

## **Gondwana Collection Namibia: GDPR compliance**

Gondwana Collection Namibia PTY LTD (below "Gondwana") agrees to protect your personal data in the context of the data protection laws and regulations of the General Data Protection Regulation (GDPR 2016/679).

Any personal information that you submit to us through the contact forms and reservation requests on our website, will be stored in Gondwana's servers at our main office in Windhoek, Namibia, for the purpose you requested (contacting or reserving hotel or travel services). Please note that Namibia is a non-European country where there are no data protection laws in accordance with GDPR 2016/679 and there is no adequate level of data protection recognized by the European Commission. However, Gondwana agrees to comply with the privacy policy in accordance with GDPR 2016/679. This privacy policy governs which personal information we collect, process and use about you. We therefore ask you to read the following instructions carefully.

### **Terms:**

The following terms are defined in the provisions of GDPR 2016/679, which we use in our privacy policy (according to the original text of the basic regulation):

- "Personal data" means any information relating to an identified or identifiable natural person ("data subject"); a natural person is regarded as identifiable, which can be identified directly or indirectly, in particular by association with an identifier such as a name, with an identification number, with location data, with an online identifier or with one or more special features.
- "Processing" of any automated process or process in connection with personal data such as collecting, organizing, storing, adapting or modifying, reading, querying, using, disclosing by Transmission, distribution or any other form of provision, reconciliation or linking, restriction, erasure or destruction;
- "Restriction of processing" means the marking of personal data stored in order to limit its future processing;
- "Profiling" means any kind of automated processing of personal data which consists in the use of personal data to evaluate certain personal aspects, in particular aspects of work performance, economic situation, health, personal preferences, interests, reliability, behavior, location or change of location of this natural person to analyse or predict;
- "Consent" of the data subject to any expression of will, in an informed and unambiguous manner, in the form of a statement or other unambiguous confirmatory act by which the data subject expresses his understanding of the processing of the personal data concerning him agrees;
- "Pseudonymisation " means the processing of personal data in such a way that personal data can no longer be attributed to a specific data subject without the need for additional information, provided that such additional information is kept separate and subject to technical and organizational measures

- 'Controller' means the natural or legal person who, alone or in consent with others, decides on the purposes and means of processing personal data;
- 'Processor' means a natural or legal person, public authority, body or body that processes personal data on behalf of the controller;
- "Recipient" means a natural or legal person, public authority, agency or other entity to whom personal data are disclosed, whether or not it is a third party.
- "Third party" means a natural or legal person, public authority, body or body other than the data subject, the controller, the processor and the persons authorized under the direct responsibility of the controller or processor to process the personal data.

## **I. General**

The website is provided by HubSpot based at 1 Harbour Pl, Suite 175. Portsmouth, NH 03801. United States. HubSpot stores personal data in its servers on behalf of Gondwana. Gondwana has signed a contract for order processing with HubSpot.

## **II. Purpose and use of personal data**

The use of personal data only takes place if you voluntarily provide us with your personal data. This is needed for contacting you, for sending our newsletter, for a reservation request (see also item IV), for comments on the chat feature on our website. The personal data you have provided us with is only used to provide the services and for the purposes you require.

### **Contact via the inquiry form**

You can send us your inquiries via the inquiry form. The following data are sent for this purpose to the servers of Gondwana in Namibia and HubSpot, processed there: name, email, telephone, country of origin. All personal data that you send us via the request form will be stored in the servers of Gondwana in the main office in Namibia and HubSpot, to be processed there.

The personal data can be passed on to the booked hotel for answering the request. The hotels are located in Namibia, all in non-European zones. After your departure, the data remains for legal reasons (tax in Namibia) in the system for at least two years.

For all contact requests, the data will be encrypted once, by email. The personal data contained therein is confidential and stored only for the intended purpose for up to two years in our network server in the office of Gondwana in Windhoek. They are processed by our employees, namely for communication with you.

If you use the possibility to send messages via the “contact us”, this data, which you have voluntarily entered, will be passed on to our staff in the office of Gondwana in Windhoek so

that they can respond to your request. A collection, storage and further processing by Gondwana beyond the processing of your requests does not occur.

### **Newsletter Subscription**

The following data is sent to and processed by the servers of Gondwana in Namibia and HubSpot: name, email, country of origin. In order to subscribe to the newsletter, you must explicitly give us the order for a newsletter entry via the corresponding form on the website or by telephone or by email. If you register for this service, which contains your current information, we will save and process your email address after you have given your consent to the newsletter. This will be omitted if the consent is not given.

All personal information that you provide to us for this purpose will be stored in the Gondwana servers in the main office in Namibia, also HubSpot and processed there. You can unsubscribe from the newsletter at any time by clicking on the "unsubscribe newsletter" link on the newsletter or by writing to us. Gondwana will receive an email with the deletion order and the email address will be deleted immediately.

### **Online reservation**

#### **Registration**

You can also register for an online reservation on our website. The registration is under the URL <https://store.gondwana-collection.com>. For the registration purpose, the following data is sent to the servers of Gondwana in Namibia and processed there: Email address.

#### **Checkout Form**

After choosing a hotel or lodge, you will be asked to complete the checkout form. For this purpose, the following data is requested and sent to the servers of Gondwana in Namibia, stored and processed: title, name, telephone number, email, country of residence, food preferences. The personal data that Gondwana needs for hotel reservations are stored in the Innkeeper booking system. The servers are centrally located in the main office of Gondwana in Windhoek, Namibia. There is currently no policy that sets a specific deadline for keeping this data. We point out, however, that you may exercise all rights as described in point III.

#### **Payment**

Once the checkout form has been completed, you will be asked to pay in advance for payment. For this purpose, Gondwana uses the application of DPO Payment Gateway, a company based in South Africa, which is a processor of Gondwana.

#### **Comments**

You can also leave comments in different places on our website. For this purpose, the following data is requested and stored in the servers of HubSpot: Title, Name, and Email. This data will also be published on the website. The comments you make on Gondwana's website may be subscribed to by third parties.

#### **Chat**

Gondwana uses an application from HubSpot for the chat function on the website. The HubSpot Suite is a communications platform hosted by HubSpot. The chat feature built into this site is part of this suite. HubSpot's chat feature, allows you to interact directly with a Gondwana representative online. For this communication to take place, you have to identify yourself.

The following data is sent to and processed by HubSpot USA servers: name, email, phone number.

### **Data for market research purposes and statistics**

We also save for statistical purposes: nationality. These statistics are collected by our main office in Windhoek, Namibia and forwarded to the Namibia Tourism Board NTB and the Hospitality Association of Namibia HAN for legal reasons. They contain no other personal information and are therefore completely anonymous.

### **Data transfer to third parties**

Any further disclosure of personal data to third parties will not take place, unless we are obliged to do so by court order or by law.

### **Profiling**

We do not use methods of automated profiling.

III. Rights to confirmation, information, correction, limitation of processing, deletion, data portability and revocation

The person responsible within the meaning of the General Data Protection Regulation is:

Gondwana Collection Namibia PTY LTD

Mr. Bernd Grahl

Nelson Mandela Ave 42, Windhoek, Namibia Email: [digital@gcnam.com](mailto:digital@gcnam.com)

Telephone: 00264-61-427200

On request we will inform you where your personal data is stored. We would like to point out the following rights that the General Data Protection Regulation (2016/679) affords to you as data subject;

Right to acknowledge: to request a confirmation as to whether personal data in question is being processed.

Right to information about these personal data and in particular to the following information:

- The processing purposes;
- The categories of personal data being processed;
- The recipients or categories of recipients to whom the personal data have been disclosed or are still being disclosed

- If possible, the planned duration for which the personal data are stored or, if this is not possible, the criteria for determining that duration;
- The existence of a right to rectification or erasure of the personal data concerned or

restriction of processing by the controller or a right to object to such processing;

- The existence of a right of appeal to a supervisory authority;
- If the personal data were not collected from the data subject, all available information on the source of the data;
- The existence of automated decision-making, including profiling, and - at least in these cases - meaningful information about the logic involved and the scope and intended impact of such processing on the data subject.

**Right to rectification:** You have the right to demand that the person responsible correct the incorrect personal data concerned without delay.

Taking into account the purposes of processing, you have the right to request the completion of incomplete personal data, including by means of a supplementary statement.

**Right to cancellation (or right to be "forgotten"):** You have the right to request that your personal data be deleted immediately, and the person responsible is obliged to delete personal data immediately if one of the following reasons applies:

- The personal data are no longer necessary for the purposes for which they were collected or otherwise processed.
- The data subject revokes their consent and there is no other legal basis for processing.
- You object to the processing and there are no legitimate reasons for the processing.
- The personal data were processed unlawfully.
- The erasure of personal data is necessary to fulfill a legal obligation under Union or national law to which the controller is subject.

- Personal data has been provided in relation to information society services offered Article 8 Paragraph 1 of the GDPR (offered directly to a child under the age of 16 years without the consent of the holder of the parental responsibility).

**Right to restriction of processing:** You have the right to require the controller to restrict processing if one of the following conditions is met:

- The accuracy of the personal data is contested, for a period of time allowing the controller to verify the accuracy of the personal data;
- The processing is unlawful and you refuse to delete the personal data and instead request the restriction of the use of the personal data;
- The controller no longer requires personal data for the purposes of processing, but you need them to assert, exercise or defend legal claims, or you have exercised your right to object to the processing of your personal data pending verification by the controller that there are legitimate grounds for processing your data that outweigh your rights as data subject.

**Right to data portability:** You have the right to receive your relevant personal information provided to a Responsible in a structured, common and machine-readable format, and you have the right to transfer that information to another person without hindrance from the Controller providing the personal information to be transmitted, provided the processing is based on a consent or on a contract and the processing is done by automated means.

In all these cases please send your request in writing, by mail or e-mail to us: Gondwana Collection Namibia PTY LTD

Mr. Bernd Grahl  
Nelson Mandela Ave 42 Windhoek, Namibia  
Email: digital@gcnam.com Telephone: 00264-61-427200

We also point out that, without prejudice to any other administrative or judicial remedy, any data subject has the right to complain to a supervisory authority, in particular in the Member State of his or her residence, place of work or place of alleged infringement, if the data subject considers: that the processing of personal data concerning them infringes this Regulation (according to the original text of Regulation 2016/679).

#### **IV. Justification of data processing. Reservation requests and hotel reservations.**

The Art. 6 Section. 1 lit. A of the GDPR serves as the legal basis for data processing, where we obtain consent for a specific purpose. If the processing of personal data is required to fulfil a contract of which you are a party, the processing is based on Art. 6 Section. 1 lit. B of the GDPR. This is the case if you conclude a contract with Gondwana for a hotel reservation or for booking a travel service. The same applies to such processing operations that are necessary for the implementation of pre-contractual measures, e.g. for inquiries about our hotels or services. If Gondwana is subject to a legal obligation requiring the processing of personal data, such as the fulfilment of tax obligations, the processing is based on Art. 6 Section. 1 lit. C GDPR.

In rare cases, the processing of personal data may be required to protect your vital interests. For example, if you were injured as a guest in one of our hotels or as a participant in our travels, your name, age, health insurance or other vital information would be passed on to a doctor, hospital or third party. Then the processing is based on Art. 6 Section. 1 lit. D GDPR.

Ultimately, processing operations could be based on Art. 6 Section. 1 lit. F GDPR. This legal basis applies if processing is necessary to safeguard the legitimate interests of our company or a third party, provided your interests, fundamental rights and fundamental freedoms do not predominate. Such processing operations are particularly allowed to us because they have been specifically mentioned by the European legislator. In that regard, he considered that a legitimate interest could be accepted if you were a customer of ours (recital 47 sentence 2 GDPR).

Authorized interests in the processing that are being pursued by the controller or a third party

Based the processing of personal data on Art. 6 Section. 1 lit. F GDPR, we clarify that our legitimate interest is the performance of our business for the benefit of our employees and our shareholders.

Legal or contractual provisions for the provision of personal data; Necessity for the conclusion of the contract; Obligation of the data subject to provide the personal data; possible consequences of non-provision

We clarify that the provision of personal data is partly required by law (e.g. tax regulations) or can also result from contractual provisions (e.g. information about the contracting party). It may be necessary for you to conclude a contract that you provide us with personal data that must be processed by us.

For example, you may be required to provide us with personal information when Gondwana contracts with you for hotel reservation. Failure to provide your personal information would mean that the contract could not be concluded with you.

Before you provide us with personal data, you can of course contact us. We clarify on a case-by-case basis whether the provision of the personal data is required by law or contract, or is required for the conclusion of the contract, whether there is an obligation to provide the personal data, and what would be the consequence of the non-provision of the personal data.

## **V. Cookies**

To make visiting the website attractive the use of certain functions called "cookies" are used. These are small text files, which are stored on your computer. After the end of the browser session, most of the cookies are deleted again from your hard drive ("session cookies"). The so-called "persistent cookies" on the other hand remain on your computer and are adjusted to recognize you on your next visit. The storage and functionality of cookies on your computer can be restricted, by selecting appropriate browser settings.

### **2. Google AdWords**

Gondwana uses Google Conversion Tracking. A cookie from Google AdWords will be placed on your computer if you have reached our website via a Google ad. These cookies expire after 30 days and are not intended to personalize identification. Each customer of AdWords receives a specific cookie. Information gathered using the conversion cookie is used to generate conversion statistics for us as AdWords customers. We're learning the total number of users

who clicked on an ad and how many were redirected to a conversion tracking tag-enabled subpage. We received no information with which users could be identified.

If you do not want to participate in the tracking process, you can also refuse to set the cookie - for example, via the browser setting, which can generally disable the automatic setting of cookies. You can also disable cookies for conversion tracking if you set your browser to block cookies from the domain "www.googleadservices.com". For more information about Google's privacy and the cookies described here: <https://services.google.com/sitstats/de.html>

### **3. Retargeting technology from Google AdWords**

Our website uses internet retargeting technology. This makes it possible to address specifically any Internet user with advertising that has already been interested in our hotels and lodges. The insertion of advertisements takes place during retargeting on the basis of an analysis of the previous user behavior, which is possible through the use of cookies. No personal information is stored for this purpose. However, if you do not want to collect and use Google Inc. technology, you can use the following link to control ad serving cookies and disable interest-based ads: <http://www.google.de/policies/technologies/ads/>

### **4. Google AdSense**

Gondwana has integrated Google AdSense into this site. Google AdSense is an online service that places advertising on sites. Google AdSense uses an algorithm 11 that generates an

individual user profile and allows interest-based targeting of the user. The operating company of Google AdSense component is Alphabet Inc., 1600 Amphitheater Pkwy, Mountain View, CA 94043-1351, USA. The purpose of Google AdSense is to include advertisements on our website. Google AdSense sets a cookie on your computer. By setting this cookie the Alphabet Inc. has an analysis of your use of our website. Each time you visit any of the subpages where Google AdSense has been integrated, your Internet browser will automatically cause you to submit data to Alphabet Inc. for the purposes of online advertising and commission billing.

Alphabet Inc. obtains knowledge of personal data that is used among other things as your IP address, to trace the origin of your visit and your clicks and adjusted commission statements. You can prevent the setting of cookies through our website at any time by means of an appropriate setting of your Internet browser and thus permanently contradict the setting of cookies.

Google AdSense also uses so-called counting pixels. A counting pixel is a miniature graphic that is embedded on our website, allowing a statistical evaluation to be performed. Based on the pixel-code Alphabet can recognize Inc. if and when our website opened and which links you clicked. Google AdSense transmits your personal information (IP address) to the US, where it is stored and processed. Alphabet Inc. may share this personal information with third parties.

Google AdSense is explained in more detail at <https://www.google.com/intl/en/adsense/start/link> 5. Google Analytics

Gondwana uses Google Analytics. Gondwana has been in charge of a contract data processing contract with Google Ireland Ltd, here as a processor. Google Analytics is a web analytics service provided by Google Inc. ("Google"), the so-called. "Cookies", text files that are stored on your computer, to analyze the use of the website.

Information generated by the cookie about your use of this website is transmitted to a Google server in the USA and stored there. Google will use this information to evaluate your use of the website, to compile reports on Gondwana's website activity, and to provide other services related to website activity and internet usage. Google may also disclose this information to third parties if required by law or as far as third parties process this data on behalf of Google. Google will never associate your IP address with other Google data. By selecting the appropriate browser settings you can prevent the use of cookies. You cannot fully use all features of this website in this case.

If you do not want Google to receive data from your browser when you call the pages, the link to the opt-out Erasing Google Analytics solution can be found here (<http://tools.google.com/dlpage/gaoptout?hl=de>). This plugin prevents the browser from requesting the Analytics code, so Google will not receive any data when the page is viewed. The plugin is available for different browser types. According to Google, the browser blocks the Google Analytics script after installation.

Our website always uses Google Analytics with the extension "\_anonymizeIp ()". Thus, IP addresses are processed only shortened and a direct "Person Test" is excluded. In this respect, it is ensured that no detailed IP address data will be transmitted by you as part of the website call. Retrieve more information and privacy laws by Google <https://www.google.de/intl/de/policies/privacy/> and



<http://www.google.com/analytics/terms/de.html>. Google Analytics is explained in more detail at [https://www.google.com/intl/de\\_de/analytics/](https://www.google.com/intl/de_de/analytics/).

## **5. Microsoft Clarity**

Gondwana has a code from Clarity running on all their websites. Clarity is a user behaviour analytics tool that helps you understand how users are interacting with your website through features such as session replays and heatmaps. Clarity is GDPR compliant as a data controller. For more information, see: <https://privacy.microsoft.com/en-gb/privacystatement>

## **VI. Social networks**

### **1. Facebook**

Our website links to Gondwana's page on Facebook. The Facebook platform is operated exclusively by Facebook Inc., 1601 S. California Ave, Palo Alto, CA 94304, USA (Facebook). If you are on our Facebook page with your personal account, Facebook can assign the website visit to this account. By interacting with plug-ins, e.g. by clicking on "Log in via Facebook", "Share" button or leaving a comment on Facebook, this information will be transmitted directly to Facebook and stored there. If you want to prevent such transmission, you must log out before you visit our website under your Facebook account.

If you are not a member of Facebook, there is the possibility, that Facebook takes your IP address in experience and stores it. It is, however, Facebook Social plug-ins with add-ons, such as the "Facebook Blocker" block for your browser. Purpose and scope of data collection by Facebook, and the local further processing and use of your data as well as your rights and settings. For possibilities to protect your privacy please see the privacy policies of Facebook (<http://dede.facebook.com/about/privacy/>).

### **2. Twitter**

Our Web site links to the Gondwana Web site on Twitter, a microblogging service provided by the American company Twitter, Inc. (795 Folsom St., Suite 600, San Francisco, CA 94107). The button from Twitter can be recognized by the stylized blue bird. Only when you log on to the

Twitter site and submit the tweeted information to Twitter about your visitor behavior will this information will this be associated with your Twitter user profile.

Further information on the collection, analysis and processing of your data by Twitter as well as your related rights can be found in the privacy policy of Twitter, which is available at <http://twitter.com/privacy>.

### **3. Pinterest**

Our website links to the Gondwana website on the social network Pinterest, which operates an online photo uploading and distribution service. This is operated exclusively by Pinterest Inc., 808 Brannan Street, San Francisco, CA 94103, USA. The linking is indicated by a stylized "P".

If you click on a Pinterest button on our website, your browser connects directly to the Pinterest servers and loads the Pinterest link. Information is transmitted to Pinterest that our website was called. Only when you log on to the Pinterest website will you submit information to Pinterest about your visitor behavior. Information is assigned to your Pinterest user profile. Pinterest's Privacy Policy is located at <https://about.pinterest.com/privacypolicy>. There you will find information about the collection, processing and use of personal data by Pinterest.

#### **4. YouTube**

Our website links to the Gondwana pages of the social network YouTube. These are exclusively available from YouTube, LLC, 901 Cherry Ave., San Bruno, CA 94066, USA. YouTube, LLC is a subsidiary of Google Inc., 1600 Amphitheater Pkwy, Mountain View, CA 94043-1351, USA.

When you click on a YouTube button on our website, your browser will connect directly to YouTube's servers and load the YouTube link.

Information is transmitted to YouTube that our website has been accessed. Only when you sign up on the YouTube website will you provide YouTube with information about your visitor behavior. Information is also assigned to your YouTube user profile.

YouTube's privacy policy is located at <https://www.google.com/intl/en/policies/privacy/>.

There you will find information on the collection, processing and use of personal data by YouTube.

#### **5. Instagram**

Our website links to the Gondwana pages of the social network Instagram, which allows the uploading and sharing of photos, as well as the networking through friend requests. The operating company of Instagram's services is Instagram LLC, 1 Hacker Way, Building 14 First Floor, Menlo Park, CA, USA.

If you click on an Instagram button on our website, your browser connects directly to Instagram's servers and loads the Instagram link. Information is sent to Instagram that our website was called up. Only when you sign up on the Instagram website will you provide Instagram with information about your visitor behavior. Information is also assigned to your Instagram user profile. Further information and the applicable privacy policy by Instagram can be found under

<https://help.instagram.com/155833707900388> and <https://www.instagram.com/about/legal/privacy>

### **VII. Plug-ins for the online booking path**

Gondwana offers an online booking link at the URL <https://store.gondwanacollection.com>. For this, some additional plug-ins are used: TripAdvisor, TrustYou, and Google Streetview. These plug-ins on our website do not use personal information about you.

## **VIII. Data security**

Gondwana endeavors to store your personal data by means of technical and organizational measures in such a way that they are inaccessible to third parties. When communicating via the Internet (e.g. via e-mail), we cannot guarantee complete data security and should it become necessary that confidential information must be shared with us, its transmission will be dealt with appropriately on consultation.

Taking into account the state of the art, the implementation costs and the nature, scope, circumstances and purposes of the processing and the different likelihood and severity of the risk to the rights and freedoms of natural persons, the controller and the processors with whom contracts have been concluded appropriate technical and organizational measures to ensure a level of protection commensurate with the risk.

These measures may include:

- The encryption of person- related data;
- The ability to permanently ensure the confidentiality, integrity, availability and resilience of the processing systems and services;
- The ability to rapidly restore the availability of and access to personal data in the event of a physical or technical incident;
- A process for periodically reviewing, evaluating and evaluating the effectiveness of technical and organizational measures to ensure the safety of processing.

## **IX. Modification of this Privacy Policy**

We reserve the right to change this Privacy Policy at any time with future effect. A current version is available on the website. Please visit the website regularly to find out about the applicable privacy policy.

## **X. Scope**

This Privacy Policy applies to the following Gondwana websites: [www.gondwana-collection.com](http://www.gondwana-collection.com), [www.namibia2go.com](http://www.namibia2go.com), [www.gondwana.travel](http://www.gondwana.travel) It does not extend to any linked third party websites. The Website may contain hyperlinks to and from third party websites. If you follow a hyperlink to one of these websites, please note that this privacy policy does not extend to any linked third party websites. Please make sure you are aware of the applicable third-party privacy policy before submitting personal information to these websites.

## **XI. Further information**

Your trust is important to us. If you have any questions, comments or inquiries regarding the processing of your personal data, please feel free to contact us using the contact details provided above.

## **XII. Links to other Pages**

As far as it is not obvious, we point out that you may click on an external link. We have no influence on the content and design of external websites. Information and insurance

in this privacy statement therefore applies only to our website and not to websites of other providers.