

Privacy Notice for our visitors and guests

Privacy notice for visitors and guests of Benesse House and its accessory facilities located in Naoshima Island in Japan

This policy notice (the “Policy”) applies to all visitors and/or guests of the accommodation Benesse House and its accessory facilities such as Terrace Restaurant, Cafes, Benesse House Museum, Art House Project, and Shops (the “Facilities”).

The purpose of the Policy is to describe (a) the conditions under which Benesse Corporation (“Benesse”) as controller (i.e. the legal entity that decides on the purposes and means of personal data processing) processes personal data (i.e. data relating to an identified or identifiable individual, such as yourself) and (b) your rights and our obligations in relation to such processing.

I. WHO WE ARE

Benesse is a company incorporated in Japan which operates the Facilities and their operator is Benesse’s subsidiary, Naoshima Cultural Village Co., Ltd.

This Policy is applicable to all present and future visitors and/or guests of the Facilities.

Your personal data are processed by Benesse who shall determine the purposes and means of the processing. For any enquiries and requests relating to our processing of your personal data, please contact:

Benesse House
Gotanji, Naoshima-cho, Kagawa-gun, Kagawa 761-3110 Japan
Email:naoshima@mail.benesse.co.jp

II. WHICH INFORMATION WE OBTAIN? / YOUR DUTY TO INFORM US OF CHANGES

In general, we collect general identification information about you such as the

name, email and postal address, fixed and/or mobile phone number as well as any information provided directly by such persons (e.g. by email, by phone, by fax or through web reservation system).

We also collect special information about anniversary or any other memorial day of the visitors and/or guests especially when they want to celebrate it.

We eventually collect special information when the visitors and/or guests have food allergy and/or physical disabilities which would require special care.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

III. WHAT WE DO WITH YOUR PERSONAL DATA ?

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal basis we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one legal basis depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal basis we are relying on to process your personal data where more than one legal basis has been set out in the table below.

	Purpose/Activity	Type of personal data	Legal basis
1	Accepting reservation (General)	Your name, email and postal address, fixed and/or mobile phone number, anniversary or any other memorial day for you	(a) Your consent (b) Necessity for the performance of a contract
2	Accepting reservation when you need special care	Your food allergy or your physical disabilities	(a) Your consent (b) Our carrying out the obligations and your exercising specific rights

3	Providing service related to the accommodation	Your name, room number, email and postal address, fixed and/or mobile phone number, anniversary or any other memorial day for you, passport number	(a) Your consent (b) Necessity for the performance of a contract
4	Administering and performing market campaigns, market analysis or other promotional activities or events; sending you promotional information, newsletters, magazines, or seasonal greeting cards	Your name, email and postal address, your past history of accommodation and/or other facilities with us	(a) Your consent

COOKIES

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of our service may become inaccessible or not function properly.

CHANGE OF PURPOSES

We will only use your personal data for the purposes above, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to obtain an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you unless such usage is allowed in accordance with the law.

IV. HOW YOUR PERSONAL DATA IS COLLECTED?

We use different methods to collect data from and about you including through:

- (1) Direct interactions. You may give us your personal data by giving us by filling in forms such as request form or registration form or by corresponding with us by post, phone, email, web reservation system, or otherwise.
- (2) Indirect interactions. You may give your personal data to “Tsutsuji-so” of the town of Naoshima and because Benesse is the operator of Tsutsuji-so, it share your personal data with us.
- (3) Third parties or publicly available sources. We may receive personal data about you from various third parties when they are publicly available or when such third parties were retained by you (i.e. travel agency).

V. DISCLOSURES OF YOUR PERSONAL DATA

When you contact us in order to make a reservation for one of the Facilities, we will share your personal data with our subsidiary, Naoshima Cultural Village Co., Ltd. because Naoshima Cultural Village Co., Ltd. who needs to operate your personal data as the operator of the Facilities.

When you contact us in order to make a reservation for one of on-site facilities such as restaurant or spa closely located to the Facilities, we will share with them your personal data such as your name, room number, phone number, food allergy, anniversary and other requests from you.

We will not share your personal data otherwise with any third party without your consent or our compelling legitimate interest unless such sharing is necessary to process the purpose of which you contacted us or is expressly indicated in this Policy.

We have no intention to transfer your personal data from or out of Japan.

However, we may disclose your personal data to any third party without your consent for the following circumstances or when it is legally allowed:

- (1) when it is necessary to comply with applicable laws, court orders or other valid legal processes;

- (2) when it is necessary to protect, enforce or apply our terms of use, any subscription contract/agreement or any of other rights we have against you;
- (3) when it is necessary to protect and defend our rights, assets and properties, including to protect against your or any third party's misuse or unauthorized use of our services; or
- (4) when it is necessary to protect your or third party's public safety, asset and/or property.

VI. DATA SECURITY

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed and endeavor to improve it continuously. In addition, we limit access to your personal data to those employees, officers, directors, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We are fully responsible for privacy and security of your personal data and will handle with care.

We recognize the importance to comply with and familiarize all employees, officers and directors of Benesse with the applicable laws, regulation, ordinances as well as internal rules for the secure handling of your personal data, which we endeavor to ensure strictly.

VII. HOW LONG WILL WE USE YOUR PERSONAL DATA?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting.

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 unauthorized 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.

VIII. YOUR LEGAL RIGHTS

Under certain circumstances, you have the following rights in relation to your personal data:

(1) Right to access

This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it upon your request.

(2) Right to correct

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.

(3) Right to erase

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.

(4) Right to object

This enables you to object where we are relying on a legitimate interest (or those of a third party) but 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 basis to process your information which override your rights and freedoms.

(5) Right to restrict

This enables you to ask us to suspend the processing of your personal data in the following scenarios: (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 basis to use it.

(6) Right to data portability

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.

(7) Right to withdraw

This enables you to withdraw your consent if the legal basis of the processing was your consent. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent.

Please note that if you withdraw your consent, we may not be able to provide certain services to you. We will advise you if this is the case at the time you withdraw your consent.

IX. NOTICE UPDATES

Please note that we may revise this Policy from time to time, in particular each time there is any material change such as the way in which we collect or use personal data, the category of third party we share the personal data or any

other aspect and if we make any substantial changes, we will notify you by posting a prominent notice on the website.

Last updated on December, 2019