



## **General Privacy Notice**

Updated: December 2021

### **LET'S TALK PRIVACY.**

Hugo's Group is committed to protecting your Personal Data in accordance with the European Union's General Data Protection Regulation [EU] 2016/679 (the "**GDPR**") and the Data Protection Act (Chapter 586 of the Laws of Malta) (the "**Act**") (together, the GDPR and the Act shall be referred to as the "**Data Protection Laws**").

This Privacy Notice details the manner in which we handle your Personal Data in accordance with said Data Protection Laws, which are aimed at strengthening the protection of Personal Data of individuals. It is important that you read this Privacy Notice together with any other privacy or fair processing notice/s we may provide when we collect your Personal Data so that you are fully aware of the manners in which we use and safeguard your Personal Data.

This Privacy Notice was updated in December 2021.



## WELCOME TO OUR GENERAL PRIVACY NOTICE

This Privacy Notice applies to the operations of Lifetime Limited (C-19952), Hugo's Hotel Limited (C-8556), H Operations Ltd (C-58951) and HH Operating Limited (C-84431), which companies, in their day-to-day business, process Personal Data in their capacity as Joint Controllers (collectively, "We", "Our", "Us" or the "Data Controllers"). This means that we are jointly responsible for the manner in which we process and protect your Personal Data in the context of the business operations of the Group (as defined below).

Together with HH Finance plc (C-84461), we constitute Hugo's Group (or the "Group"). Although forming part of the Group, HH Finance plc's data processing operations are separate to ours, and so are governed by a separate General Privacy Notice.

Hugo's Group is a Malta-based group of companies which operates in the hospitality industry and provides the Services (as defined below). For more information about us, please refer to [section 1 \[Who we are\]](#).

***DID YOU KNOW?: The GDPR distinguishes between two main entities which utilise Personal Data: Controllers and Processors. A Controller is an entity that holds your Personal Data and has the decision-making power in relation to how and for what purpose your Personal Data is being processed. A Processor is a third party that is processing Personal Data on behalf of and in accordance with the instructions of a Controller. For example, our IT services providers are likely always to be deemed our Processors.***

***When they are jointly deciding how and why to process your Personal Data, Controllers are deemed 'Joint Controllers', as in our case. We Process your Personal Data in our capacity as Hugo's Group companies that are effectively and collectively intended to operate and develop the Group's hospitality business, as described further in [section 1 \[Who we are\]](#).***

### 1. Who we are.

The Data Controllers collect and handle Personal Data in the course of the Group's business. While the Personal Data we process relates mainly to our customers, we may also collect Personal Data pertaining to other individuals, as explained in this Privacy Notice.

Of the Data Controllers, HH Operating Limited operates the following Group venues:

#### **Restaurants / Bars**

- Hugo's Burger Bar [www.hugosburgerbar.com](http://www.hugosburgerbar.com)

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Tel. +356 21382264 | email: [info@hugosmalta.com](mailto:info@hugosmalta.com) | [www.hugosmalta.com](http://www.hugosmalta.com)



- Hugo's Burger Bar (Mobile Kiosk) [www.hugosburgerbar.com](http://www.hugosburgerbar.com)
- Hugo's Pub
- Bacco by Hugo's [www.baccobyhugos.com](http://www.baccobyhugos.com)
- Hugo's Pizza Pasta <http://www.hugospizzapasta.com/>
- Infinity by Hugo's (H Hotel pool bar) [www.hugoshotels.com](http://www.hugoshotels.com)
- House of DOM [www.hugoshotels.com](http://www.hugoshotels.com)
- Avocado [www.hugoshotels.com](http://www.hugoshotels.com)
- H Sixty 6 [www.hugoshotels.com](http://www.hugoshotels.com)
- Black Giraffe (H Hotel main restaurant) [www.hugoshotels.com](http://www.hugoshotels.com)

#### **Hotels**

- H Hotel [www.hugoshotels.com](http://www.hugoshotels.com)

On the other hand, H Operations Ltd operates the following Group venues:

#### **Restaurants / Bars**

- Hugo's Terrace [www.hugosterrace.com](http://www.hugosterrace.com)
- Rocco's Whiskey Lounge (Hugo's Boutique Hotel lobby bar) [www.hugoshotels.com](http://www.hugoshotels.com)
- Mila's Kitchen (Hugo's Boutique Hotel main restaurant) [www.hugoshotels.com](http://www.hugoshotels.com)

#### **Hotels**

- Hugo's Boutique Hotel [www.hugoshotels.com](http://www.hugoshotels.com)

HH Operating Limited and H Operations Ltd must collect and Process Personal Data in order to be able to, primarily, operate and run these venues, which services may, depending on the venue, include the provision of restaurant (dine-in, takeaway and, at times, delivery), bar and accommodation services, as well as related services such as venue rental for events (the "Services"). Whilst Lifetime Limited and Hugo's Hotel Limited do not themselves directly provide the Services, they are instrumental in the Group's overall business trajectory and direction, and, as mentioned earlier, jointly with both HH Operating Limited and H Operations Ltd, are responsible for the manner in which Personal Data is processed and protected in the context of the operations of the Group.

#### **OUR CONTACT DETAILS**

Full name of Controllers:

**Lifetime Limited  
Hugo's Hotel Limited  
H Operations Ltd  
HH Operating Limited**

Postal address:

**2, St George's Court A, St Augustine Street, St Julian's, Malta**

Tel. number:

**+356 2016 2400**

Hugo's Group • St. George Court A • Augustine's Street • Paceville • St. Julian's • Malta  
Tel. +356 21382264 | email: [info@hugosmalta.com](mailto:info@hugosmalta.com) | [www.hugosmalta.com](http://www.hugosmalta.com)



Email address: [dataprotection@hugosmalta.com](mailto:dataprotection@hugosmalta.com)

General website: [www.hugosmalta.com](http://www.hugosmalta.com)

### **Contact Details of our Data Protection Compliance Team**

Postal address: **2, St George's Court A, St Augustine Street, St Julian's, Malta**

Tel. number: **+356 2016 2400**

Email address: [dataprotection@hugosmalta.com](mailto:dataprotection@hugosmalta.com)

## **2. Changes to our Privacy Notice**

We may update this Privacy Notice from time to time. Any changes become effective upon the posting of the revised Privacy Notice on our website. We will seek your express consent to any changes to how we use or disclose your Personal Data if so required by law. Otherwise, use of this website following such changes constitutes your acceptance of the revised Privacy Notice. Please refer back to this page every so often to stay updated.

## **3. What is the GDPR?**

The GDPR is aimed at strengthening the protection of the Personal Data of individuals. You are the owner of your Personal Data and this law strives to enhance the rights that you have in relation to your Personal Data. This Privacy Notice details the manner in which we handle and process your Personal Data in accordance with the Data Protection Laws.

## **4. Personal Data and Special Categories of Data**

Personal Data is information that relates to an individual and is able to identify that person as a unique being. This would include information such as names and surnames, contact details, identity card and passport details and other similar information. Anonymised data is not Personal Data since it cannot uniquely identify an individual.

Special categories of data include Personal Data which is intrinsically more sensitive in nature. This would consist of data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership, the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation. Should it become necessary for us to process any such kinds of special categories of data in order for us to successfully run our operation, we guarantee that any such processing shall comply with all the relevant principles, requirements and security measures mandated by the Data Protection Laws in relation to the processing of such Data.



**DID YOU KNOW?: Processing essentially means the use of your Personal Data. Activities such as our collection of your Personal Data, its storage, disclosure or alteration are all deemed to constitute 'Processing' of your Personal Data.**

## 5. Your Rights

As a data subject, and under certain circumstances, you have certain data protection rights at law:

- i. **ACCESS:** you have the right to access your Personal Data and request a copy thereof.
- ii. **RECTIFICATION:** you have the right to rectify any incorrect Personal Data that we may hold about you.
- iii. **ERASURE:** you have the right to be forgotten, which enables you to ask us to delete your Personal Data where there is no good reason for us continuing to process it. Note 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, and if we are so permitted, at the time of your request. If you opt to exercise this right, we may not always be able to continue our relationship with you or continue providing our Services to you.
- iv. **RESTRICTIONS ON PROCESSING:** you have the right to request the restriction of our processing of your Personal Data. This can be done in the following cases: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) 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; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it. If you opt to exercise this right, we may not always be able to continue our relationship with you or continue providing our Services to you.
- v. **PORTABILITY:** you have the right to data portability. Your data may be requested in a machine-readable format (for example, in the form of a spreadsheet or a '.csv' file) and you may also ask that your data be transferred directly to another person or services provider. 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.
- vi. **OBJECTIONS TO PROCESSING:** you may object to the processing of your data where we are relying on legitimate interests (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. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- vii. **WITHDRAWAL OF CONSENT:** if you have provided your consent for the processing of your data, you have the right, in certain circumstances, to withdraw that consent at any time, in which case we will stop processing that information. Any processing activities that are not based on your consent will remain unaffected.



- viii. **AUTOMATED DECISION-MAKING AND PROFILING:** you shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you. We do not exercise decision-making and profiling in an automated manner.

If you wish to exercise any of the rights set out above, please [contact us](#) – kindly refer to [section 16 \[Enquiries\]](#) for further information on the manner in which may do so. We will try to respond to all legitimate requests within one month and may require that you send over specific information to help us confirm your identity and ensure your right to access your Personal Data (or to exercise any of your other rights as outlined directly above).

You will not have to pay to access your Personal Data (or to exercise any of the other rights mentioned above). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive.

Please note that none of these data subject rights are absolute and must generally be weighed against our own legal obligations and legitimate interests. If we are permitted, and if a decision is taken to override your data subject request, we will inform you.

## 6. Whose Personal Data we Process

This Privacy Notice is intended to govern the processing of the Personal Data pertaining to the below individuals:

- i. **Website visitors** – individuals visiting our various websites, as outlined in [section 1 \[Who we are\]](#) above;
- ii. **Visitors and passers-by** – individuals visiting our premises for any reason, inclusive of meetings, scheduled maintenance or the provision of services, or passing by or around our premises;
- iii. **Third Parties generally** – this is a generic category of data subjects that typically includes individuals with whom we do not have a direct contractual relationship, such as *prospective* individual services providers and persons contacting the Data Controllers with enquiries or for any other reason;
- iv. **Prospective customers** – individuals being prospective customers who have expressed an interest in our Services;
- v. **Customers** – individuals making use of our Services;
- vi. **Individual shareholders, company officers and, or members of staff of corporate customers, whether prospective or actual;**
- vii. **Promo participants** – individuals who subscribe to participate in our advertising / promotional competitions; and
- viii. **Mailing list subscribers** – individuals who opt-in to receive the Group's marketing materials.



**DID YOU KNOW?: Our websites are not intended for minors, and we do not knowingly solicit or collect Personal Data from minors. As a parent or legal guardian, please do not allow your children to provide us with their Personal Data without your permission.**

## 7. Data we collect about you

When processing Personal Data pertaining to you as constituting a data subject identified in categories in section 6 i-viii directly above, we may, depending on the case at hand, collect, use, store and transfer different kinds of Personal Data about you which we have grouped together as follows:

Type of Data	Explanation
<b>Identification Data</b>	includes name, surname, title, date of birth, and, if necessary, identification documents and details, such as identity card and passport information.
<b>Contact Data</b>	includes name, surname, title, email address, postal address, telephone and, or mobile number.
<b>Booking Data (Restaurants / Bars)</b>	includes information that may be necessary for us to organise and confirm your booking, such as number of guests (size of party), date and time of booking, Group restaurant or bar and occasion.
<b>Booking Data (Hotels)</b>	includes information that may be necessary for us to organise and confirm your booking, such as flight and travel details, number of guests (size of party), date and time of booking, Group hotel and occasion.
<b>Services Data</b>	includes information that you may provide us, aside from Booking Data, that may be desirable or necessary in order to make your visit or stay a better one, such as dietary preferences and, in the case of our hotels, room preferences and information about usage of the hotel's amenities, amongst other things.
<b>Financial Data</b>	includes credit card details as well as, where relevant, bank account and, or taxation data (this includes any applicable income tax / VAT information).
<b>Cookie Data</b>	includes information collected via cookies used on our websites, as better explained in our <a href="#">Cookie Notice</a> .
<b>Special Categories of Data - Health Data</b>	includes, in the main, information collected relating to any health conditions, allergies or food intolerances you may have, and such so as to ensure that your experience with us is a safe and enjoyable one.  We may also collect other health information for the purposes of ensuring that we abide by the terms of public health-related rules, regulations and government orders, such as whether or not you are vaccinated against COVID-19.

Where we are at liberty to do so in terms of law, we may request less – or additional – information, if and when we deem such to be necessary.

If you provide us with Personal Data about someone else, such as your travel companions, it is your responsibility to ensure that you are entitled to disclose that Personal Data to us. You must ascertain that these persons comprehend





how their details will be used, and that they have allowed you to disclose that information to us, as well as allowed us to process it.

## 8. How do we collect your Personal Data?

We use different methods to collect your Personal Data. Any Personal Data collected is a result of, and relates to, your relationship with us:

**Website visitors:** we collect any information you may submit to us voluntarily if you decide to utilise an information submission form on any of our websites, such as a 'Contact Us' form.

Furthermore, and upon accessing our various websites, Cookie Data is processed by ourselves and by our third party Processors. More information on the use of cookies on our websites is found in our [Cookie Notice](#).

**Visitors and passers-by:** upon entering our premises, our front desk may manually collect the data that would be deemed proportionate and necessary in the circumstances.

Upon passing by, around or entering our premises, you may be captured by our CCTV footage. For further information on our CCTV practices, please refer to [section 11 \[CCTV\]](#).

**Third Parties generally:** this is a generic category of data subjects, as explained in section 6 iii further above. For example, in each of the following categories, Identification Data and Contact Data are usually collected through direct interactions with the data subject:

- Prospective services providers: when you, as a prospective individual services provider, express an interest in doing business with us, and during the course of our negotiations or dealings; and
- Persons contacting us generally: when you contact us by means other than our website, such as by sending us a message through our social media pages (e.g. Facebook or Instagram) or by calling us.

**Prospective customers:** when you express an interest in making use of our Services, and this typically through direct interactions, through calls, email correspondence, exchanges of messages over social media, or by other means.

**Customers:** throughout the period of our contractual relationship, and this typically through:

- Direct interactions, through calls, email correspondence, exchanges of information over social media, or by other means, usually when you submit the relevant information, such as Identification Data, Contact Data and Booking Data, as is required, to us;
- The collection of data, such as Financial Data, when making use of the Services.

**Individual shareholders, company officers and, or members of staff of corporate customers, whether prospective or actual:** when the prospective customer or customer, of which you are a shareholder, company officer or employee, expresses an interest in making use of our Services, and this typically through:





- Direct interactions, through calls, email correspondence, exchanges of information over social media, or by other means;
- The collection of data, such as Financial Data, when making use of the Services.

**Promo participants:** when you subscribe to participate in our advertising / promotional competitions. Subscription typically occurs through the website of the relevant Group venue organising the competition.

**Mailing list subscribers:** when you opt-in to receive the Group’s marketing materials. You may subscribe to our mailing list through any of our websites.

### 9. How do we use your Personal Data?

We will only process your Personal Data for specific purposes and on the basis of legally permissible grounds as deriving from the Data Protection Laws. Depending on the purpose, we may process your Personal Data on the basis of more than one lawful ground.

Generally, the grounds we utilise to collect and process your Personal Data are as follows:

#### GENERAL

Data Subject	Data	Lawful Bases in terms of the GDPR	Purpose
Website Visitors	Identification Data Contact Data	a. Protection of our legitimate interests.  <b>[DID YOU KNOW?: “Legitimate Interests” means our interests to conduct and manage our business affairs appropriately, to protect our reputation, and to provide our customers and website users with a professional and secure experience. We make sure we consider and balance any potential impact on your rights before we process your Personal Data for our legitimate interests. Unless you have consented or it is otherwise required or permitted by law, we do not use your Personal Data for activities where our interests</b>	To stay organised and be in a position to respond to your queries with the intention of growing our customer base and network.



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		<b>are overridden by the impact on you.]</b>	
		b. Consent.	To respond to your queries and, or provide you with further information about our Services.
Website Visitors	Cookie Data	a. Protection of our legitimate interests. b. Consent.	Please refer to our <a href="#">Cookie Notice</a> for further information
Visitors at our Premises	Identification Data Contact Data	a. Protection of our legitimate interests.	<ul style="list-style-type: none"> <li>- To keep and update a visitor log which identifies the people that have visited our premises; and</li> <li>- To be positioned to defend legal proceedings, pursue any available remedies, or limit the damages that we may sustain.</li> </ul>
		b. For reasons of substantial public interest.	To ensure that our premises, as well as our data, are kept secure.
		c. Consent.	To respond to your queries and, or provide you with further information about our Services.
Third Parties generally	Identification Data Contact Data	<p>a. This is a generic category of Data Subjects, as explained in section 6 iii further above. The identification of the specific legal ground would be dependent on the case at hand. However, the more common scenarios of data Processing in this case are supported by the following legal grounds:</p> <p>(a) Adherence to our legal obligations generally and as applicable;</p> <p>(b) Eventual performance of a contract with you or a person you represent;</p> <p>(c) Protection of our legitimate interests;</p>	The specific purpose is established on a case-by-case basis.



		(d) Consent.	
Promo participants	Identification Data Contact Data	a. Performance of a contract with you.	To enter into a contract with you in your capacity as a participant of our advertising / promotional competitions.  <b>[DID YOU KNOW?: Our competitions are not open to persons under the age of 18.]</b>
		b. Protection of our legitimate interests.	To advertise our Services and accordingly enhance our Group's business.
Mailing list subscribers	Identification Data Contact Data	a. Consent	To send marketing communications to you about the Group and the Services we provide generally.

#### **RESTAURANTS / BARS**

Data Subject	Data	Lawful Bases in terms of the GDPR	Purpose
Prospective customers	Identification Data Contact Data	a. Take steps to enter into a contract with you.	To ensure we have all the information we need in order to provide you with our Services.
		b. Protection of our legitimate interests.	To stay organised and be in a position to respond to your queries with the intention of growing our customer base and network.
		c. Consent.	To respond to your queries and, or provide you with further information about our Services.
Customers	Identification Data Contact Data Booking Data (Restaurants / Bars) Services Data Financial Data	a. Adherence to our legal obligations.	To comply with our obligations as deriving from various laws, regulations and government orders
		b. Performance of a contract with you.	To enter into a contract with you in your capacity as a customer of our restaurants / bars.
		c. Legitimate interests.	- To be able to administer our business; - To send marketing communications to you relating to any Group Services you may have made use of in the recent past; - To be positioned to defend legal proceedings, pursue any available

			remedies, or limit the damages that we may sustain.
	Special Categories of Data – Health	a. Processing is necessary for reasons of public interest in the area of public health.	To comply with our obligations as deriving from public health-related rules, regulations and government orders.
		b. To protect the vital interests of our customers.	To protect you particularly in the case that you are unable to provide your consent (e.g. in the case of an emergency where you are unconscious due to an allergic reaction).
		c. Consent.	We may collect information relating to any health conditions, allergies or food intolerances so as to ensure that your experience with us is a safe and enjoyable one.
<b>Individual shareholders, company officers and, or members of staff of corporate customers, whether prospective or actual</b>	Identification Data Contact Data	a. Adherence to our legal obligations.	To comply with our obligations as deriving from various laws, regulations and government orders
		b. Legitimate interests.	- To be able to administer our business; - To be positioned to defend legal proceedings, pursue any available remedies, or limit the damages that we may sustain.
	Booking Data (Restaurants / Bars)		
	Services Data		
	Special Categories of Data – Health	a. Processing is necessary for reasons of public interest in the area of public health.	To comply with our obligations as deriving from public-health related governmental orders, rules and regulations.
		b. To protect the vital interests of these individuals whilst they are on our premises.	To protect you particularly in the case that you are unable to provide your consent (e.g. in the case of an emergency where you are unconscious due to an allergic reaction).
c. Consent.		We may collect information relating to any health conditions, allergies or food intolerances so as to ensure that your experience with us is a safe and enjoyable one.	

**HOTELS**

Data Subject	Data	Lawful Bases in terms of the	Purpose
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Prospective customers	Identification Data	a. Take steps to enter into a contract with you.	To ensure we have all the information we need in order to provide you with our Services.		
	Contact Data	b. Protection of our legitimate interests.	To stay organised and be in a position to respond to your queries with the intention of growing our customer base and network.		
		c. Consent.	To respond to your queries and, or provide you with further information about our Services.		
Customers	Identification Data	a. Adherence to our legal obligations.	To comply with our obligations as deriving from various laws, regulations and government orders		
	Contact Data	b. Performance of a contract with you.	To enter into a contract with you in your capacity as a customer of our restaurants / bars.		
	Booking Data (Restaurants / Bars)		c. Legitimate interests.	- To be able to administer our business; - To send marketing communications to you relating to any Group Services you may have made use of in the recent past; - To be positioned to defend legal proceedings, pursue any available remedies, or limit the damages that we may sustain.	
	Services Data	a. Processing is necessary for reasons of public interest in the area of public health.		To comply with our obligations as deriving from public-health related governmental orders, rules and regulations.	
	Financial Data			b. To protect the vital interests of our customers.	To protect you particularly in the case that you are unable to provide your consent (e.g. in the case of an emergency where you are unconscious due to an allergic reaction).
	Special Categories of Data – Health		c. Consent.	We may collect information relating to any health conditions, allergies or food intolerances so as to ensure that your experience with us is a safe and enjoyable one	
			Identification Data	a. Adherence to our legal obligations.	To comply with our obligations as deriving from public-health related governmental orders, rules and regulations.
	<b>Individual shareholders, company officers and, or</b>				



members of staff of corporate customers, whether prospective or actual	Booking Data (Restaurants / Bars)	b. Legitimate interests.	- To be able to administer our business; - To be positioned to defend legal proceedings, pursue any available remedies, or limit the damages that we may sustain.
	Services Data		
	Special Categories of Data – Health	a. Processing is necessary for reasons of public interest in the area of public health.	To comply with our obligations as deriving from public-health related governmental orders, rules and regulations.
		b. To protect the vital interests of these individuals whilst they are on our premises.	To protect you particularly in the case that you are unable to provide your consent (e.g. in the case of an emergency where you are unconscious due to an allergic reaction).
	c. Consent.	We may collect information relating to any health conditions, allergies or food intolerances so as to ensure that your experience with us is a safe and enjoyable one.	

**DID YOU KNOW?:** Where we need to collect Personal Data by law, or pursuant to our terms of business, and you fail to provide that data when requested, we may not be able to assist you or provide you, or the entity you represent, with the Services. In certain cases, we may even decline to enter into a relationship with you or with the entity you represent or terminate our already existing relationship. We will notify you if this is the case.

## 10. Data Security

We have implemented appropriate security measures so as to be able to prevent your Personal Data from being accidentally lost, altered or disclosed in an unauthorised manner. These include:

- Physical Security Measures
  - a. Fire alarms throughout all venues (smoke and heat)
  - b. Emergency evacuation points
  - c. Fire retardant doors in strategic areas
  - d. All necessary signage and illuminated signs
  - e. Fire extinguishers and hoses
  
- IT Security Measures
  - a. Appropriate firewall and routing policies
  - b. Different types of ant-virus software depending on whether the machine is a server, a virtual machine, or a workstation
  - c. User authentication based on Active Directory Policies



- d. Local data backups and replication
- e. Services and applications segmentations based on VLANs
- f. Wi-fi Segmentation
- g. Restrictions on VPN connections
- h. Encryption of all passwords
- i. A radius server is used to protect administrator accounts
- j. Graphic User Interface of all key networking devices is disabled. Changes must be carried out through a secure connection via syntax (coding)
- k. Frequent checks on all equipment including CCTV

We also carry out periodic reviews of our data security measures and regularly perform vulnerability scans and penetration testing on our IT systems, in order to ensure that our IT security is constantly up to standard.

In addition, we limit access to your Personal Data to those employees, and other third parties who have a business need to know. These persons will only process your Personal Data on our instructions and are subject to a duty of confidentiality.

## 11. CCTV

In line with our security policy, we have installed CCTV cameras in and around the main areas of our venues. Notices are affixed on our venue walls to inform you of this form of surveillance. These cameras are used solely for security purposes. Our cameras do not record sound.

## 12. Marketing

You will receive Group-related marketing communications from us if you have actively consented (“opted-in”) to receive this information from us.

Note that you may also opt-in to receive marketing information from third party venues in which the Group has an interest, such as the Hugo’s Lounge Complex, comprising Hugo’s Lounge, Nomad, Passion and Shadow, Nordic Bar, and the Havana Complex, comprising Havana, Club H and Flashback (our “**Third Party Partners**”).

If you have used the Services of a specific Group venue and, in doing so, provided your Contact Data, we may send you marketing communications via e-mail relating specifically to that Group venue or services or goods that we believe you may have a legitimate interest in due to your previous use of our Services.

Know that you have a right to opt-out of receiving this communication at any time by [contacting us](#).

## 13. Data Retention

We retain your Personal Data only for as long as we have a valid legal reason to do so. 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 requirements.

Our standard practice is to determine whether there are any specific laws permitting or even obliging us to keep certain Personal Data for a certain period of time, in which case we will typically keep the Personal Data for the maximum period indicated by any such law.

We would also determine whether there are any laws and, or contracts that may be invoked against us by you and, or third parties and if so, what the prescriptive periods for such actions are. These are, usually: (i) two years – in the case of incidents that are not covered by a contract; or (ii) five years – in the case of incidents that are covered by a contract. We will keep any relevant Personal Data that we may need to defend ourselves against any claims, challenges or other such actions by you and, or third parties throughout the prescriptive periods herein mentioned and for any such extended period of time as may be necessary (e.g. in the case of any ongoing legal proceedings brought against us, we will need to hold on to this information for the duration of the court case).

Unless we require this information for any other purpose, such as in the case that you have entered into an ongoing advertising / promotional competition, we will keep the information you have provided for the purposes of opting-in to receiving marketing communications until you opt-out.

CCTV footage is kept for a maximum period of seven (7) days.

In some circumstances we may 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.

For information relating to the retention of Cookie Data, please refer to our [Cookie Notice](#).

Kindly [contact us](#) for further information regarding our data retention practices.

#### 14. Disclosure

In the course of our business, we have day-to-day dealings with third parties which may be individuals or legal persons, usually companies – that are typically our services providers or subcontractors – and may also simultaneously be our Processors. We may, therefore, have to share your Personal Data with said third parties, set out below, for the purposes outlined hereunder.

<b>IT development services</b>	Services providers who help us in developing software necessary for the running of our business, including website builders.
<b>IT security and support services</b>	Services providers who help us in ensuring that our IT infrastructure and equipment remain intact, functioning, and secure.



<b>IT backup and cloud services</b>	Services providers who assist us in relation to backups for business continuity purposes so that your Personal Data is not lost.
<b>Administration</b>	Services providers who provide administrative assistance in order to enable us to better organise and streamline our internal administrative processes, such as e-mail service providers and mail houses for the purpose of mailing materials to our customers or persons that have opted-in to marketing.
<b>Third party consultants and professional advisors</b>	Services providers who assist us in various matters, including lawyers, accountants and insurers.
<b>Regulators, courts, law enforcement and other authorities</b>	Entities that may require the disclosure of processing activities in certain circumstances, including the executive police.

We will, in normal circumstances, not disclose Personal Data to other third parties without your consent. There may however be times where we may do so, such as when abiding by a court order, for the proper administration of justice, in complying with a legal request or a legal requirement, to protect your vital interests, and, or to fulfil your requests.

We require all third parties with whom we share Personal Data to respect the security of such Personal Data and to treat it in accordance with the law.

We do not allow our Processors to use your Personal Data for their own purposes and only permit them to process your Personal Data for specified purposes and in accordance with our instructions.

## 15. International Transfers

We may at times need to transfer your Personal Data to persons or entities outside the EU and the European Economic Area (the “EEA”). Should such transfers outside of the EU / EEA become necessary:

- for the performance of contractual or pre-contractual obligations between you and us;
- for the purpose of IT software support / security;
- for adherence with our legal and, or regulatory obligations;
- for the establishment, exercise or defence of legal claims; or
- for any other reason where any such transfer would be permitted in terms of law,

we shall endeavour to only transfer Personal Data to countries in the EU / EEA or to third countries outside the EU / EEA which ensure an adequate standard of protection for such Data in terms of the GDPR.

If the third country in question has not been deemed by the European Commission to be a country offering the ‘adequate’ standard of data protection, we shall only proceed with any such transfers after having carried out all necessary transfer impact assessments, ensuring that a lawful basis for said transfer exists and that appropriate safeguards are implemented for the protection of your Personal Data.



## 16. Enquiries

Should you desire to:

- make any enquiry regarding your Personal Data;
- have your Personal Data corrected; or
- request access to your Personal Data,

you may contact us on the below contact details. We may refuse such requests or charge a reasonable fee where these requests are manifestly repetitive or excessive.

Any request must be made in writing and must also include your name, address, email address and a description of the information or correction required. We may also ask for identification documentation, which is essential in order for us to be able to verify your identity.

Postal address: **2, St George's Court A, St Augustine Street, St Julian's, Malta**

Data Protection Compliance Team email address: **[dataprotection@hugosmalta.com](mailto:dataprotection@hugosmalta.com)**

## 17. Complaints

We strive to be receptive to your concerns and would appreciate it if you would [contact us](#) in the first instance should you believe that we have breached any privacy rules.

Nonetheless, should you feel wronged by our data protection practices, you may file a complaint with the data protection supervisory authority of your country of residence. In Malta, this is the Office for the Information and Data Protection Commissioner, the contact details of which are as follows:

OFFICE OF THE INFORMATION AND DATA PROTECTION COMMISSIONER [MALTA]

Email: [idpc.info@idpc.org.mt](mailto:idpc.info@idpc.org.mt)

Phone: +356 2328 7100

## 18. Third Party Sites

This site may, from time to time, include links to third party websites, plug-ins and applications (the "Third Party Sites"). Clicking those links may permit third parties to collect or share data about you. We do not control these Third Party Sites and are not responsible for their privacy policies, notices or statements. Please read the privacy notice of every Third Party Site you visit or use.

## 19. Governing Law

This Privacy Notice is governed by and construed in accordance with the laws of Malta.

Hugo's Group • St. George Court A • Augustine's Street • Paceville • St. Julian's • Malta  
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