

## LEGAL NOTICE

In accordance with Articles 10 and 11 of Law 34/2002 of July 11th , Society's Information and Electronic Commerce Services is available to users and visitors legal information on the entity that owns the website located at the Internet address WWW.HOTELBINIAMAR.COM.

### **WEBSITE HOLDER ADMINISTRATOR:**

Corporate name: HOTEL BINIAMAR, S.L. CIF: B07020662. Address: C/ ALOSA Nº 11 07560 CALA MILLOR, BALEARES E-mail: BINIAMAR@HOTELBINIAMAR.COM Phone number: 971585513, registered in the Comercial Registry of ISLAS BALEARES, Volume 1625, Folio12, Page 6877, Book , Section 8. Activity HOTEL.

To use this website as a visitor or to register and access the services provided by WWW.HOTELBINIAMAR.COM, you need to accept the following service terms.

A) The user accepts this service terms.

B) If the user does not accept the following terms, they Will not be able to use this website, nor to Access the services provided by HOTEL BINIAMAR, S.L.

### CORRECT USE OF THE WEBSITE:

a) The present terms and conditions regulate the access and the use of this website WWW.HOTELBINIAMAR.COM. The use of this website confers you the status of site user from the very moment that you access and start browsing this site, accessing any of its contents; from this very moment, the user expressly accepts the present general terms and conditions. Likewise, the user accepts the specific conditions applicable to the different services offered by the company through the web. From the moment of acceptance of these terms and conditions, the user commits to use this website and all its contents and services in accordance with the law, as well as the generally accepted rules of good practice and public order. Furthermore, the user agrees to act with the diligence corresponding to the nature of the services received through this website.

b) Through its website, HOTEL BINIAMAR, S.L. grants users Access and usage of different information and services.

c) The website has free access for users. Users agree on using the webpage in accordance with the Law, with these conditions, with moral and rules of good practices generally accepted, and with public order.

d) Generally, for services and information access on the webpage there is no required subscription or user registration. However, HOTEL BINIAMAR, S.L. makes a condition for some of their services user registration, or filling a form to collect certain data. Such registration will be done in the specific way that is indicated on the webpage or in the particular conditions that regulate such particular service.

e) From the moment these conditions are accepted, users agree on using the webpage WWW.HOTELBINIAMAR.COM in accordance with the Law, with these conditions, with moral and rules of good practices generally accepted, and with public order, using the diligence that is required from the nature of the service that they are using through the webpage WWW.HOTELBINIAMAR.COM.

### MODIFICATIONS

The company has the right to modify unilaterally, anytime, and without previous notice these conditions. In that case, the new modifications will be published and announced in advance as much as possible. In any case, they have to change the web and its configuration unilaterally, anytime, and without previous notice.

### THIRD PARTIES' LINKS

This Legal notice is only valid for the website and its contents owned by the company, and are not applicable to third parties' hyperlinks or websites accessible through the webpage. The company is not responsible for the content of any of the linked webpages, nor for any link included within a webpage accessible through the company's website.

### INTELLECTUAL AND INDUSTRIAL PROPERTY.

The content of this webpage is exclusively owned by the company, and, for expository purposes, not limitative, the graphic design, source code, logos, texts, graphics, illustrations, photographs, and any other element that appears in the webpage. Likewise, any trade name, brands or distinctive signatures of any sort contained in the website are protected by the intellectual and industrial property law. It is the company who has the rights to exert their exploitation rights of such intellectual property, in any deemed way, and, especially, the rights of reproduction, distribution, and public communication. User is expressly forbidden from using without explicit consent any intellectual or industrial property from the website, not even partially, and/or their contents.

The company has the right to pursue legal action against any user that reproduces, distributes, commercializes, transforms, and, in general, any other sort of exploitation in any way, of all or part of the website contents that constitutes an infraction of their Intellectual and Industrial property rights.

### NOTIFICATIONS

For these general conditions and terms, and for any required communication between the company and the user, the latter Will contact the company sending an e-mail to BINIAMAR@HOTELBINIAMAR.COM. The communications of the company to the user Will be done with the data given by the latter in the process of registration in the webpage WWW.HOTELBINIAMAR.COM. The user expressly accepts the company's e-mails as a valid procedure to communicate with them as long as is a communication regarding the webpage use and/or the provision of services offered there.

### APPLICABLE LAW, JURISDICTION

The following terms are governed by the Spanish legislation, which will be applicable in anything not stated in this contract as a way of interpretation, validity, and execution. Both parts renounce expressly to any other jurisdiction and submit expressly to the Juries and Tribunals of Palma de Mallorca to solve any controversy that may happen in the interpretation or execution of this contractual conditions.

### PRIVACY POLICY

1.1. In agreement with articles 13 and 14 of the RGPD you are informed of the following data: RESPONSIBLE: HOTEL BINIAMAR, S.L. NIF/CIF: B07020662 ADDRESS: C/ ALOSA Nº 11 07560 CALA MILLOR, BALEARES PHONE NUMBER 971585513 EMAIL: BINIAMAR@HOTELBINIAMAR.COM. Responsible of Data Protection: Contact: <http://www.protecmir.com> / Email: [protecmirlegal@protecmir.com](mailto:protecmirlegal@protecmir.com). AIM.: In HOTEL BINIAMAR, S.L. we treat the information that clients procure for the Purchase/Procurement of services and or products through the website. Management of the information and commercial propection. In order to offer you services according to your interests, we will prepare a commercial profile. . There will be no automatic decisions regarding such profile. The procured personal data will be kept while the professional relationship between both parties is still active and the interested party does not want them to be suppressed within a time lapse of 5 years after the last procurement and/or professional service done by you.

LEGITIMATION: the legal basis for your personal data treatment is the execution of a contract through a Professional Service file and/or a service lease, as stated in the Commerce code and the Civil Code. There is an obligation of invoicing as stated in the Commerce code, General Tax Law, Corporate Tax Law and Personal Income Tax, as well as the Information Society Services' Law 34/2002 articles 20 and 21. The prospective offer of products and services is based on the consent that is asked to you without it meaning that retiring it affects the contract of purchase/procurement of services. There is an obligation to procure personal data. Otherwise, neither the Purchase/Procurement of services and or products through the website nor the Management of the information and commercial prospection cannot be procured/purchased. RECIPIENTS we will not assign personal data to third parties unless there is a legal obligation. There will be no decisions regarding suitability, guarantees, binding corporate rules or other applicable specific situations. RIGHTS: Any person has the right to have confirmed whether in HOTEL BINIAMAR, S.L. we are dealing with relevant personal data for themselves or not. Involved people have the right to Access their own personal data, and to ask for its amendment of inaccurate data, as well as to ask for its removal when, among other reasons, these data is not needed for the objectives it was collected. In certain cases, applicants may ask for a limitation regarding our treatment of their data, in which case we will only save them to claim or defend ourselves from claimants. You have the right to claim to the Control Authority: Agencia Española de Protección Datos. WWW.AGPD.ES SOURCE: THE SOLICITOR

1.2. The client expressly accepts that any data obtained while using the website, or which has been provided through filling out any forms that are contained therein, as well as any data resulting from any possible commercial relationship, may be included in an automated personal data file of the type described in section 1.1. During the process of data collection and on all pages of this website where personal data is asked for, the client will be informed with the help of a hyperlink or an explicit mention in the form itself about the compulsory or optional character of the recollection of such data. Every client that decides to register on the website of our company will be asked for those data that are necessary to fulfil the purposes of this company, which are service providing and/or selling of offered products in the website.

1.3. With respect to the data collected in the manner provided in the preceding paragraph, the client may exercise his rights according to the articles 15-21 of the Ruleset (UE) 2016/679, and in particular their right to access, rectify, cancel and object to such data, as well as treatment limitation data portability and automatized individual decisions. Likewise, he may withdraw his consent for the transfer of the collected data or the treatment of these data for any of the uses described above. Any client may exercise his rights referred to in the previous paragraph with the help of a cancellation request form that has to be requested from us by e-mail. The written and signed form together with a copy of the client's identity document shall be sent by postal mail to the following address: company HOTEL BINIAMAR, S.L. with corporate address in C/ ALOSA Nº 11 07560 CALA MILLOR, BALEARES, attaching, in any case, the client's ID card photocopy.

1.4. Automatized treatment with which your data will be collected as a consequence of queries, using, hiring or buying any product, as well as of any transaction or operation done in this webpage has as a main end the management of the contractual relationship with the owner of this website.

1.5. You authorize the reception of promotional information about our services and products. Your personal data will be used for the sole purpose of sending the promotional information by traditional or electronic means. In the case of the electronic e-mail addresses or the website contact form, the data that you provide to us per e-mail or through the form will be used exclusively to respond to the queries that you convey to us by these means.

We will apply what is stated in articles 22.1 and 22.2 of Law 34/2002, of July 11th, of information society services and e-commerce that is modified by article 4 of the royal decree 13/2012 regarding the usage and treatment of personal data in terms of advertising.

1.6. The entity guarantees the confidentiality of the personal data. Notwithstanding this, the entity will submit to the competent public authorities any personal data or other information in its possession or accessible through its systems which may be required in compliance with legal provisions and regulations applicable to the case. Even after the relationship established through the website has terminated, personal data may be kept in the files owned by HOTEL BINIAMAR, S.L. exclusively for the purposes indicated above and, in any case, within the legally established time limits for putting the collected personal data at the disposal of the administrative or judicial authorities.

## **COOKIES POLICY**

The company HOTEL BINIAMAR, S.L., with NIF/CIF: B07020662, Address C/ ALOSA Nº 11 07560 CALA MILLOR, BALEARES, E-mail: BINIAMAR@HOTELBINIAMAR.COM and website WWW.HOTELBINIAMAR.COM expressly informs the user that this website uses first-party and third-party cookies to enhance user's interaction experience and the way services are received on this site. When browsing or using our services the user expressly accepts our use of cookies. Notwithstanding that, the user has the possibility to block and eliminate the cookies by selecting the corresponding option on the browser that is being used. If the user blocks the use of cookies in his/her browser, this may have the consequence that some of the services and functionalities of the website will not be available.

A) First-party (own) cookies: These are cookies that are sent to the terminal equipment of the user from an equipment or domain managed by the administrator, i.e. from where the services requested by the user are provided.

What is a cookie?

A cookie is a file which is downloaded from a website and which certain webs send to the browser of the user. These files are then stored in the user's terminal equipment, which may be a personal computer, mobile phone, tablet, etc. These files allow the website to remember information about the user's visit, such as language and his/her preferred options. This enables the website to recover information about browsing from the user's equipment in order to ease subsequent visits and make the website more useful for the user by customising its content.

How are cookies being used?

When browsing on this website users accept cookies to be installed in their terminal, which allows us to obtain the following information:

- Statistical information about the web use
- User's login in order to keep the web session active.
- Preferred web format when browsing from mobile devices.
- Last searches performed when using the services offered on the website, as well as data about the personalisation of these services.
- Information about advertisements shown to the user.
- Information about surveys the user has completed.
- Data about the connection to social networks (for users who access using their Facebook or Twitter account).

## Types of cookies used

This website uses both temporary session cookies and persistent cookies. Session cookies only store data while users access the website, whereas persistent cookies store data in the terminal equipment in order to be accessed and used in more than one session. They are used to store information that is useful for providing the service requested by the user at a single occasion.

Depending on the purpose of processing the data obtained through cookies, the website can use:

1-Technical cookies: These cookies enable the user to browse a website, platform or application and make use of the different options or services offered thereon; these types of cookies may be used for example to control traffic and data communication, identify the session, grant access to restricted areas, remember items in an order, make the purchase of an order, fill out a registration or request form to participate in an event, apply security features while browsing, store content in order to disseminate video or sound files or share content through social network platforms.

2-Customization cookies: These cookies enable the user to access and receive the offered services based on some general predefined features which are configured on the user's device according to a set of specific criteria such as language, type of browser used to access the services, geographical location of the terminal and regional configuration from where the services are accessed, etc.

3-Advertising cookies: These cookies enable the management, as efficiently as possible, of advertising spaces (if these are offered) that were included by the administrator to the website, application or platform from where the user is receiving the services he/she requested; said management is being carried out based on different criteria such as edited content or frequency of the advertisements shown on the site.

4-Behavioral advertising cookies: These cookies enable the management, as efficiently as possible, of the advertising spaces (if these are offered) that were included by the administrator to the website, application or platform from where the user is receiving the services he/she requested. These cookies store information about the user's behavior obtained through on-going observation of his/her browsing habits, which enables the development of a specific profile and makes it possible to show targeted advertising.

5-Statistical analysis cookies: These cookies allow tracking and analysis of the behavior of users on the websites they browse. Information stored through these types of cookies is used to observe and measure the activity in websites, applications or platforms, as well as to produce browsing profiles of their users, all this being done in order to improve the services offered on basis of the data obtained from the user's activity.

## B) Third-party cookies:

These are cookies that are sent to the terminal equipment of the user from an equipment or domain that is not managed by the administrator of the website, but by another entity who is processing the data obtained through the cookies. On some websites it is possible to install third-party cookies which make it possible to manage and improve the provided services, for example statistical services by Google Analytics or Comscore.

On this website the entity uses the following cookies which are described below:

- 1P\_JAR
- CM
- CONSENT
- NID
- PAC
- PHPSESSID
- PMC
- SRT
- ServerPool
- TACds
- TART
- TASSK
- TASession
- TATravellInfo
- TAUD
- TAUnique
- VRMCID
- \_\_gads
- \_ga
- \_gat
- \_gid
- cto\_lwid
- fr
- guest\_id
- personalization\_id
- st\_browser\_id

How to manage cookies in your browser?

Users have the possibility to allow, block or delete cookies installed in their equipment by means of configuring the settings of the browser installed in their terminal:

How to manage cookies on PCs

If you would like to allow the use of cookies on our website, please follow these instructions:

Google Chrome

1. When you open the browser, go to 'Tools' at the top of your browser window and select the 'Options' tab.
2. Within 'Options' click 'Privacy'.
3. Select 'Allow the use of cookies'.

Microsoft Internet Explorer 6.0, 7.0, 8.0, 9.0

1. When you open the browser, go to 'Tools' at the top of your browser window and select the 'Options' tab.
2. Ensure that your 'Privacy' security level is set to medium or below.
3. If the Internet settings are not set to medium level than the cookies will be blocked.

#### Mozilla Firefox

1. When you open the browser, go to 'Tools' at the top of your browser window and select the 'Options' tab.
2. Select the 'Privacy' icon.
3. Click 'Cookies' and select 'Allow sites to set cookies'.

#### Safari

1. When you open the browser, go to 'Tools' at the top of your browser window and select the 'Options' tab.
2. Click the 'Security' tab and revise if the option 'Block third-party and advertising cookies' is selected or not.
3. Click 'Save'.

#### Installation of cookies on Macs

If you are using a Mac and would like to allow the access of our cookies to your computer, please follow these instructions:

#### Microsoft Internet Explorer 5.0 for Mac OS X

1. Go to 'Explorer' and select 'Preferences' on the navigation bar.
2. Scroll down until you see 'Cookies' just below 'Receiving files'.
3. Select the 'Never ask' option.

#### Safari for Mac OS X

1. Go to 'Safari' and select 'Preferences' on the navigation bar.
2. Click the 'Security' tab and select the option 'Allow cookies'.
3. Select the option 'Only from site you navigate to'.

#### Mozilla and Netscape for Mac OS X

1. Click on 'Mozilla' or 'Netscape' at the top of your browser window and select the 'Preferences' option.
2. Scroll down until you see 'Cookies' just below 'Privacy and Security'.
3. Select 'Enable cookies for the originating web site only'.

#### Opera

1. Click on 'Menu' at the top of your 'Opera' browser window and select 'Settings' on the navigation bar.
2. Select 'Preferences' and click the 'Advanced' tab.
3. Select the 'Accept cookies' option. If you block the use of cookies in your browser, this may have the consequence that some of the services and functionalities of the website will not be available.

In order to get a more precise control on privacy, in some browsers specific rules can be set to manage cookies for determined websites. This means that cookies can be deactivated in all sites except for those that the user trusts.