

Albinati Aeronautics SA (CHE-101.946.050) of 10, chemin de Riantbosson, 1217 Meyrin, Switzerland and Albinati Aviation Ltd (C 59869) of Aragon House Business Centre, Dragonara Road, St. Julians STJ 3140, Malta (the “Companies”, “we”, “us” and each, a “Company”) consider the management of our customers’ and partners’ personal data to be a privilege. We therefore commit ourselves to guarantee the protection of personal data lawfully and in a transparent way and in line with applicable data protection legislation, including (in particular) the General Data Protection Regulation (Regulation (EU) 2016/679) (the “GDPR” or the “Regulation”).

Purpose of this notice

This notice aims to give you (**our customer**) information on how the Companies will collect and process your personal data (or your **personal information**) when you:

- (i) Approach and request us to provide you with our particular services (the “services”).
- (ii) Enter into a contract with us in order to be provided with the requested services.
- (iii) Visit and use our website: <https://www.albinati.aero> (the “website” or the “site”), regardless of where you visit and use it from.

It is important that you read this notice, together with any other privacy notice or fair processing notice 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 notice supplements the other notices and is not intended to override them. Moreover, certain processing activities will require your express consent in order to be carried out, as specifically indicated below in this notice.

Changes to the privacy notice and your duty to inform us of changes

This version of the notice was last updated on [24th May 2018].

We reserve the right to make changes to this notice in the future, which will be duly notified to you. If you have any questions regarding this notice, or if you would like to send us your comments, please contact us today or alternatively write to us at gdpr@albinati.aero.

Third-party links

The website 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 notices. When you leave our website, we encourage you to read the privacy notice of every website you visit.

The data we collect

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- ✘ Identity data includes your first name, last name, username or similar identifier, title, date of birth, nationality and gender. This will be required when you request the services.
- ✘ Your contact information, including your residential address, billing address, email address, telephone and mobile number.
- ✘ Copy of your identity document information (namely passport) when we are arranging a flight on your behalf or you have otherwise chartered a flight with us.
- ✘ Your medical conditions (e.g., allergies and disabilities) and dietary requirements.
- ✘ Information about your travel arrangements, such as details of your bookings (such as country of destination), travel itinerary and other details related to your travel.
- ✘ Your financial information, including bank account details and credit card information.
- ✘ Information about your interactions with our staff and subcontractors.
- ✘ Details about invoices that have been issued to you.
- ✘ Information about the services that we have provided to you in the past, including your previous travel arrangements, such as past flights and other bookings.
- ✘ Your geographical position.
- ✘ Your internet protocol (IP) address, 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 website (**technical data**).
- ✘ Your preferences in receiving marketing from us and our third parties.
- ✘ Generally, other information that may be required by us to (i) carry out and fulfil our contractual obligations to you and/or (ii) comply with our legal and regulatory obligations.

We need this personal data in order to provide the services you request from us and if you fail to provide it, we will not be in a position to perform those services.

We also collect, use and share aggregated data such as statistical or demographic data for any purpose. Aggregated data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. However, if we combine or connect aggregated data with your personal 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 notice.

Certain categories of personal data are considered to be **sensitive personal**.

We may **need to process sensitive personal data** about you, but will only do so where:

- ✘ We have your explicit consent (**Article 9(2)(a), GDPR**).
- ✘ It is necessary for medical purposes, for example medical diagnosis, provision of health or social care or treatment, or a contract with a health professional (**Article 9(2)(h), GDPR**).
- ✘ It is needed to protect your vital interests (or someone else's interests) and you are not capable of giving your consent (**Article 9(2)(c), GDPR**).
- ✘ It is needed in relation to legal claims (**Article 9(2)(f), GDPR**).

In particular, possible instances of processing information relating to your health may include where:

- ✘ You have requested special medical assistance from us and/or from an airport operator, such as the provision of wheelchair assistance or oxygen.
- ✘ You have sought clearance from us to fly with a medical condition or because you are pregnant.
- ✘ You have otherwise freely chosen to provide such information to us.

Access to, and the sharing of, your sensitive personal data will be controlled very carefully and maintained under the strictest confidence at all times. We will not share such information without your consent, unless required by law or in your vital interests in an emergency situation. You will be given more details about our possible use of your sensitive data when we collect it from you.

How we collect your data

Data is collected from you primarily in the ways set out below:

- ✘ When taking steps to enter into a contract for the performance of a particular service.
- ✘ Through direct interactions (including when you submit an enquiry or complete a contact form).

We may also collect your data through interaction with our site. This is done by using cookies, server logs, and other similar technologies.

We may collect personal data about you from third parties or publicly available sources for example from analytics providers, payment service providers.

Awareness to our customers and partners

As a customer, your personal data is processed by the Companies or shared with our contractors as may be required (i) to provide you with the requested Services, in line with EU laws and International Conventions and (ii) in the management of the Companies' operational procedures.

We may also process your personal data in order to comply with any legal or regulatory obligations which apply to us (including under internal conventions) as well as where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

Personal data may be processed by parties operating on behalf of the Companies in line with specific contractual obligations, in EU member states or in countries outside of the EU. Personal data may be disclosed to third parties in order to comply with legal obligations or orders from public authority bodies, or to allow the Companies to exercise their rights in court.

We may also disclose your data if we are under a duty to disclose or share your personal data to comply with any legal obligation, judgment or an order from a court, tribunal or authority.

We may also disclose your data to enforce our contractual terms with you, or to protect our rights, property or safety, that of our partners or other users of our services. This includes exchanging information with other companies, organisations, law enforcement agencies for the purposes of fraud protection and the detection, prevention and investigation of crime.

We require third parties to respect the security of your personal data and to treat it in accordance with the law. We also require our third-party services providers to only process your personal data for specified purposes and in accordance with our written instructions.

The Companies do not transfer personal data to third parties to be processed for marketing activities.

Confidentiality

The Companies shall maintain the confidentiality of any such personal data and shall take reasonable steps to ensure the reliability of any employee, agent or contractor who may have access to the personal data, ensuring in each case that access is limited to those individuals who need to access the relevant personal data, for the purposes necessary to perform the requested services.

Purposes for which we will use your personal data

We need all the categories of information set out above ('The data we collect') primarily to allow us to perform our contract with you and to fulfil our contractual obligations to you (namely with regards to the requested services) and to enable us to comply with legal obligations.

In some cases, we may use your personal data to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal data are listed below.

(i) **To perform the contract we have entered into with you and our legal obligations**

- ✕ To fulfil and perform the services you have requested from us, including (as applicable):
 - ✕ Providing you with your chartered flight.
 - ✕ Attending to and fulfilling your other travel and booking arrangements.
- ✕ To enable and make all necessary arrangements for landing in the destination country.
- ✕ To ensure the safety, security and comfort of our passengers (**including yourself**) and crew during any flight.
- ✕ To fulfil your meal and catering requests.
- ✕ To take all measures and precautions that may be required or advisable to ensure a safe and secure air travel and subsequent landing.
- ✕ Liaising with passport control and immigration/border agencies and, where required, relevant police and customs authorities to arrange for your entry and eventual exit from the destination country (this may necessitate sharing your passport information).
- ✕ To provide you with any medical assistance, amenities or adjustments that you may have requested from us for the purposes of your flight.
- ✕ To protect your vital interests in the case of an emergency.
- ✕ To manage payments, fees and charges.
- ✕ To manage our relationship with you.
- ✕ To resolve any issues or disputes.
- ✕ To deal with the general enquiries you raise from time to time on our services.
- ✕ To generally ensure compliance with our particular obligations at law as an aviation service provider.
- ✕ For the purposes of accounting and billing.
- ✕ To carry out and/or to enforce our contractual obligations.
- ✕ To ensure that you or any passenger is not the subject or target of any economic or trade sanction law or regulation or travel ban.

(ii) Legitimate interests

- ✘ To carry out due diligence and other background checks, according to the circumstances at the time.
- ✘ For internal record keeping and the general administration of your records by us which may include for example, accounting and billing, auditing, credit or other payment card verification, immigration and customs control, safety, security, health, administrative and legal purposes and systems testing, maintenance and development.
- ✘ For training our employees in respect of providing our service to you.
- ✘ To improve our services and their respective provision.
- ✘ From time to time, to contact you for feedback on our services and third-party supplier services so as to assist us in their improvement and development, and to provide services tailored to your requirements and treat you more personally.
- ✘ To administer and protect our business and the website.
- ✘ To make suggestions and recommendations to you about our services that we feel may be of interest to you.
- ✘ For our general marketing purposes.

We will only use your personal data for the purposes we have collected it or purposes which are compatible. 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 or, alternatively, request your consent.

Marketing

You will receive marketing communications from us if you have an ongoing relationship with us and provide you have not opted out of receiving such marketing.

Sharing of your personal data

Your personal data will need to be shared internally between **Albinati Aeronautics** and **Albinati Aviation** in order to perform the contracted services, for internal administrative purposes and/or any of the other purposes listed above ('Purposes for which we will use your personal data').

In particular, we will need to share your personal data to the following third parties in order to perform the contracted services, such as our suppliers, airport operators, customs and immigration authorities, and the agents or brokers involved in the relevant booking and travel arrangements.

Transfer of data outside the European Economic Area (EEA)

Within the context of the company's contractual relations and service provision, your personal data may need to be transferred outside the European Economic Area (EEA). We will only do so where necessary to enable the purposes for which that information was collected, and such activities shall be carried out in strict compliance with the applicable laws on the protection of personal data.

We will generally rely on the following measures, safeguards and/or derogations in order to carry out these data transfers:

- ✕ Transfers on the basis of adequacy decisions issued by the European Commission.
- ✕ Transfers on the basis of agreements based on standard contractual clauses for the transfer of data outside the EEA, as approved by the European Commission, among other methods.
- ✕ The derogations permitted by Article 49 of the GDPR (including, primarily, where the transfer is necessary for the performance of the Services that you have requested from us).

Please contact us at gdp@albinati.aero if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

The data controller

The data controller may be Albinati Aeronautics SA or Albinati Aviation Ltd as the case may be, with registered offices in 10, chemin de Riantbosson, 1217 Meyrin, Switzerland and Aragon House Business Centre, Dragonara Road, St. Julian's STJ 3140, Malta respectively. The data subject may contact the Companies regarding these issues at the email address gdp@albinati.aero.

Storage of personal data

The data processed in order to provide the contracted services will be kept by the Companies for the period considered strictly necessary to achieve these ends. Furthermore, the data processed in order to provide the contracted services may be stored for a longer period, to enable any disputes relating to the provision of the service to be handled or in order for us to comply with our legal obligations.

Generally, our retention of your personal data shall not exceed the period of five (5) years from the conclusion or termination of your contractual relationship with us. This period of retention enables us to use your data for the assertion or defence of possible future legal claims (taking into account applicable statutes of limitation and prescriptive periods). In certain cases, we may need to retain your personal data for a period of up to ten (10) years in order to comply with applicable accounting and tax laws (this will primarily consist of your accounting and financial data).

The rights of the data subject

The data subject shall have the following rights:

1. The right of access, i.e., the right to obtain confirmation from the company as to whether or not personal data concerning him or her are being processed, and where this is the case, to obtain access thereto.
2. The right to rectification and erasure, i.e., the right to have inaccurate data rectified and/or to have incomplete data completed, and the right to have personal data erased for legitimate reasons.
3. The right to impose restrictions on the processing of personal data, i.e., the right to request the suspension of data processing for legitimate reasons.
4. The right to data portability, i.e., the right to receive the data in a structured, commonly-used and easily readable format, as well as the right to transmit the data to another data controller.
5. The right to object, i.e., the right to oppose the processing of data where legitimate reasons for this exist, including data processed for marketing and profiling purposes, if this is envisaged.
6. The right to withdraw consent, i.e., where you have given your consent to the processing of your personal data, you may withdraw this consent by contacting us.
7. The right to contact the competent data protection authority in case of unlawful data processing. In the case of Switzerland, this is the Federal Data Protection and Information Commissioner (the "FDPIC") (<https://www.edoeb.admin.ch/edoeb/en/home.html>), and in the case of Malta, this is the Information and Data Protection Commissioner (<https://idpc.org.mt/en/Pages/Home.aspx>). We would, however, appreciate the opportunity to deal with your concerns before you approach the supervisory authority, so please contact us in the first instance.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a 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.

Time limit to respond

We try to respond to all legitimate requests within one (1) month. Occasionally it may 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.

The data subject may exercise the rights listed above by writing to the email address gdpr@albinati.aero.