

Albinati Aeronautics SA (CHE-101.946.050) of chemin de Riantbosson 10, 1217 Meyrin, Switzerland and Albinati Aviation Ltd (C 59869) of Aragon House Business Centre, Dragonara Road, St Julian's STJ 3140, Malta (collectively, the "**Companies**" or "**we**", and each individually, a "**Company**") consider the management of the personal data of our partners, customers and other users/beneficiaries of our services 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 the General Data Protection Regulation (Regulation (EU) 2016/679) (the "**GDPR**").

Purpose of this Notice

This Notice is addressed to the following persons, to the extent the same are natural persons (collectively or each individually, as applicable, "**you**"):

- (i) Our customers, including the owners of the aircraft that are managed/operated by us and all charter customers for which we arrange charter flights, whether as carriers (for aircraft operated by us) or as charter flights brokers (for aircraft operated by third party operators);
- (ii) All passengers who travel on board the aircraft operated by us or by third party operators (when we arrange charter flights as charter flights brokers on behalf of our customers);
- (iii) Our partners with whom we work in order to provide our services to our customers and the aforementioned passengers; and
- (iv) The shareholders, partners, affiliates, officers, directors, employees, agents, representatives, servants, auxiliaries, successors and assigns of the aforementioned persons.

This Notice aims to give you information on how the Companies will collect and process your personal data when you:

- (i) Approach and request us to provide you (or any other person) with our services, including the services of aircraft management and operation, air carriage and charter flight brokerage (the "**Services**");
- (ii) Enter (or arrange the entering) into a contract with us in order to be provided with the requested Services;
- (iii) Use, or benefit from, our Services, in particular as passenger of a charter flight;
- (iv) Enter (or arrange the entering) into a contract with us for the provision of services to us; and/or
- (v) Visit and use our website: www.albinati.aero (the "**Website**"), 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 personal data. This Notice supplements any 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 hereinafter.

This Notice shall not grant, and shall not construed as granting, to any person more rights than those rights (if any) granted by the GDPR to such person.

Changes to this Notice

This version of the Notice was last updated on 19 September 2020.

We reserve the right to make changes to this Notice in the future, in which case the new version of this Notice will be made available on our Website.

If you have any questions regarding this Notice, or if you would like to send us your comments, please contact us by email 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 personal 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 personal data we collect

Personal data 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 include your first name, last name, username or similar identifier, title, date of birth, nationality, gender and civil status.
- ✘ Your contact information, including your residential address, billing address, address at your destination, email address, telephone and mobile number.
- ✘ The names and phone numbers of the persons to be contacted in case of an emergency concerning yourself (you shall obtain the required consent of such persons to the communication of this information to us).
- ✘ Copy of your identity document information (namely passport and visa), in particular when we are arranging a flight for you.
- ✘ Your medical condition (e.g. allergies and disabilities), needs for assistance and dietary requirements.
- ✘ Information about your travel arrangements, such as details of your bookings, travel itinerary and other details related to your travel.
- ✘ Your preferences and tastes, in particular with respect to catering, press, service, entertainment and cabin configuration onboard the aircraft.
- ✘ Information with respect to your pet(s) travelling with you.
- ✘ Your financial information, including bank account details and credit card information.
- ✘ Information about your interactions with our staff and sub-contractors.
- ✘ 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.
- ✘ Your preferences in receiving marketing from us.
- ✘ Generally, other information that may be required by us to (i) carry out and fulfil our contractual obligations to you, (ii) provide the Services and/or (iii) comply with our legal and regulatory obligations.

We need most of these personal data in order to provide the Services which you request from us (or which you benefit from) and if you fail to provide such data, we will not be in a position to provide 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 are not considered personal data in law as these data do 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) of the 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) of the 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) of the GDPR**);
- ✘ It is needed in relation to legal claims (**Article 9(2)(f) of the GDPR**).

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

- ✘ You have requested special medical assistance from us, a third-party operator and/or 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 them from you.

How we collect your personal data

Personal data are collected from you primarily in the ways set out below:

- ✕ When taking steps to enter into a contract for the provision of a particular Service;
- ✕ Through direct interactions (including when you submit an enquiry or complete a contact form) with you or your representatives.

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

We may collect personal data about you from third parties (in particular from our customers, when you are a passenger for whom our customer books a charter flight) or publicly available sources, for example from analytics providers and payment service providers.

Awareness to you

Your personal data are processed by, and exchanged between, the Companies or shared with our contractors as may be required (i) to provide you with the 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 international 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 personal 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 personal 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.

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

Confidentiality

The Companies maintain the confidentiality of your personal data and 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 provide the Services.

Purposes for which we will use your personal data

We need all the categories of information set out above ('The personal data we collect') primarily to allow us to perform our contract with you, to fulfil our contractual obligations to you (namely with regards to the requested Services), to provide the Services to you (or in your favour) and to enable us to comply with our 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 our contract with you, to fulfil our contractual obligations to you (namely with regards to the requested Services), to provide the Services to you (or in your favour) and to enable us to comply with our legal obligations:**
- ✘ To provide the Services you have requested from us (or that have been requested by our customer in your favour), including (as applicable):
 - ✘ arranging (and performing, if we are the operator of the aircraft) your charter 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.
 - ✘ To make all arrangements with the handling agents at the departure and destination airports.
 - ✘ To liaise 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 in particular 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 (in particular, as air carrier or charter flight broker).
 - ✘ For the purposes of accounting and billing.
 - ✘ To carry out and/or to enforce our contractual obligations.

- ✘ To ensure that you are not the subject or target of any economic or trade sanction or travel ban.
- (ii) **To pursue legitimate interests of our own or those of third parties:**
 - ✘ To carry out due diligence and other background checks, according to the circumstances.
 - ✘ 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 Services to you.
 - ✘ To improve our Services and the provision thereof.
 - ✘ 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 for which we have collected them 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 provided that you have not expressly opted out of receiving such marketing communications.

Sharing of your personal data

Your personal data will need to be shared internally between the Companies in order to provide the Services, for internal administrative purposes and/or any of the other purposes listed above ('Purposes for which we will use your personal data').

In addition, we will need to share your personal data to third parties (including outside the European Economic Area (EEA)) in order to provide the Services, such as our suppliers, airport operators, handling agents, customs and immigration authorities, third party aircraft operators, limousine companies, hotels 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 provisions of the Services, 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 provision of the Services that you have requested from us or that were requested for your benefit, in particular when you are the passenger of a charter flight).

Please contact us at gdpr@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 at chemin de Riantbosson 10, 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 any request with respect to personal data at the following email address: gdpr@albinati.aero.

When the data controller is Albinati Aeronautics SA, its representative in the EU (within the meaning of Article 27 of the GDPR) is Albinati Aviation Ltd, with an address at Sede Secondaria, Corso Vittorio Emanuele II 48, 10123 Torino (TO), Italy.

Storage of personal data

Your personal data will be kept by the Companies for the period considered as necessary to achieve the purposes set out herein. In particular, in case of contractual relationship established between you and us and/or in case of provision of Services in your favour, your personal data will be kept during such contractual relationship and/or provision of Services and after the end thereof, unless you expressly ask us to delete your personal data (without prejudice to our right to nonetheless keep it in accordance with the provisions of the GDPR); keeping your personal data allows us to better meet your expectations should we be contacted for further Services in the future.

Generally, our retention of your personal data shall not exceed a period of ten (10) years from the end of the provision of the Services to you (or the end of our relationship with you). This period of retention enables us to:

- ✕ Use your personal data for the assertion or defence of possible current or future legal claims and for the handling of any other disputes (in particular any dispute relating to the provision of the Services), taking into account applicable statutes of limitation and prescriptive periods;

- ✘ Comply with our legal obligations, in particular under aviation, accounting and tax laws and regulations; and/or
- ✘ Protect our legitimate interests and as the case may be the legitimate interests of third parties, as permitted and subject to the provisions of the GDPR.

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 Companies 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 personal data rectified and/or to have incomplete personal 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 personal data in a structured, commonly used and easily readable format, as well as the right to transmit the personal data to another data controller;
5. The right to object, i.e. the right to oppose the processing of personal 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. 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.

Any request you may have regarding your personal data shall be signed, addressed with your details (name and address) and a readable copy of your passport or ID in order to allow us to verify your identity.

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.

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 following email address gdpr@albinati.aero.