YachtZap ApS
Privacy Policy

1. INTRODUCTION

1.1. Welcome to Our privacy policy, which complies with the General Data Protection Regulation (EU) 2016/679.

1.2. We respect Your privacy and are committed to protecting Personal Data. This policy informs You as to how We look after Personal Data when You visit the Online Facilities (regardless of where You visit them from) and tell You about Your privacy rights and how the law protects You.

1.3. It is important that You read this policy together with any other policy or fair processing policy 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 why We are using Your data. This policy supplements other notices and privacy policies and is not intended to override them.

1.4. If You have any questions about this policy or Our privacy practices, please contact Us at the address given below.

2. DEFINITIONS

2.1. In this policy, the following words and phrases have the following meanings:

2.1.1. **Legitimate Interest** means Our interest in conducting and managing Our business to enable Us to give You the best service and the most secure experience;

2.1.2. **Online Facilities** means both the website(s) owned and/or published by Us and the mobile software application(s) owned and/or provided for distribution by Us;

2.1.3. **Personal Data** means any information about You from which You can be identified, not including data where the identity has been removed;

2.1.4. **We, Us and Our** means, or means being of, YachtZap ApS, a company incorporated in Denmark whose registered address is Pakhus 47, Sundkaj 7, 1st Fl., DK-2150 Nordhavn, Copenhagen, Denmark; and

2.1.5. **You and Your** means, or means being of, any legal or natural person accessing

2.1.6. Any part of the **Online Facilities**.

3. IMPORTANT INFORMATION

3.1. Purpose Of This Policy
3.1.1. This policy aims to give You information on how We collect and processes Personal Data during and following Your use of the Online Facilities, including any data You may provide through the Online Facilities.

3.2. Controller

3.2.1. We are the controller and are responsible, as set out in this policy, for Personal Data.

3.2.2. We have appointed a data protection officer who is responsible for overseeing questions in relation to this policy. If You have any questions about this policy, including any requests to exercise Your legal rights please contact the data protection officer at Our address given above.

3.3. Contact Details

3.3.1. You have the right to make a complaint at any time to Datatilsynet, the Danish supervisory authority for data protection issues. We would, however, appreciate the chance to deal with Your concerns before You approach Datatilsynet so please contact Us in the first instance.

3.4. Changes To This Policy

3.4.1. We keep Our policy under regular review. This version was last updated in January 2019. Historic versions can be obtained by contacting Us.

3.5. Your Duty To Inform Us Of Changes

3.5.1. It is important that the Personal Data We hold about You is accurate and current. Please keep Us informed if Personal Data changes during Your relationship with Us.

3.6. Third Party Links

3.6.1. Our Online Facilities 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. 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 policy of every website You visit.

4. THE DATA WE COLLECT ABOUT YOU

4.1. We may collect, use, store and transfer different kinds of Personal Data about You such as:

4.1.1. Identity data including first name, last name, username or similar identifier, marital status, title, date of birth and gender;

4.1.2. Contact data including address(es) email address(es) and telephone number(s);
4.1.3. Financial data including bank account and payment card details;

4.1.4. Transaction data including details about payments to and from You and other details of services You have purchased through or from Us;

4.1.5. Technical data including 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 the Online Facilities;

4.1.6. Profile data including Your username and password, yacht charters requested or offered by You, Your interests, preferences, feedback and survey responses;

4.1.7. Usage data including information about how You use the Online Facilities and services access through the same; and

4.1.8. Marketing and communications data including Your preferences in receiving marketing from Us and Our third parties and Your communication preferences.

4.2. We also collect, use and share aggregated data such as statistical or demographic data for any purpose. Aggregated data may not be considered Personal Data in law as this data will 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 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 policy.

4.3. We do not collect any 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, information about Your health, and genetic and biometric data), nor do We collect any information about criminal convictions and offences.

4.4. Where We need to collect Personal Data by law, or under the terms of a contract We have with You, and You fail to provide that data when requested, We may not be able to perform the contract We have or are trying to enter into with You.

5. HOW PERSONAL DATA IS COLLECTED

5.1. We use different methods to collect Personal Data from and about You including through the following means.

5.2. You may give Us identity data, contact data and/or financial data by completing details on the Online Facilities or by corresponding with Us by post, phone, email or otherwise. This includes data You provide when You:

5.2.1. Create an account on the Online Facilities;

5.2.2. Use Our services;

5.2.3. Request marketing to be sent to You;

YachtZap Company reg. no. 31088364 - Pakhus 47, Sundkaj 7, 1st Floor, DK-2150 Nordhavn – Copenhagen, DK
Ph:+45 70 20 62 10 ;+45 70 20 62 15, customercare@YachtZap.com, support@YachtZap.com
5.2.4. Respond to a survey request, competition or promotion; or
5.2.5. Give Us feedback or contact Us.

5.3. As You interact with the Online Facilities, We may automatically collect technical data about Your equipment, browsing actions and patterns. We may collect this data by using cookies and other similar technologies.

5.4. We may receive Personal Data about You from various third parties and public sources, such as:

5.4.1. Technical data from analytics providers, advertising networks and search information providers;
5.4.2. Contact, financial and transaction data from providers of technical, payment and delivery services;
5.4.3. Identity and contact data from data brokers or aggregators; and
5.4.4. Identity and contact data from publicly available or subscription sources.

6. HOW WE USE PERSONAL DATA

6.1. We will only use Personal Data as the law allows Us to. Most commonly, We will use Personal Data:

6.1.1. Where We need to perform the contract We are about to enter into or have entered into with You;
6.1.2. Where it is necessary for Our Legitimate Interest (or those of a third party) and Your interest and fundamental rights do not override such interest; or
6.1.3. Where We need to comply with a legal obligation.

6.2. We make sure We consider and balance any potential impact on You (both positive and negative) and Your rights before We process Personal Data for Our Legitimate Interest.

6.3. We do not use 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).

6.4. Generally, We do not rely on consent as a legal basis for processing Personal Data although We will get Your consent before sending third party direct marketing communications to You via email or text message. You have the right to withdraw consent to marketing at any time by contacting Us.

6.5. We have set out below, in a table format, a description of all the ways We plan to use Personal Data, and which of the legal bases We rely on to do so. We have also identified what Our Legitimate Interest is where appropriate. We may process Personal Data for more than one lawful ground depending on the specific purpose for which We are using such Personal Data.
<table>
<thead>
<tr>
<th>Purpose</th>
<th>Lawful basis for processing Personal Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>To register You as a new user of the Online Facilities</td>
<td>Necessary for the performance of a contract with You</td>
</tr>
<tr>
<td>To manage payments, fees and charges and to collect and recover money</td>
<td>Necessary for the performance of a contract with You, and necessary for Our</td>
</tr>
<tr>
<td>owed to Us</td>
<td>Legitimate Interest in recovering debts due to Us</td>
</tr>
<tr>
<td>To manage Our relationship with You including notifying You about</td>
<td>Necessary for the performance of a contract with You, necessary for complying</td>
</tr>
<tr>
<td>changes to Our terms or asking You to leave a review</td>
<td>with a legal obligation, and necessary for Our Legitimate Interest in keeping</td>
</tr>
<tr>
<td></td>
<td>Our records updated and studying how Our services are used</td>
</tr>
<tr>
<td>To enable You to partake in a survey or competition</td>
<td>Necessary for the performance of a contract with You, and necessary for Our</td>
</tr>
<tr>
<td></td>
<td>Legitimate Interest in studying how Our services are used and developing them</td>
</tr>
<tr>
<td></td>
<td>in order to grow Our business</td>
</tr>
<tr>
<td>To administer and protect Our business and the Online Facilities,</td>
<td>Necessary for Our Legitimate Interest in running Our business, providing</td>
</tr>
<tr>
<td>including troubleshooting, data analysis, testing, system maintenance,</td>
<td>administration and information technology services, network security,</td>
</tr>
<tr>
<td>support, reporting and hosting of data</td>
<td>preventing fraud and in the context of a business reorganisation or group</td>
</tr>
<tr>
<td></td>
<td>restructuring exercise, complying with a legal obligations</td>
</tr>
<tr>
<td>To deliver relevant Online Facilities content and advertisements to You</td>
<td>Necessary for Our Legitimate Interest in studying Our services are used,</td>
</tr>
<tr>
<td>and measure or understand the effectiveness of the Online Facilities</td>
<td>develop them in order to grow Our business and informing Our marketing</td>
</tr>
<tr>
<td>content</td>
<td>strategy</td>
</tr>
<tr>
<td>To use data analytics to improve the Online Facilities, products/services, marketing, relationships and experiences</td>
<td>Necessary for Our Legitimate Interest in defining types of users of Our services, keeping the Online Facilities updated and relevant in developing Our business and informing Our marketing strategy</td>
</tr>
<tr>
<td>To make suggestions and recommendations to You about services that may</td>
<td>Necessary for Our Legitimate Interest in developing Our services and growing Our</td>
</tr>
<tr>
<td>be of interest to You</td>
<td>business</td>
</tr>
</tbody>
</table>

6.6. We strive to provide You with choices regarding certain Personal Data uses, particularly around marketing and advertising.

6.7. We may 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.

6.8. You will receive marketing communications from Us if You have requested information from Us or purchased services from Us and You have not opted out of receiving that marketing.

6.9. We will get Your express opt-in consent before We share Personal Data with any third party for marketing purposes.

6.10. You can ask Us or third parties to stop sending You marketing messages at any time by contacting Us.

6.11. Where You opt out of receiving these marketing messages, this will not apply to Personal Data provided to Us as a result of a service supply.

6.12. You can set Your browser to refuse all or some browser cookies, or to alert You when websites set or access cookies. If You disable or refuse cookies, please note that some parts of the Online Facilities may become inaccessible or not function properly.

6.13. We will only use Personal Data for the purposes for which We collected it, unless We reasonably consider that We need to use it for another reason and that reason is compatible with the original purpose. If You wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact Us.

6.14. If We need to use Personal Data for an unrelated purpose, We will notify You and We will explain the legal basis which allows Us to do so.

6.15. Please note that We may process Personal Data without Your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

7. DISCLOSURES OF PERSONAL DATA

7.1. We may share Personal Data with the following parties for the purposes set out in this policy:

7.1.1. Other users of the Online Facilities, who may need Personal Data in order to fulfill a contractual obligation with You;

7.1.2. External third parties, such as service providers who provide information technology and system administration services, professional advisers including lawyers, bankers, accountants, auditors and insurers, tax authorities and regulators; and

7.1.3. Third parties to whom We may choose to sell, transfer or merge parts of Our business or Our assets. Alternatively, We may seek to acquire other businesses or merge with them. If a change happens to Our business, then the new owners may use Personal Data in the same way as set out in this policy.

7.2. We require all third parties to respect the security of Personal Data and to treat it in accordance with the law. We do not allow Our third party service providers to use Personal Data for their own purposes and only permit them to process Personal Data for specified purposes and in

YachtZap Company reg. no. 31088364 - Pakhus 47, Sundkaj 7, 1st Floor, DK-2150 Nordhavn – Copenhagen, DK Ph:+45 70 20 62 10 :+45 70 20 62 15, customercare@YachtZap.com, support@YachtZap.com
8. INTERNATIONAL TRANSFERS

8.1. Our external third parties may be based outside the EEA so their processing of Personal Data would involve a transfer of data outside the EEA.

8.2. Whenever We transfer Personal Data out of the EEA, We ensure appropriate protection is afforded to such Personal Data.

9. DATA SECURITY

9.1. We have put in place appropriate security measures to prevent Personal Data from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed. In addition, We limit access to Personal Data to those employees, agents, contractors and other third parties who have a legitimate need to know. They will only process Personal Data on Our instructions and they are subject to a duty of confidentiality.

9.2. We have put in place 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.

10. DATA RETENTION

10.1. We will only retain Personal Data for as long as reasonably necessary to fulfil the purposes We collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain Personal Data for a longer period in the event of a complaint or if We reasonably believe there is a prospect of litigation in respect to Our relationship with You.

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 unauthorised use or disclosure of Personal Data, the purposes for which We process Personal Data and whether We can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

10.3. By law, We have to keep certain data about You, for tax purposes, for a period determined by the relevant tax laws.

10.4. In some circumstances, We will anonymous 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. YOUR LEGAL RIGHTS

11.1. Under certain circumstances, You have the right under data protection laws in relation to Personal Data to do any of the following:

11.1.1. Request access to Personal Data, commonly known as a data subject access request. This enables You to receive a copy of the Personal Data We hold about [7]
Privacy Policy

You and to check that We are lawfully processing it.

11.1.2. 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.

11.1.3. Request erasure of 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 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 Personal Data to comply with the law. 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.

11.1.4. Object to processing of Personal Data where We are relying on a Legitimate Interest (or that 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 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.

11.1.5. Request restriction of processing of Personal Data. This enables You to ask Us to suspend the processing of Personal Data if You want Us to establish the data's accuracy, where Our use of the data is unlawful but You do not want Us to erase it, 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 You have objected to Our use of Your data but We need to verify whether We have overriding legitimate grounds to use it.

11.1.6. Request the transfer of Personal Data to You or to a third party. We will provide to You, or a third party You have chosen, Personal Data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which You initially provided consent for Us to use or where We used the information to perform a contract with You.

11.1.7. Withdraw consent at any time where We are relying on consent to process 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.

11.2. While You will not have to pay a fee to access Personal Data, or to exercise any of the other rights, We may charge a reasonable fee if Your request is clearly unfounded, repetitive or excessive, or We could refuse to comply with Your request in such circumstances.

11.3. We may need to request specific information from You to help Us confirm Your identity and ensure Your right to access Personal Data or to exercise any of Your other rights. This is a

YachtZap Company reg. no. 31088364 - Pakhus 47, Sundkaj 7, 1st Floor, DK-2150 Nordhavn – Copenhagen, DK Ph:+45 70 20 62 10 :+45 70 20 62 15, customercare@YachtZap.com, support@YachtZap.com
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.

11.4. We try to respond to all legitimate requests within one month. Occasionally it could 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.