

Privacy Policy

provided pursuant to Article 13 of EU Regulation 2016/679 on the protection of individuals with regard to the processing of personal data, as well as on the free movement of such data and repealing Directive 95/46/EC

WEBSITE USERS

According to the article 13 of the European General Data Protection **Regulation 2016/679** (hereinafter referred to as "GDPR") and **Legislative Decree 196/2003** (hereinafter referred to as "Privacy Code"), as amended by Legislative Decree 101/2018, **Dive Circle Srl** (hereinafter "Dive Circle" or "Data Controller"), makes known to those ("users" / "data subject") who access the site www.divecircle.com and the social pages Facebook www.facebook.com/divecircleIT and Instagram www.instagram.com/divecircle_official, the following information.

This policy is provided exclusively in relation to the Data Controller's web site and not also in relation to other websites that can be consulted by the user through links shown or accessible on the site itself and not owned by the owner.

1. Identity and contact details of the Data Controller.

Data Controller is **Dive Circle S.r.l. - VAT n° 12948081000 - based in Largo Guido Martina 18, 00127 Rome, Italy** in the person del Legale Rappresentante *pro tempore*

You can reach the Data Controller at the following contacts:

- **Address:** Largo Guido Martina 18, 00127 Rome – Italy.
- **E-mail:** privacy@divecircle.com

2. TYPE OF DATA PROCESSED

The data processed can be the following:

Personal data, as any information concerning an identified or identifiable natural person ("data subject"). The natural person who can be identified, directly or indirectly, with particular reference to an identifier such as the name, an identification number, location data, an online identifier or one or more characteristic elements of his identity is considered identifiable Internet protocol (IP) address, name, surname, VAT number, tax code address, postcode, telephone, fax, e-mail.

During their normal operation, the computer systems and software procedures used to operate this website acquire some personal data whose transmission is implicit in the use of internet communication protocols. This category of data includes IP addresses or domain names of computers and terminals used by users, URI/URL (Uniform Resource Identifier/Locator) of requested resources, the time of the request, the method used to submit the request to the server, the size of the file obtained in response, the numerical code indicating the status of the response from the server (successful, error, etc.) and other parameters relating to the operating system and computer environment.

Special categories of personal data: data, only if spontaneously communicated by users to Dive Circle, which may concern, for example, health data.

Purposes and Legal Basis for the Processing

For all users of the web site, their personal data may be used for:

| <i>Purposes of data processing</i> | <i>Legal basis for data processing</i> |
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| 3.1 allow navigation through the public web pages of our site and check its proper operation; in this case, the category of data being processed will only be IP addresses. | Legitimate interest of the Data Controller to ensure the proper functioning of its website. Art. 6 para. 1, letter a) of the GDPR. |
| 3.2 administrative and accounting management of reservations and requests for quotes made by the user on the data controller's website. This activity includes intermediation in the purchase of the tourist package, the request for the issue of visas, the purchase of financial and insurance services related to the purchase, the management of payments and internal | Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract; Art. 6 para. 1, lett. b) of the GDPR. In the event that the user spontaneously communicates particular data during the |

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| <p>accounting and all related activities.</p> <p>If requested by the authorities of the country of destination, we may request a copy of your identity document on their behalf. We won't record your id in our systems. Our only purpose is to communicate it to the Authority based on their request.</p> | <p>booking, the legal basis of the processing is consent expressed by clicking on the specific checkbox. Art. 9 para. 2 lett. a) of the GDPR.</p> <p>If a copy of your identity document is required to us from an Authority in this case the Data Controller is the authority itself that processes this data for its own purposes.</p> <p><i>Failure to provide the data necessary to render the service makes it impossible to obtain what is requested.</i></p> |
| <p>3.3 responding to messages received through the e-mail addresses published on the site and through the instant messaging service on our Facebook page and on the website chat.</p> <p>Sending messages by the user involves the subsequent acquisition of the email address, necessary to respond to requests, as well as any other personal data included in the email or in the instant message. In this case, the acquired data will be processed exclusively to respond to user requests.</p> | <p>Legitimate interest of the Data Controller to respond to spontaneous messages sent by users. Art. 6 para. 1, letter a) of the GDPR.</p> <p>Processing is necessary in order to take steps at the request of the data subject prior to entering into a contract; Art. 6 para. 1, lett. b) of the GDPR.</p> |
| <p>3.4 promotional activities of cd. "Soft spam", it means sending communications with information on services similar to those already purchased by the interested party.</p> | <p>Legitimate interest of the Data Controller to make communications to its data subjects / customers regarding services similar to those which the data subjects have already required. Art. 6 para. 1, letter a) of the GDPR.</p> |
| <p>3.5 profiling activities with direct marketing purpose</p> <p>Profiling activity has the sole purpose of sending personalized promotional communications, in line with user's previous purchases and his browsing preferences tracked through cookies. The data processing takes place through profiling cookies, for whose description of operation you can refer to the cookies policy.</p> | <p>Free and express consent of the data subject expressed by clicking on the specific checkbox. Art. 6 para. 1, letter a) of the GDPR.</p> |
| <p>3.6 defence of legal claims, expressly included therein for the purpose of debt collection.</p> | <p>Legitimate interest of the Data Controller to exercise his rights in court or out of court. Art. 6 para. 1, letter a) of the GDPR.</p> |

4. Recipients or categories of recipients of the personal data

Personal data may be disclosed to specifically designated subjects, acting under the authority of the Data Controller, or to data processor designated for the treatment by the data controller. The data may be disclosed to the following categories of data processors: legal and tax consultants of the Data Controller, platform for sending emails (<https://it.sendinblue.com/>), marketing consultants of the Data Controller, chat service provider (www.livechatinc.com), internal CRM service provider (www.activecampaign.com/it/), provider of WhatsApp instant messaging service (www.whatsapp.com/), companies that provide tools for the website, ticketing company, booking tickets platform.

The data, solely for the purpose of providing the services requested by the data subject, will be disclosed to the following categories of subjects who operate as independent Data Controllers: insurance companies, airlines, road and rail carriers, shipping companies, accommodation facilities, dive centers,

Every disclosure will take place in compliance with the purposes of the data processing described above. For users registered on the Facebook and Instagram platforms and who interact with our page, Facebook Inc. operates as an independent Data Controller.

The list of data processors can be requested from the data controller at the addresses indicated in point 1. The personal data may be disclosed to third parties to comply with legal obligations, or to comply with orders from public authorities empowered to do this by law, or to defend a right in the Court of Law.

5. How we process your data

Personal data will be processed with paper and IT tools by designated subjects, acting under the authority of the Data Controller and by Data Processors.

The data will be stored in paper archives at the headquarters of the Data Controller, and on servers owned by the Data Controller located in Italy at the Aruba Spa company (for more informations www.aruba.com).

In the event that the user discloses special categories of personal data (for example health data), these will be processed only for the purpose of providing the service, at the end of which they will be deleted.

The data can be transferred to the United States of America in order to provide the services of C.R.M. (i.e. internal customer management), WhatsApp instant messaging and live chat on the website. The transfer takes place on the basis of the Privacy Shield, for more information you can visit the web pages <https://www.privacyshield.gov/> and <https://www.garanteprivacy.it/web/guest/home/docweb/-/docwebdisplay/docweb/5306161>, or contact the Data Controller at his email address.

The data will be transferred to non-EU countries whenever the service/travel requested by the data subject takes place in a non-EU country. These transfers are lawful on the basis of the provisions of art. 49 par. 1 lett b) of the GDPR, as the transfer is necessary for the performance of a contract between the data subject and the controller or the implementation of pre-contractual measures taken at the data subject's request

On our site there are widgets of the following social networks: Instagram, Facebook and Twitter.

If you are a user of a social network and you do not want it to collect data about you through our website and to connect it to your user data saved on the social network, please log-out from the social network before visiting our website.

The use of the services provided by the Data Controller is reserved for subjects legally able, on the basis of the reference national legislation, to conclude contractual obligations. The Data Controller, if it will be necessary, in order to prevent illegitimate access to the services, implements prevention measures to protect its legitimate interest.

Personal data retention period

The personal data collected for the purposes indicated in point 3.1 (to allow the function of the website) will not be stored.

The personal data collected for the purposes indicated in point 3.2. (administrative management) and 3.3 (responding to requests) will be stored for the time necessary to render the service purchased/requested by the Customer and for the following 10 years only for accounting purposes and for any eventually defense in court.

Any special categories of data communicated by the user will be processed only for the time necessary to book the purchased service and will be immediately deleted.

The personal data collected for the purposes referred to in points 3.4 (soft spam) and 3.5 (profiling for marketing purposes) will be stored for a maximum period of 4 years or until the revocation of consent and no later than three months from the same revocation.

7. Rights of the Data Subject

You have the right to access your data at any time and to exercise the other rights provided by the GDPR by contacting the Data Controller as indicated in point 1. In particular, you have a right:

Right of access by the data subject (Article 15, GDPR)

Right of rectification (Article 16, GDPR)

Right to data erasure (Article 17, GDPR)

Right to restriction of processing (Article 18, GDPR)

Right to data portability (Article 20, GDPR)

Right to object (Article 21, GDPR)

The data subject have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her. (art.22, GDPR)

Right to lodge a complaint with a supervisory authority (Article 77, GDPR)



*You can object to the profiling treatment at any time by sending an email to privacy@divecircle.com
This privacy disclaimer may be subject to change. Where substantial changes are made to the use of user data by the Controller, the latter will notify the user by publishing such changes with maximum evidence on their pages or through alternative or similar means.*