



SUNSEEKER INTERNATIONAL LIMITED PRIVACY POLICY

1. INTRODUCTION

- 1.1 This Privacy Policy describes in detail who is responsible for the personal information that we collect about you through your use of this website or other interactions with us including any personal information you provide when you inquire about or purchase any of our Products or offer to provide any goods or services to us, what personal information we collect, how we will use such personal information, who we may disclose it to and your rights and choices in relation to your personal information.
- 1.2 In this Privacy Policy references to:
- 1.2.1 **we, us or our** means Sunseeker International Limited (company number **00675320**) **with its registered address at** Sunseeker House, West Quay Road, Poole, Dorset, BH15 1JD;
 - 1.2.2 **you or your** means the person accessing and using our Website (other than our Recruitment Portal), or a customer or potential customer of our Products, or a supplier or dealer (or an employee or contractor of such a supplier or dealer) or a speculative job applicant;
 - 1.2.3 **Website** means www.sunseeker.com ;
 - 1.2.4 **personal information** is personal data that is about you and which identifies you; and
 - 1.2.5 **Products** means yachts and/or related products and merchandise and/or services which may be purchased from us, including via our website.

2. WHO IS RESPONSIBLE FOR THE PERSONAL INFORMATION THAT WE COLLECT?

- 2.1 We are a controller for the purpose of data protection law, in respect of your personal information that is collected and processed by us through your use of our Website or other interaction.
- 2.2 We are also a controller in certain circumstances in respect of your personal information that is collected and processed by us in connection with your purchase and/or use of our Products or if you are our supplier or dealer (or an employee or contractor of such a supplier or dealer), or if you submit a speculative job application.
- 2.3 If you have any questions regarding this Privacy Policy or the way we use your personal information, you can contact us at dataprotection@sunseeker.com

3. WHAT PERSONAL INFORMATION DO WE HOLD ABOUT YOU?

- 3.1 The personal information we collect includes:
- 3.1.1 **Information that you provide to us**
 - (a) your name and contact information (including email, telephone and postal address);
 - (b) your marketing preferences;

- (c) your payment card number (credit or debit card), bank account number, or other financial account number and account details;
- (d) identity verification information in connection with anti-money laundering requirements and customer due diligence (including where applicable a copy of your passport; utility bills; and/or identity card);
- (e) data relating to your use of our Products (to the extent this constitutes personal information);
- (f) account log-in information and password; and
- (g) your CV.

This information may be provided:

- (a) in the course of communications between you and us (including by phone, email or otherwise);
- (b) as part of a supplier quotation or tender process;
- (c) when you purchase or subscribe to our Products;
- (d) in the course of our warranty and after-sales services;
- (e) when you complete our forms (including forms on our Website such as the enquiry form on the 'Contact Us' section) or register an interest by post, phone, email or otherwise in our Products;
- (f) when you request marketing or sales information to be sent out to you;
- (g) when you attend our boat show stands;
- (h) via our social media pages, other social media content, tools and applications;
- (i) when you submit a speculative job application or upload a CV to Jobtrain; and
- (j) when you give us feedback or contact us.

3.1.2 Information we collect from you

- (a) With regard to each of your visits to our Website we may automatically collect the following information by using cookies and other similar technologies:
 - (i) technical information, including the Internet Protocol (IP) address used to connect your computer or device to the Internet, your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform; and
 - (ii) information about your visit, including the website you originated from before landing on our Website and the Website you went to from our site (including date and time); products you viewed or searched for; page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from the page; and
- (b) Data relating to your use of our Products including tracking data from the automatic identification system (AIS) used on our yachts.

3.1.3 Information we receive from other sources

- (a) your name and contact information (including email, telephone and postal address) in connection with referrals or queries from Sunseeker dealers and distributors.

4. INFORMATION ABOUT THIRD PARTIES

- 4.1 In the course of your dealings with us you may provide us with personal information relating to third parties. For example, we may collect personal information about consultants acting on your behalf, e.g. brokers such as their name and contact details, or about referees you provide as part of a speculative job application.
- 4.2 We will use this personal information in accordance with this Privacy Policy. If you are providing personal information to us relating to a third party, you confirm that you have the permission of the third party to share such personal information with us and that you have made the information in this Privacy Policy available to the third party.

5. HOW DO WE USE THE PERSONAL INFORMATION WE COLLECT ABOUT YOU?

- 5.1 Your personal information may be used by us, our employees, service providers, and disclosed to third parties for the purposes set out below:
 - 5.1.1 to communicate with you and other individuals about our Products and to respond to any queries that you submit to us;
 - 5.1.2 to provide you with a quote or proposal for our Products;
 - 5.1.3 to manage any orders for Products including managing payments, fees and charges;
 - 5.1.4 to obtain from you a quote or proposal for your products or services;
 - 5.1.5 to carry out our obligations arising from any contracts entered into between you and us and to provide you with our Products;
 - 5.1.6 to enforce or apply the contracts concerning you (including contracts between you and us);
 - 5.1.7 to provide warranty and after-sales services;
 - 5.1.8 for credit checking our suppliers and prospective suppliers;
 - 5.1.9 to notify you about changes to our Website;
 - 5.1.10 to manage complaints, feedback and queries;
 - 5.1.11 to provide you with information about the Products that we offer;
 - 5.1.12 to comply with any legal or regulatory obligations (including in connection with a court order);
 - 5.1.13 to prevent and detect fraud, financial crime and money laundering and to ensure compliance with international sanctions;
 - 5.1.14 to assess your suitability for a job with us;
 - 5.1.15 to carry out market research; for example, we may contact you (including by email) to obtain your feedback on our products, and we may use details of your purchases to understand market trends and to identify popular products and services; and
 - 5.1.16 to understand how our users use our Website and how we can improve the Website.

5.2 For each of the purposes set out above, we have set out below the main legal bases on which we use your personal information. Depending on the circumstances, more than one legal basis may apply.

5.3 Depending on the circumstances the main legal bases are as follows:

5.3.1 the processing is necessary for our legitimate business interests which include, depending on the circumstances:

- (a) to manage our relationship with you;
- (b) to undertake customer due diligence;
- (c) to prevent and detect fraud, financial crime and money laundering and to ensure compliance with international sanctions;
- (d) to assess the credit worthiness of our suppliers and potential suppliers;
- (e) to enable us to improve and develop our business operations, the Products and the Website;
- (f) direct marketing purposes;
- (g) to keep you updated as to changes to our Website; and
- (h) to conduct and manage our business.

We do not use your personal information for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise permitted by law).

5.3.2 the processing is necessary for performance of a contract between you and us or in order to take steps at your request prior to entering into a contract;

5.3.3 the processing is necessary for compliance with legal obligations to which we are subject;

5.3.4 the processing is carried out with your consent (mainly for direct marketing purposes); or

5.3.5 the processing is in connection with legal proceedings (i.e. the establishment, exercise or defence of legal claims).

5.4 As set out above, we may be required to process your personal information to comply with our legal requirements, to enable us to fulfil the terms of any contract that we have with or in preparation of us entering into a contract with you. Depending on the circumstances, if you do not provide the relevant personal information to us or provide incomplete/incorrect information to us, we may not be able to provide the relevant Products to you.

6. WHO MAY WE DISCLOSE YOUR PERSONAL INFORMATION TO?

6.1 We may share your personal information with:

6.1.1 our business partners, suppliers and sub-contractors for the performance of any contract we enter into with you. For example, we may engage third party service providers to host our online shop (see below), fulfil orders, deliver packages, process returns, send postal mail and email, provide marketing assistance, process card payments, provide customer service and handle claims. The third parties who process card payments may also share your information with other organisations in connection with the processing of the payment, including (i) their agents, service providers and

affiliates, (ii) organisations involved in the clearing and settlement of payments, law enforcement agencies and fraud detection/prevention organisations, (iii) our and your bank, and (iv) any other third party to meet any legal obligation or where the third party has a legal right to request the information;

- 6.1.2 our ultimate holding company, Deepsea Holding Ltd. and its subsidiary companies;
 - 6.1.3 our dealers, distributors or stockists. Where you have indicated that you would like to be contacted by one of our dealers, distributors or stockists of Products or spare parts, we will pass on your personal information to the dealer, distributor or stockist for this purpose. We have no control over the use of your information by our dealers, distributors or stockists and if you have any concerns over how they have handled your personal information, please contact them directly;
 - 6.1.4 Your Brand Merchandise Limited host our online shop. When you browse and place an order via our online shop, your personal information will be collected and processed by Your Brand Merchandise Limited. For more information about how Your Brand Merchandise Limited may use your personal information, please see Your Brand Merchandise Limited's privacy policy (<https://shop.sunseeker.com/policies/privacy-policy>). By browsing and using our online shop, you agree to the collection and use of your personal information by Your Brand Merchandise Limited. When you purchase Products via our online shop your payment details will be processed by Shopify Payments which is a payment gateway connected to the Shopify platform and operated by Stripe Inc.;
 - 6.1.5 credit reference agencies (in relation to suppliers);
 - 6.1.6 other professional advisers (including accountants, lawyers and insurers) that assist us in carrying out our business activities;
 - 6.1.7 police and other law enforcement agencies in connection with the prevention and detection of crime;
 - 6.1.8 other external agencies and organisations (including the National Crime Agency and Serious Fraud Office) for the purpose of preventing and detecting fraud (including fraudulent transactions), money laundering and criminal activity;
 - 6.1.9 HMRC; and
 - 6.1.10 any other third parties if we are under a duty to disclose or share your personal information in order to comply with any legal obligation or instructions of a regulatory body (including in connection with a court order), or in order to enforce or apply the terms of any agreements we have with or otherwise concerning you (including agreements between you and us) or to protect our rights, property or safety of our customers, employees or other third parties.
- 6.2 We may also disclose your personal information to other third parties, for example:
- 6.2.1 in the event that we sell or buy any business or assets we will disclose your personal information to the prospective seller or buyer of such business or assets;
 - 6.2.2 if we or substantially all of our assets are acquired by a third party (or are subject to a reorganisation within our corporate group), personal information held by us will be one of the transferred assets; and
 - 6.2.3 if we are under a duty to disclose or share your personal information in order to comply with any legal obligation, or in order to enforce or apply the agreements concerning you (including agreements between you and us).

7. WHERE WILL WE TRANSFER YOUR PERSONAL INFORMATION?

- 7.1 We will process your personal information both within and outside the United Kingdom (UK). Where we transfer personal data outside of the UK, we will implement appropriate and suitable safeguards to ensure that such personal information will be protected as required by applicable data protection law.
- 7.2 These measures generally include either:
- 7.2.1 transferring personal information to countries that have been deemed to provide an adequate level of protection for personal information by the UK Government under Article 45(1) of the General Data Protection Regulation (**UK GDPR**); or
 - 7.2.2 transferring personal information where the recipient has agreed to a UK Government approved data transfer agreement or addendum issued under the Data Protection Act 2018.
- 7.3 Please contact us on dataprotection@sunseeker.com if you want further information on the specific mechanism used by us when transferring your personal information out of the UK.

8. DATA SECURITY

- 8.1 We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, 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.
- 8.2 We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

9. HOW LONG WILL WE KEEP YOUR PERSONAL INFORMATION

- 9.1 We will keep your personal information for no longer than is necessary for the purposes for which personal information is processed, including for the purpose of satisfying any legal, regulatory, tax, accounting or reporting requirements.
- 9.2 If you purchase a Product from us we will generally keep your personal information for 6 years after the date of purchase. Where the Product purchased is a yacht, we will generally keep your personal information for 6 years from the end of the relevant warranty period.
- 9.3 Please note that the above retention periods may be extended where we need to preserve and use personal information for the purposes of bringing or defending a legal claim. In such cases, we will continue to hold and process your personal information for as long as is necessary to deal with the legal proceedings.
- 9.4 In some circumstances you can ask us to delete your personal information: see Paragraph 10 below for further information.

10. YOUR RIGHTS

- 10.1 You have certain rights with respect to your personal information. The rights may only apply in certain circumstances and are subject to certain exemptions. Please see the table below for a summary of your rights.
- 10.2 If you wish to exercise any of the rights below, please contact us at dataprotection@sunseeker.com or by post at Human Resources Department, Sunseeker House, West Quay Road, Poole, Dorset, BH15 1JD.

	Summary of your rights
Right of access to your personal information	You have the right to receive a copy of your personal information that we hold about you, subject to certain exemptions. Any access request is free of charge. We may require further information in order to respond to your request (for instance, evidence of your identity and information to enable us to locate the specific personal information you require).
Right to rectify your personal information	You have the right to ask us to correct your personal information that we hold where it is incorrect or incomplete, though we may need to verify the accuracy of any new information you provide.
Right to erasure of your personal information	You have the right to ask that your personal information be deleted in certain circumstances. For example: (i) where your personal information is no longer necessary in relation to the purposes for which they were collected or otherwise used; (ii) if you withdraw your consent and there is no other legal ground which we rely on for the continued use of your personal information; (iii) if you object to the use of your personal information (as set out below); (iv) if we have used your personal information unlawfully; or (v) if your personal information needs to be erased to comply with a legal obligation.
Right to restrict the use of your personal information	You have the right to suspend our use of your personal information in certain circumstances. For example: (i) where you think your personal information is inaccurate but only for as long as is required for us to verify the accuracy of your personal information; (ii) the use of your personal information is unlawful but you do not want us to erase it and request that it is suspended instead; (iii) we no longer need your personal information, but your personal information is required by you for the establishment, exercise or defence of legal claims; or (iv) you have objected to the use of your personal information and we are verifying whether our grounds for the use of your personal information override your objection.
Right to data portability	You have the right to obtain your personal information that you provided to us in a structured, commonly used and machine-readable format and for it to be transferred to another organisation, where it is technically feasible. The right only applies where the use of the personal information that you provided is based on your consent or for the performance of a contract with you, and when the use of your personal information is carried out by automated (i.e. electronic) means.
Right to object to the use of your personal information	You have the right to object to the use of your personal information in certain circumstances. For example: (i) where you have grounds relating to your particular situation and we use your personal information for our legitimate interests (or those of a third party) including for profiling; and (ii) if you object to the use of your personal information for direct marketing purposes, which includes profiling to the extent it relates to such direct marketing.
Right to object to decision which is based solely on automated processing	You have the right in certain circumstances not to be subject to a decision which is based solely on automated processing without human intervention.
Right to withdraw consent	You have the right to withdraw your consent at any time where we rely on consent to use your personal information.

Right to complain to the relevant data protection authority	You have the right to complain to the relevant data protection authority, which in our case is, the Information Commissioner's Office, where you think we have not used your personal information in accordance with data protection law. Before doing so please make sure you have first made your complaint to us or asked us for clarification if there is something you do not understand.
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- 10.3 You will not have to pay a fee to access your personal information (or to exercise any of your other rights), however, we may charge you a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.
- 10.4 We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is complex or you have made a number of requests. In this case, we will notify you and keep you updated.

11. THIRD PARTY LINKS

The Website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for how they handle your personal information. When you leave our Website, we encourage you to read the privacy notice of every website you visit.

12. COOKIES

- 12.1 Cookies are small text files that may be stored on your device when you access a website or open an email. We use various cookies and similar tracking technologies (e.g. tags, pixels, web beacons, etc.) on our website and in other ways. Full details of what we use and how you can choose to block cookies and delete cookies are available in our Cookie Policy at sunseeker.com/cookies

13. Changes to our privacy policy

- 13.1 Any changes we make to this Privacy Policy in the future will be posted on this page and, where appropriate, actively communicated on our website or by email. The updated Privacy Policy will take effect as soon as it has been updated or otherwise communicated to you.
- 13.2 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, for example a new address or email address.

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