



POLICY FOR THE USE OF MINOR'S DATA BY NH HOTEL GROUP

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VERSION CONTROL

Version Nº	TEXT	COMMENTS	Date
v.1	Drafting of the Policy by Compliance	Sent to CRM, Operations, Organization	20/06/2018
v.2	Revised policy	Operations Comments	26/06/2018
v.3	Annex I updated		06/06/2019
v.4	Revised policy regarding the access and registration of minors in the hotels Annex I updated	Legal & Compliance	09/03/2021

1 Justification and background

In consideration of the entry into force of the new European framework for data protection, NH Group has set as one of its main objectives to manage the information of the clients in a more efficient and transparent way. In the scope of the management of client's data is the management and processing of minor's data that the NH Group intends to perform.

The new European Data Protection Regulation (hereinafter GDPR according to its acronym in English) establishes the obligations for the operators that work with the information provided by the individuals themselves. Although such obligations are not entirely new for the NH Hotel Group, they require the documentation and communication to all those involved in the process of collecting and using their clients' data.

In order to document the practices which were already being carried out by NH Hotel Group, this document establishes the guidelines that will apply the processing of minors' data within the business group.

The GDPR establish in its article 8 the features that the consent granted by minors must include in order to consider that the processing of their data is done in a lawful method, establishing a set of parameters for the cases in which the services are intended to a child audience, so that the minors can grant the consent for their data to be processed in a way that guarantees the application of all the safeguards that corresponds in these cases.

Likewise, the GDPR establishes in article 8 set of premises that must be taken into account when dealing with minors and whether they may or may not grant their consent.

The three cases to consider are the following:

1. The minimum age to complete the information communicated to the public authorities of each country.

Each country establishes the obligation to communicate a set of data of the clients which stay in the hotels, for reasons of national security. In these cases, the minimum ages to inform each one of the authorities vary depending on the local legislation, where in some countries in which NH has hotel establishments it is necessary to send the data of all the minors who stay in NH hotels.

In these cases, NH must comply with the legal obligation of communicating the data required by the competent authorities in each country, even if it is data of minors.

Attached as Annex I of this policy are displayed the minimum ages for the completion of the information required by public authorities in the countries in which NH has hotel activities.

2. The age to contract with NH, either the accommodation services as well as the possibility of being a member of the NH Rewards loyalty program.

2.1 The contracting of the services provided by NH will correspond to.

- 2.1.1 The age of majority of the country in which is located the Hotel where the client requests the accommodation. Specifically, only the clients who are considered of legal age in accordance with the legislation of the country in which the Hotel is located may use the services requested.

The minors that visit the NH establishments must be accompanied by an adult who either has the parental authority or tutorship of the minor or has the corresponding authorization from the parents or tutors in order to take charge of the minor.

Generally, if the bond of the minor with their parents or legal guardians is not proven and to avoid serious crimes as child trafficking and/or child molestation, the hotel must not allow the registration of the guests. Furthermore, if the minor claims that the adult is not her/his parent/legal guardian and does not meet this adult, the hotels immediately must call the police.

When a minor access any NH establishment, the staff may request any documentation that allows them to prove the filiation of the minor who wants to stay at the Hotel. This documentation can be:

- The family book to the father/mother and the signing of the document provided in which such circumstance is guaranteed (Annex II - Authorization form use minor data).
- The identity document of the father/mother and of the minor that proves the filiation and the signing of the document provided in which such circumstance is guaranteed (Annex II - Authorization form use minor data).
- The express authorization from the parents or the legal guardians to the adult accompanying the minor.
 - o There is not an established format for this authorization but to be enough valid it must comply with the following requirements:
 - It should be in writing and duly signed.
 - Identification of the parents/tutors: Name and surnames, identity document, email and phone number.
 - Identification of the minor.
 - Identification of the authorized person (she/he must match with the person presenting the authorization).
 - Authorization for this trip and specific dates.
 - Photocopy of the identity document of the parents and the minor.
 - o For validating this authorization, the hotel must verify that the document provides all or most of the required information that allows to contact the parents or legal guardians to identify and collate the data.
 - o A copy of the delivered authorization must be filled by the hotel. It receives the same consideration as other contract document and the same treatment and storage periods.
 - o In case of groups of minors in field trips, championships, school trips and similar situations, the hotel must ensure that the responsible of the group (teacher, trainer or similar) counts with all the individual authorizations needed (the same required by the airline and/or to access to a specific country).
 - o For these purposes and due that it is inoperative that the hotel must collect the individual authorizations, a written responsible statement is required, signed by the responsible of the group and with the following information:

- Name of the responsible of the group and basic data (phone number, email, address, identity document)
- Identification of the group and the minors
- Identification of the trip/event and dates
- Indicate ("declare responsibly ") that the responsible of the group counts with all the authorizations of the parents corresponding to the minors y/o legal guardians for this specific trip/event and the subsequent stay in the hotel.
- Ideally, the hotel should request and received by email this declaration before the arrival date of the group.

2.2 In order to be a member of the NH Rewards loyalty program, clients must be of legal age in accordance with Spanish legislation, which means that they must be eighteen years old in order to be members of the program.

It is suggested always identify the minor (note on the Registration Form always signed by the adult), although it is only for internal use and identify all the guest staying in the hotel, adults and minors.

In order to ensure compliance with the guidelines for the data processing of children within the NH Hotel Group, there is a daily job for deletion of the data of the minors in the TMS reservations after the Night Audit. For those countries where it is compulsory to communicate the data of underage to the police: the data registered in CRM is not affected by this process of anonymization, and the Party ID can be consulted in CRM while it is still active.

In the Hotels of the NH Group, it is the adult who must appear as signer in all the documents that have to be signed as a consequence of the services rendered.

2 Principles for the processing of minors' data by the NH Group

The NH Group will process the minors' data in accordance with the following basic principles:

- Restriction of the processing of the minors' data only to the necessary for the provision of accommodation services in the establishments of the NH Group.
- Prohibition of the data processing of those under 18 years old, for sending commercial communications and for any type of commercial action that comes from the NH Group.
- Processing of data for the purposes of identifying the client's travelers and the communication to the police in consideration of the ages as described in Annex I.

When a local or European regulation establishes it, the processing of the minors' data will be carried out for the fulfillment of the obligations that have been imposed on the NH Group. In other words, the NH Group will minimize, to the extent possible, the processing of minors' data.

Additionally, for the provision of the services that constitute the business activity of NH, no data of minors under 18 will be collected without the corresponding authorization of an adult that accompanies them during the use of the services and provided that the following premises are observed:

The data of the minors that will be collected by the NH Group will only be the following:

- Name and surname
- Date of birth.
- Other data required by the applicable law

The data of the minors mentioned in the previous section will be collected for the sole purpose of:

- i. being able to provide the accommodation and other services that could be related to the stay in the establishments of the NH group; and
- ii. in order to comply with legal obligations, especially for the identification of travelers and the communication to the police, in the cases where it is mandatory.

The data of minors shall not be processed for commercial purposes, shall not be used to send commercial communications or for any other purpose different to the provision of accommodation services.

When the NH Group must collect data from minors according to a legal requirement, such as when it is necessary to complete the police file corresponding to the minor, these data will be kept only for the time established in the specific regulation. These data can only be consulted if it is required by a competent authority in order to respond to the request. Once the legal term has expired, it will be canceled and destroyed.

The legal term of the storage period for minors' data will be determined according to the type of document and the prescription of the responsibilities or legal actions established in the applicable national legislation.

3 Control and management of the policy on the use of minors' data

The Data Protection Officer (hereinafter DPO) of the NH Group will be responsible for updating and adapting the present policy on the use of data by minors by NH, after agreeing so with CRM and IT.

For the control of the policy on the use of minors' data, the DPO will rely on the internal audit team for in order to perform annual reviews by sampling, in order to verify that the established principles are being observed:

- a) Control of the applications managed by the CRM department in which the clients' data is collected for commercial purposes, verifying that the rules established regarding the minimum age are being followed.
- b) Monitoring and control of the application for the user's registration in the NH Rewards program, verifying that the established controls on age are met.
- c) Annual random audits on the NH Hotel Group, where the filing and custody systems of the documentation are checked in those cases in which there are minors who have enjoyed the services of the Group.

In all the aforementioned cases, the audit team will verify, at least, that the documents or applications in which minors' data appear will comply with at least the following elements:

- That the data of minors is limited as established in this document.
- That the data of minors that have been collected in compliance with certain legal obligations are properly preserved and in accordance with the period limits established by law.

4 Risks in the processing of minors' data and communication to the Compliance and Privacy Committee

The risks associated with the processing of the minors' data by NH Group, as defined in this policy, may be:

- Risk of processing minors' data without observing the principle of information minimization. When the Group requests data that is unnecessary and different to the established in this policy.
- Risk of inadequate data processing by the organization. This risk will materialize when the data is processed by NH Group for sending of commercial communications and, in general, for purposes different to the provision of accommodation services to the minors.

The audit team will communicate the results of the audits conducted to the DPO. If, as a consequence of the established Control measures, the DPO verifies that the processing of the minors' data is affected by any of the indicated risks, first of all, it must be verified if it is an isolated case or it is a common practice in the group.

If it was an isolated practice, it shall be proceeded as follows:

- Document the incident describing where the risk occurred, the departments or hotels affected and the solution to mitigate or eliminate the risk.
- Set a deadline for the application of the solutions.
- Verify that the solutions communicated have been adopted.
- Communicate the detected incident to the Compliance and Privacy Committee.

When it is a common practice, understood as a habitual practice that breaches the provisions of this policy repeatedly, it shall be proceeded as follows:

- Document the practice or practices that breach the policy on the use of minors' data.
- Set as item of the agenda on the Compliance and Privacy Committee the detected practice.
- Exposed to the Committee the practice detected and the solutions available to proceed with the decision making.
- Perform a follow-up to verify the compliance of the departments involved regarding the solutions proposed by the Compliance and Privacy Committee.

	POLICY ON THE USE OF MINORS'S DATA BY NH HOTEL GROUP	Date of Approval: 15/12/2018 Version 6 – March 2023
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ANNEX I - Minimum age for the completion of the information required by public authorities

		Spain		Italy	Portugal	France			USA	Benelux			UK		Ireland		Germany		Austria		Czech Republik + Switzerland + Hungary + Slovakia
		0-16	16-18	0-18	0-18	0-16		16-18	0-18	0-16		16-18	0-16	16-18	0-16	16-18	0-16	16-18	0-16	16-18	0-18
						<12	<16			<12	<16										
1	NH needs to collect data for the police file?	NO	YES	YES	YES *	NO	NO	YES	YES	NO	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
2	Minors must be accompanied?	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NO	YES	NO	YES
3	If adult is not a parent authorization of parents is	YES	YES	YES	YES	YES	NO	NO	NO	YES	NO	NO	NO	NO	YES	NO	YES	YES	YES	NO	YES
4	Police file to be signed on arrival (by minor)?	NO	YES	NO **	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	YES	NO	YES	NO

		Poland		Romania		Denmark		Colombia	Colombia	Argentina	Mexico	Chile	Ecuador	Cuba	Uruguay
		0-12	12-18	0-14	14-18	0-18		0-18	0-18	0-18	0-18	0-18	0-18	0-18	0-18
1	NH needs to collect data for the police file?	NO	YES	NO	YES	YES		YES ***	YES ***	NO	NO	NO	YES	YES	NO
2	Minors must be accompanied?	YES	YES	YES	YES	YES		YES	YES	YES	YES	YES	YES	YES	NO
3	If adult is not a parent authorization of parents is	YES	YES	YES	YES	YES		YES	YES	NO	YES	YES	YES	YES	NO
4	Police file to be signed on arrival (by minor)?	NO	YES	NO	YES	NO		NO	NO	NO	NO	NO	NO	NO	NO

* Not for foreign minors lawfully residing in Portugal (with residence permit)

** The adult signs her/his own registration form and communicates to the hotel the data of the minor – to be stored in TMS and shared automatically with the police's web portal

*** Only for foreign minors

ANNEX II

AUTHORIZATION TO USE MINOR'S DATA

IDENTIFICATION DATA OF THE MINOR

NAME AND SURNAME _____

ID. Nº _____

BIRTHDATE _____

(hereinafter, the "MINOR")

IDENTIFICATION DATA OF THE LEGAL REPRESENTATIVE / TUTORS

MR./MRS. _____

ID. Nº _____

LEGAL ADDRESS _____

Here acting as the mother / father/ tutor or the legal representative of the MINOR (hereinafter, the "REPRESENTANT").

By signing the present document, the REPRESENTANT affirms to [LEGAL NAME OF THE HOTEL], with legal address in [...] and Tax ID. Nº [...]

The following:

1. The signer assures to be the father / mother, tutor, legal representative, that holds the parental responsibility, or when applicable, is entitle to provide the authorization to [LEGAL NAME OF THE HOTEL] for the processing of personal data of the aforementioned MINOR, guaranteeing the veracity of such declaration and assuming the responsibility of this affirmation, being understood that [LEGAL NAME OF THE HOTEL] and any company of the Group or other third party shall be hold harmless for any liability that may arise from any false allegation in the present authorization.
2. By signing the present document, the REPRESENTANT authorizes the processing of its own personal data, as well as the processing of the personal data of the MINOR, in accordance with the provisions of the Privacy Policy provided by [LEGAL NAME OF THE HOTEL].

The REPRESENTANT recognizes that understands the content of the present document and authorizes the processing of the MINOR'S personal data, as well as guaranteeing the veracity of the content in the present declaration.

For the authenticity of the set forth, signs in _____, on _____, ____, 20____