

PRIVACY POLICY

1. General

- 1.1 We, Spirit of Speyside Whisky Festival Limited (“we” or “us”) are committed to protecting and respecting your privacy.
- 1.2 This policy (together with our Terms of Website Use) and any other documents referred to in it) sets out the basis on which any personal data collected from you via our website, or that you provide via our website, will be processed.
- 1.3 Except as stated in Clause 1.4 below, for the purpose of the Data Protection Act 2018 (the “Act”) the data controller is us, Spirit of Speyside Whisky Festival Limited, a company registered in Scotland under company number SC298534 and having our registered office at Hatton Hill House, Glen Moray Distillery, Bruceland Road, Elgin, IV30 1YE.
- 1.4 In the event of you using our website to book tickets for an event at the Spirit of Speyside Whisky Festival, unless we are the event provider named in the event details, the data controller of any personal data provided by you as part of the booking process will be the third party provider of the event concerned. You will find the name and contact details of the provider of each event within the event details on our website or on your ticket for each event, but if you are in any doubt about the identity of the provider of any event please do not hesitate to contact us on companysecretary@spiritofspeyside.com.
- 1.5 If you tick the appropriate box as part of the process of booking tickets for an event at the Spirit of Speyside Whisky Festival to request updates about the Spirit of Speyside Whisky Festival, then we will be the data controller of your personal data held by us for the purpose of sending you such updates. This will be the case even if you tick the appropriate box whilst booking tickets for an event provided by a third party.
- 1.6 In the following clauses of this Privacy Policy the term “Data Controller” will mean the relevant person or body who is data controller for your personal data, as explained in Clauses 1.3 to 1.5 above.

2. Information that may be collected from you

- 2.1 We may collect and process the following data about you:
 - 2.1.1 information that you provide by filling in forms on our website. This includes (but is not limited to) information provided at the time of registering to use our website or posting material to our website, information provided at the time of requesting services via the website or when you enter a competition or promotion via the website, and when you report a problem with our website;
 - 2.1.2 if you contact us, we may keep a record of that correspondence;

- 2.1.3 you may also be asked to complete surveys that we use for research purposes, although you do not have to respond to them;
 - 2.1.4 details of transactions you carry out through our website; and
 - 2.1.5 details of your visits to our website and the resources that you access (this information is collected in an anonymous manner and it cannot be used to identify you personally).
- 2.2 Any third party provider of an event which you book tickets for using our website may collect and process the following data about you:
- 2.2.1 any information you provide at the time of booking tickets for the event provider's event;
 - 2.2.2 details of any bookings you make for events provided by the event provider; and
 - 2.2.3 if you contact the event provider, the event provider may keep a record of that correspondence.
- 2.3 We do not collect any "special categories" of personal data about you (this includes 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). Nor do we collect any information about criminal convictions and offences.

3. Cookies

Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our website. For detailed information on the cookies we use and the purposes for which we use them see our Cookies Policy.

4. Where your personal data is stored

- 4.1 The personal data that is collected from or provided by you using our website may be transferred to, and stored at, a destination outside the European Economic Area ("**EEA**"). It may also be processed by staff operating outside the EEA who work for the Data Controller or for one of the Data Controller's suppliers. Such staff may be engaged in, among other things, the fulfilment of your order, the processing of your payment details and the provision of support services. By submitting your personal data, you agree to this transfer, storing or processing.
- 4.2 Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our website; any transmission is at your own risk. Once your information has been received, the Data

Controller will use procedures and security features to try to prevent unauthorised access.

5. Uses made of your information

- 5.1 The Data Controller uses information held about you in the following ways:
- 5.1.1 to ensure that content from our website is presented in the most effective manner for you and for your computer;
 - 5.1.2 to provide you with information or services that you request (or which the Data Controller feels may interest you, where you have consented to be contacted for such purposes);
 - 5.1.3 to carry out the Data Controller's obligations arising from any contracts entered into through our website;
 - 5.1.4 to allow you to participate in interactive features of our website, when you choose to do so;
 - 5.1.5 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;
 - 5.1.6 where we need to comply with a legal obligation; and
 - 5.1.7 to notify you about changes to our website.
- 5.2 Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party direct marketing communications to you via email or text message. If requested by you by ticking the appropriate box on the website, we may also use your personal data to provide you with updates about the Spirit of Speyside Whisky Festival. We may contact you with updates by email, post or telephone. You have the right to withdraw consent to marketing at any time by contacting us.
- 5.3 We do not disclose information about identifiable individuals to our advertisers, but we may provide them with aggregate information about our users (for example, we may inform them that 500 men aged under 30 have clicked on their advertisement on any given day). We may also use such aggregate information to help advertisers reach the kind of audience they want to target (for example, women in a certain post code). We may make use of the personal data we have collected from you to enable us to comply with our advertisers' wishes by displaying their advertisement to that target audience.
- 5.4 Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have

to cancel a product or service you have with us but we will notify you if this is the case at the time.

5.5 We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

5.6 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, regulatory, tax, accounting or other requirements.

5.7 By law we have to keep basic information about our customers (including contact, identity, financial and transaction data) for six years after they cease being customers for tax purposes.

5.8 In some circumstances you can ask us to delete your data: see your rights below for further information.

5.9 In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

6. **Disclosure of your information**

6.1 The Data Controller may disclose your personal data to any member of the Data Controller's group, which means the Data Controller's subsidiaries, the Data Controller's ultimate holding company and the Data Controller's subsidiaries, as defined in section 1159 of the UK Companies Act 2006.

6.2 The Data Controller may disclose your personal data to third parties:

6.2.1 in the event of you purchasing tickets for an event via our website, the Data Controller may disclose your personal details to:

6.2.1.1 payment processing organisations in order to process your payment; or

6.2.1.2 to the third party event organiser in order to allow them to contact you to arrange certain aspects of the event, such as to establish if you have any special dietary requirements or to make you aware of any changes to the event, its location, content, timing or other characteristics;

6.2.2 in the event that the Data Controller sells any business or assets, in which case the Data Controller may disclose your personal data to the prospective buyer of such business or assets;

6.2.3 if the Data Controller or substantially all of its assets are acquired by a third party, in which case personal data held by the Data Controller about the Data Controller's customers will be one of the transferred assets; or

6.2.4 if the Data Controller is under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply or comply with our Terms of Website Use or Booking Terms and Conditions or other agreements; or to protect the rights, property, or safety of the Data Controller, the Data Controller's customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

7. Exercising your rights

7.1 Under certain circumstances, you have rights under data protection laws in relation to your personal data. These rights are set out in Clause 8 below. You can exercise these rights at any time by contacting us at companysecretary@spiritofspeyside.com. Alternatively, if you have provided personal data via our website in order to book tickets for an event provided by a third party (as specified in Clause 1.4 above) then you may contact the third party event provider direct using the contact details of the event provider provided within the event details on our website or on your tickets for the relevant event.

7.2 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 could refuse to comply with your request in these circumstances.

7.3 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.

7.4 We try to respond to all legitimate requests within one month. Occasionally it could 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.

7.5 Our website contains links to the websites of third parties including event providers and visitor attractions. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies before you submit any personal data to these websites.

8. What are your rights?

You have the right to:

8.1 **Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

8.2 **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

8.3 **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data 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.

8.4 **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

8.5 **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful but you do not want us to erase it.
- 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.
- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

- 8.6 **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- 8.7 **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

You also have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance. Our contact details are at the end of this Privacy Policy.

9. **Changes to our Privacy Policy**

Any changes we may make to our Privacy Policy in the future will be posted on this page and, where appropriate, notified to you by e-mail. This version was last updated on 19 February 2020

10. **Contact**

Questions, comments and requests regarding this privacy policy are welcomed and should be addressed to companysecretary@spiritofspeyside.com.