of the Policy on the Swissôtel Website.
- c. Third party web sites to which the Swissôtel Website may link have separate privacy policies and data collection practices. Swissôtel Hotels & Resorts is neither responsible for the content of such web sites nor for such privacy and data collection practices.