

## **Privacy and Cookie Use Policy - Waikoloa Beach Resort**

This website, [www.waikoloabeachresort.com](http://www.waikoloabeachresort.com) (the "Website") is owned by the Waikoloa Beach Resort ("WBR," "we," "us," or "our"). We are committed to protecting your privacy and developing technology that gives you the most powerful and safe online experience. This Privacy and Cookie Use Policy applies to this Website and governs the collection, usage, and retention of your personal information. By using this Website, you consent to the information practices described in this Policy.

### **Collection of your Personal Information**

We collect personally identifiable information that you may provide for purposes of requesting communication or services from us, such as your e-mail address, name, home or work address or telephone number. We also collect anonymous demographic information, which is not unique to you, such as your ZIP code, age, gender, preferences, interests and favorites.

There is also information about your computer hardware and software that is automatically collected by us. This information can include: your IP address, browser type, domain names, access times and referring website addresses. This information is used by us for the operation of the Website service, to maintain quality of the service, and to provide general statistics regarding use of the Website. We also use "cookies" to obtain information about your use of this Website and to keep track of the Web sites and pages our customers visit. See the section below entitled *Use of Cookies* for more information.

We encourage you to review the privacy policies of websites you may link to from the Website, including social media websites, so that you can understand how those websites collect, use and share your information. We are not responsible for the privacy policies or other content on websites outside of the WBR family of websites.

### **Use of your Personal Information**

Some laws require us to explain our lawful reason for processing your personal information. We process personal information about you on the basis that it is:

- Provided by you and necessary for the delivery of services you requested.
- In our or a third parties' legitimate interests:
  - to inform you of other products or services available from us and our affiliates.
  - to determine which of our services are the most popular.
  - for internal research and development purposes and to improve, test and enhance the features and functions of our Website and services.
  - to protect our rights, privacy, safety, networks, systems and property, or those of other persons.
  - to comply with requests from courts, law enforcement agencies, regulatory agencies, and other public and government authorities, including where they are outside your country of residence.

- in order to exercise our rights, and to defend ourselves from claims and to comply with laws and regulations that apply to us or third parties with whom we work.
- in order to participate in, or be the subject of, any sale, merger, acquisition, restructure, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock (including in connection with any bankruptcy or similar proceedings).

You are welcome to contact us for further information on the legal grounds that we rely on in relation to any specific processing of your personal information. Additional rights you have are described in the section below entitled *Your Rights Regarding Your Personal Information*.

We do not process, collect, or use sensitive personal information, such as race, religion, or political affiliations, for any reason.

### **Information Sharing**

We do not sell, rent or lease customer lists to third parties. We may share data with trusted partners to help us perform statistical analysis or provide customer support. All such third parties are prohibited from using your personal information except to provide these services to us, and they are required to maintain the confidentiality of your information, in compliance with applicable law.

We will disclose your personal information, without notice, only if required to do so by law or in the good faith belief that such action is necessary to: (a) conform to the edicts of the law or comply with legal process served on us or the Website; (b) protect and defend our rights or property; and, (c) act under exigent circumstances to protect the personal safety of our Website users, or the public.

### **Use of Cookies**

Our Website uses "cookies" to help you personalize your online experience. A cookie is a text file that is placed on your hard disk by a web page server. Cookies cannot be used to run programs or deliver viruses to your computer. Cookies are uniquely assigned to you, and can only be read by a web server in the domain that issued the cookie to you.

Certain cookies are strictly necessary to allow us to operate the Website, online services or interactive applications. If you do block them through your browser settings, we cannot guarantee how our Website, online services or interactive applications will perform for you. These cookies do not gather any information about you that could be used for marketing or tracking your browsing history on other websites, services or applications.

We also use functionality cookies and other technologies to provide a convenience and personalization feature. This is meant to save you time so that when you return to the Website, the information you previously provided can be retrieved, and you can easily use the features that you customized. For example, we use functional cookies to remember personal information such as your language preference when you visit the Website. These cookies are not strictly necessary, but can enhance your experience.

Finally, we use performance cookies, in an anonymous manner that does not identify you, to:

- analyze Website performance;
- maintain, operate, and improve the Website; and
- collect and maintain aggregate Website data (such as the number of visitors to a particular part of the Website), which helps us see which content is most useful to our users.

These cookies are not strictly necessary.

### **Managing your Cookie Settings**

You have the ability to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. Note that because this is a setting on your browser, this adjustment may also block cookies for any website you visit. You can visit [www.aboutcookies.org](http://www.aboutcookies.org), which provides detailed information on managing cookies in popular browsers. If you choose to decline cookies, you may not be able to fully experience the interactive features of the websites you visit.

### **Security of your Personal Information**

We secure your personal information from unauthorized access, use or disclosure. We have adopted appropriate technical and organizational measures necessary to ensure the security of personal information and to avoid any alteration, loss, unauthorized use or access, taking into account the state of technology, the nature of the information stored and the risks to which these are exposed, whether originating from human actions or from physical or natural influences. We secure the personally identifiable information you provide on computer servers in a controlled, secure environment, protected from unauthorized access, use or disclosure.

### **Visiting our Websites from outside the United States**

WBR is based in the United States of America. If you are visiting our Website from outside the United States, please be aware that your information may be transferred to, stored, and processed outside of your home country, including in countries that may not offer the same level of protection for your personal information as your home country. We may engage third parties like cloud hosting services, suppliers and technology support located around the world to serve the needs of our business, workforce and customers. We take appropriate steps to ensure that personal information is processed, secured and transferred according to applicable law, however, the data protection and other laws of the United States and other countries might not be as comprehensive as those in your country. We endeavor to take reasonable steps to ensure that your privacy is protected. By using our services, you understand that your information may be transferred to our facilities and those third parties with whom we share it as described in this Privacy and Cookie Policy, and that those facilities may be located outside of the European Economic Area.

If you would like to know more about our data transfer practices and obtain copies of any relevant safeguarding measures, please contact WBR at [joinus@waikoloaland.com](mailto:joinus@waikoloaland.com).

### **Retention of Personal Information**

The personal information provided by you will be retained for the duration of the services you requested, and once this is finished, for the duration of the limitation period for legal actions which may result from it.

### **Your Rights Regarding Your Personal Information**

You may contact WBR at [joinus@waikoloaland.com](mailto:joinus@waikoloaland.com) to exercise any of the following actions:

- Revoke your consent for the use of your personal data.
- Request to obtain information about whether or not your personal data has been used.
- Request to access your personal data.
- Correct inaccurate or incomplete data.
- Request the deletion of your personal data when, for any reason, the data is no longer necessary for the purposed for which it was obtained.
- Request the portability of your data.

### **Children's Privacy**

Our Website is a general audience site, and we do not knowingly collect personal information from children under the age of 13.

### **Changes to this Policy**

We will occasionally update this Privacy and Cookie Use Policy to reflect company and customer feedback. We encourage you to periodically review this Privacy and Cookie Use Policy to be informed of how we are protecting your information.

### **Contact Information**

We welcome your comments regarding this Privacy and Cookie Use Policy. If you believe that we have not adhered to this Privacy and Cookie Use Policy, please contact us at [joinus@waikoloaland.com](mailto:joinus@waikoloaland.com). We will use commercially reasonable efforts to promptly determine and remedy the problem.

Last updated: July 2018