

# Tourism Holdings Ltd (thl) Privacy Policy

Your privacy is important to us. This privacy policy (“the **Policy**”), explains how we collect, process, use, store and disclose your personal data, as well as your rights associated with that data.

This policy is provided in a layered format so you can click through to the specific areas set out below. Alternatively you can visit our privacy centre [here](#). Please also use the **Glossary** at the end of the document to understand the meaning of some of the terms used.

## 1. Who we are

1.1 Tourism Holdings Limited (thl) is New Zealand's premier tourism company. We are listed on the New Zealand Stock Exchange under the ticker code thl and are the largest provider of holiday vehicles for rent and sale globally. In Australia and New Zealand we operate under the Maui, Britz and Mighty rentals brands, and the RV Sales brands - RV Sales Centre and RV Super Centre. In the USA we own and operate both Road Bear RV Rentals and Sales, and El Monte RV Rentals and Sales brands. We operate as Just go in the UK and Europe. We also operate the iconic Kiwi Experience and the Discover Waitomo Group which includes Waitomo Glowworm Caves, Ruakuri Cave, Aranui Cave and The Legendary Black Water Rafting Co. Details of our legal entities can be found [here](#).

1.2 Together we are the data controllers for the purposes of this policy, which is issued on behalf of all brands and entities within the thl group of companies (**thl group**). When we mention "**thl**", "**we**", "**us**" or "**our**" in this privacy Policy, we are referring to the relevant entity in the thl group responsible for processing your data.

1.3 We also use a network of independent agents and licensees when providing our services around the world. Please note that those agents and licenses are not covered by this Policy and we are not responsible for the privacy practices of any agent, licensee or other third party with whom you may transact before or at the same time as using our products or services.

## 2. The data we collect about you

2.1 We may collect, use, store and transfer different kinds of personal data about you, which we have grouped together as follows:

- **Identity Data** includes first name, last name, username or similar identifier, title, date of birth, age, gender, driver's licence, passport details, security camera recordings and recordings of telephone conversations.
- **Contact Data** includes address, telephone numbers and email address.
- **Financial Data** includes payment card details.
- **Transaction Data** includes details of your previous bookings with us, payments to and from you and other details of products and services you have purchased from us.
- **Technical Data** includes 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 this website.

- **Location Data** includes global position system vehicle tracking and diagnostics (telematics) and other location information obtained from smartphones, tablets, sat-navs or other devices that monitor your current and previous geographic locations.
- **Profile Data** includes your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.
- **Usage Data** includes information about how you use our website, products and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.
- **Vehicle-sourced Data** includes information collected by data systems within a vehicle about its condition and performance (including mileage, fuel and other operational data) and your operation of the vehicle, including your speed, time, fuel consumption and distances travelled.

2.2 We also collect, use and share **Aggregated Data** such as statistical or demographic data, which may be derived from your personal data but is not personal data as it does 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 with your personal data so that it can directly or indirectly identify you, we treat that combined data as personal data which will be used in accordance with this Privacy Policy.

2.3 We do not collect any **Sensitive Data** about you (such as details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). We do not collect any information about criminal convictions and offences, although we may be required to briefly hold and pass on any driving infringements that you incur while renting our vehicles.

2.4 **Refusal to provide your personal data:** You do not have to provide your personal data when we request it, but if you choose not to, we may not be able to respond to your queries and perform any contract we have or are trying to enter into with you (for example, to provide you with a rental vehicle). That may mean we have to cancel a product or service you have with us. We will notify you at the time if that is the case.

### 3. How we collect your personal data

3.1 We use different methods to collect personal data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms on our websites and mobile applications, on third-party websites or in paper form or by corresponding with us by post, phone, email or otherwise. That includes personal data you provide when you:
  - make an inquiry or booking with us or otherwise apply for any of our products or services
  - purchase a product or service from us
  - create an account on our website or mobile applications

- subscribe to our services or publications
- request marketing to be sent to you
- enter a competition, promotion or survey (including on third party social media platforms)
- give us feedback
- enter our premises on which security cameras are operating
- speak to us on the telephone
- **Automated technologies or interactions.** As you interact with our website and mobile applications, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our cookie policy [here](#) for further details. We may combine Technical Data (some of which will be anonymous) with other personal data we have collected from you in order to understand and measure your online experiences and determine what products, promotions and services are likely to be of most interest to you.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and certain public and technical sources:
  - **Technical Data** from analytics providers such as Google and advertising networks such as Facebook and Identity, Location and Vehicle Sourced Data when using our vehicles.
  - **Identity and Contact Data** when you make a booking or apply for our products or services through a third party (such as a travel agent), through interactions (including transactions) with our service providers, business partners, agents, affiliates and subsidiaries (including other travel providers and insurance companies), from data brokers or aggregators such as Facebook and from publicly available sources such as phone directories, membership lists, professional and trade associations, government, bankruptcy or court registry searches and electoral registers.
- **Unsolicited personal data.** If we receive personal data that we have taken no active steps to collect (such as a job application sent to us by an individual on their own initiative, rather than in response to an advertisement), then we may keep that personal data if it is reasonably necessary for one or more of our functions or activities. We will destroy it or ensure it is de-identified, provided it is lawful and reasonable to do so.

#### 4. **How and why we use your personal data**

We will only use your personal data when the law allows us to and typically only in the circumstances and for the purposes set out in the table below. Please see the Glossary for an explanation of the expressions used in the table.

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing</b>
<b>New customers:</b> To register you as a new customer and to respond to your inquiries and any complaints	(a) Identity (b) Contact (c) Profile	Performance of a contract with you
<b>Facilitate bookings:</b> To provide and store quotes for retrieval and to process bookings including: <ul style="list-style-type: none"> <li>managing payments, fees and charges</li> <li>collecting and recovering money owed to us</li> </ul>	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
<b>Provide services:</b> To provide our services to you, including: <ul style="list-style-type: none"> <li>renting vehicles to you</li> <li>managing our fleet of vehicles</li> <li>operating guided tours</li> </ul>	(a) Identity (b) Contact (c) Profile (d) Financial (e) Transaction (f) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
<b>Relationship management:</b> To manage our relationship including: <ul style="list-style-type: none"> <li>notifying you about changes to our terms or Privacy Policy</li> <li>asking you to leave a review or take a survey</li> <li>keeping you up to date with our latest news</li> </ul>	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)
<b>Improve services:</b> To constantly improve our products and services, tailor them to your needs, develop new product/service ideas and inform you of any changes to our products/services	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to keep developing and improving our products/services in line with customer expectations)
<b>Promotions:</b> To enable you to: <ul style="list-style-type: none"> <li>participate in prize draws, competitions and giveaways</li> <li>know about special offers and promotions, including on social media</li> </ul>	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business)
<b>Technical maintenance:</b> To administer and protect our business, content, websites and mobile apps including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data and monitoring for unauthorised use	(a) Identity (b) Contact (c) Technical (d) Usage (e) Marketing and Communications (f) Transaction (g) Location	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security and to prevent fraud) (b) Necessary to comply with a legal obligation (c) Performance of a contract with you

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing</b>
<b>Advertising:</b> To deliver relevant website content and advertising to you and measure the effectiveness of our advertising	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	Necessary for our legitimate interests (to define types of customers for our products/services, to keep our website updated and relevant, to develop business and to inform our marketing strategy)
<b>Data analytics:</b> To perform data analysis to: <ul style="list-style-type: none"> <li>• improve and personalise your experience on our platforms</li> <li>• improve our products/services, marketing, customer relationships and experiences</li> </ul>	(a) Technical (b) Usage (c) Identity (d) Profile (e) Marketing and Communications	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
<b>Promote our products and services:</b> To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Location (g) Marketing and Communications	Necessary for our legitimate interests (to develop our products/services and grow our business)
<b>Safety and security:</b> to track vehicle location and provide real-time safety alerts to customers (such as low bridge warnings), notifications of access to unauthorised territories, information about points of tourism interest, to contact you about security, safety and/or operational issues we have identified from the data collected, and to understand and manage the performance, location and security of our vehicle fleet and to assist with the management of accident claims involving our vehicles.	(a) Identity (b) Contact (c) Technical (d) Location (e) Vehicle-sourced data (f) Usage	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to help reduce vehicle damage and ensure the safety of our customers)

## 5. Marketing

- 5.1 We aim to provide you with choices about how your personal data is used for marketing and advertising purposes. We have established a privacy centre where you can view and make certain decisions about your personal data use [here](#).
- 5.2 You will only receive marketing communications from us if you have opted in or consented to receiving those communications. We may use your personal data collected in those circumstances to contact you and keep you up to date with the latest news, events, special offers and promotions of our brands, including by email, text messages or post.
- 5.3 You can update your subscription preferences or unsubscribe from marketing communications at any time by following the update preferences or unsubscribe instructions provided in each such communication, or alternatively by contacting us by clicking [here](#).
- 5.4 We may display advertising for you to see on third party websites, including social media sites such as Facebook. We do this by matching information about your activity on thl group websites with information collected on third party sites. That may involve using 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.

## 6. Change of purpose

- 6.1 We will only use your personal data for the purposes for which we collected it, unless we reasonably consider we need to use it for another reason 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.
- 6.2 If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.
- 6.3 Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## 7. How we share your personal data

- 7.1 We may have to share your personal data with the following parties for the purposes set out in the table in paragraph 4 above or for other purposes directly related to the purpose for which the information was collected.

- **thl group companies:** Other companies in the thl group acting as joint controllers or processors and who are based in Australia, New Zealand, the United States and the United Kingdom and provide IT, storage and system administration services and undertake leadership reporting.
- **Service providers:** Contracted third parties providing the following services:
  - data processing
  - IT and system administration
  - marketing, market research and communication

- printing and distribution of marketing materials
- mailing, freight and courier
- price comparison websites
- Professional advisers acting as processors or joint controllers, including lawyers, bankers, auditors, consultants, insurers and recruiters.
- **Other third parties:**
  - regulators and other authorities acting as processors or joint controllers who require reporting of processing activities in certain circumstances and/or where disclosure is required by law
  - 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 your personal data in the same way as set out in this privacy notice
  - other entities in the same or similar industries to us, for reasons of public safety
  - where the law requires or authorises us to do so
  - other third parties that you have been informed of at the time any information is collected from you

7.2 We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 8. International transfers

8.1 For the most part, your personal data is collected, stored and processed outside the European Economic Area (EEA).

8.2 Certain entities in the thl group may collect personal data inside the EEA. Skewbald Ltd, trading as Just go, collects personal data in the United Kingdom.

8.3 If we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented.

8.3.1 We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.

8.3.2 Where we have entered into EU-approved standard contractual clauses with the recipient to give personal data the same protection it has in Europe.

8.3.3 Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US.

8.4 Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

## 9. Your rights

9.1 You have the following rights in relation to your personal data.

- **Access:** you can request access to a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Correction:** you can request that any incomplete or inaccurate data we hold about you is corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Erasure:** you can ask us to delete or remove your personal data where there is no good reason for us continuing to process it, where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that 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.
- **Object to processing:** where we are relying on a legitimate interest (or those of a third party) and you believe our processing of your personal data impacts your fundamental rights and freedoms, you may object to such processing for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information that override your rights and freedoms.
- **Restrict processing:** you can ask us to suspend the processing of your personal data: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) 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 (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Data portability:** you can request that your personal data is transferred to you or a third party. We will provide you or a third party you have chosen with your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information that you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Withdraw consent:** you may withdraw your consent to our processing of your personal data. If you do so, we may not be able to provide certain products or services to you. We will advise you if that is the case when you withdraw your consent.

9.2 If you wish to exercise any of the rights set out above, please contact our Data Protection Officer (see section 12 below).

9.3 **No fee usually required:** You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances. If we choose to deny your request, we will inform you of the decision and your right to complain to the supervisory authority within the 1 month deadline.

9.4 **What we may need from you:** We may need to request specific information from you to help us confirm your identity and ensure that personal data is not disclosed to any person who has no right to receive it.

9.5 **Time limit to respond:** We respond to all legitimate requests without undue delay and at the latest within one month. Occasionally, if your request is particularly complex or you have made a number of requests, we may need to extend this by up to a period of two months, in which case we will notify you and keep you updated.

## 10. **Security of your personal data**

10.1 We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

10.2 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.

## 11. **How long will you use my personal data for?**

11.1 We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting or reporting requirements.

11.2 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 your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means and the applicable legal requirements.

## 12. **Contact Details**

12.1 **EU Supervisory Authorities:** If you are an EU data subject and feel that your personal data has been processed in a way that does not comply with the GDPR, you may lodge a complaint with the relevant supervisory authority in your country. We would, however, appreciate the chance to deal with your concerns before you approach them, so please contact us in the first instance.

12.2 **Data Protection Officer:** We have appointed a data protection officer (**DPO**) who is responsible for overseeing privacy issues for the thl group. If you have any questions or complaints about this Policy, including any requests to exercise your rights in relation to your personal data, please contact the DPO using the details set out below.

- Email address: [privacy@thlonline.com](mailto:privacy@thlonline.com)
- Postal address: Private Bag 92133, Auckland, New Zealand 1142

12.3 **EU Representative:** We have appointed an EU Representative whose tasks are to serve as a contact person for supervisory authorities and data subjects and can be contacted as follows:

- Name: Stephen Hart
- Email address: [eu.gdpr@thlonline.com](mailto:eu.gdpr@thlonline.com)

### 13. Changes to the Privacy Policy and your duty to inform us of changes

13.1 This version was last updated on May 23<sup>rd</sup> 2018. Historic versions are archived [here](#).

13.2 We reserve the right to update and change this Privacy Policy at any time by posting changes on this webpage or applicable mobile apps. Changes will take effect from the time they are posted. We will use reasonable endeavours to communicate those changes to you on our website and mobile apps or via other channels that we think are suitable.

13.3 It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

### GLOSSARY

**Comply with a legal or regulatory obligation** means processing your personal data where that is necessary for compliance with one of more of our legal or regulatory obligations.

**Data controller** means whomever determines the purposes and means of processing personal data.

**Legitimate Interest** means our interests in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your 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).

**Performance of Contract** means processing your data where that is necessary under a contract with you or to take steps at your request before entering into such a contract.

**Personal data** means any information about an individual that can be used to identify that person directly or indirectly by reference to a range of identifiers. It does not include anonymous data where the identity of the individual has been removed.

**Processing** means any operation or set of operations performed on personal data.

**Processor** means the entity that processes personal data on behalf of the controller.