



LEGAL NOTICES AND PERSONAL DATA

1. Website

Under the French Digital Economy Trust Act no. 2004-575 of 21 June 2004, users of the website <http://www.n-le-spa.com> are informed that the various parties involved in creating and monitoring it are:

Owner: S.A. HÔTEL NEGRESKO – S.A. B 957 810 146 00010 – 37 Promenade des Anglais, 06000 Nice.

Legal status: Public limited company with a Board of Directors (PLC)

Share capital: €1,472,725.00

Commercial and Companies Register: B 957 810 146 Nice

SIRET: 957 810 146 00010

Head office: 37 Promenade des Anglais, 06000 Nice + 33 (0)4 93 16 64 00

e-mail: direction@lenegresco.com

VAT number: FR32957810146

Host: OVH. SAS 2, rue Kellermann 59100 Roubaix

Design and maintenance: Agence Customr/Cher Ami

2. General terms & conditions of use for the website and services offered

By using the website <http://www.n-le-spa.com> you are deemed to have unreservedly accepted the general terms and conditions of use (T&Cs) set out below. These T&Cs may be amended or added to at any time. Visitors to <http://www.n-le-spa.com> are therefore encouraged to regularly check them.

This website is normally accessible to users at all times. However, S.A Hotel Negresco may decide to interrupt access in order to carry out maintenance. The Hotel will do its best to give users prior notice of the times and dates the website will be down.

The website <http://www.n-le-spa.com> is regularly updated by Stairway Management.

Similarly, the legal notes may be amended at any time. Users continue to be bound by and are encouraged to regularly consult them.

3. Description of Services Provided

The purpose of <http://www.n-le-spa.com> is to provide information about the company's business.

S.A. Hotel Negresco does its best to ensure the website <http://www.n-le-spa.com> displays the most accurate information possible. However, it cannot be held liable for omissions, inaccuracies and lack of updates, whether due to its own actions or those of a partner third party providing the information. All the information given on <http://www.n-le-spa.com> is for information purposes only and may be subject to change. Furthermore, the information given on <http://www.n-le-spa.com> is not exhaustive. It is subject to any changes made since it was published online.

Le Negresco · 37, Promenade des Anglais · 06000 Nice · France

Accès direct au Spa · 1 bis rue de Rivoli · T + 33 (0)4 93 16 64 46 · spa@lenegresco.com

www.lenegresco.com  LEADING HOTELS

4. Contractual Limitations on Technical Data

This website uses JavaScript.

The website cannot be held liable for any property damage in relation to the use of this website. Furthermore, users agree to access the website using virus-free, relatively new equipment and an up-to-date browser.

5. Intellectual Property & Counterfeiting

S.A. Hotel Negresco owns the intellectual property rights and holds usage rights over all elements on the website, including text, images, graphics, logos, icons, sounds and software. Photo copyrights: Elisabeth Billhardt, Marcel Jolibois, Antoine Gauvin, Grégoire Gardette, Cote Magazine, Jean-Michel Sordello – All rights reserved.

All the information on the website is exclusively intended to be consulted by users. It is prohibited to reproduce, represent, modify, publish or adapt all or part of the website's elements, regardless of the means or process used, without the prior written approval of S.A. Hotel Negresco.

Any unauthorised use of the website or any of the elements it contains will be considered as an act of counterfeiting and will be prosecuted in accordance with the provisions of articles L 335-2 et seq of the French Intellectual Property Code.

6. Users' Responsibility

Users are responsible for all risks incurred in using their login and password.

The User's password must remain confidential. S.A. HÔTEL NEGRESCO declines all responsibility in the event of disclosure of the password.

Users are entirely responsible for their use of any information or content available on the N LE SPA website.

Any use of the service by the User that directly or indirectly leads to damage may be subject to compensation from the N LE SPA site.

7. Limitation of Liability

S.A. Hotel Negresco cannot be held liable for direct or indirect damage caused to a user's equipment when accessing the website <http://www.n-le-spa.com> as a result of either the use of equipment that fails to meet the specifications stated in point 4 or the occurrence of a computer bug or incompatibility issue.

S.A. Hotel Negresco also cannot be held liable for any indirect damage (such as loss of market share or loss of opportunity) following the use of <http://www.n-le-spa.com> Interactive pages (where questions can be asked in the contact section) are available to users. S.A. Hotel Negresco reserves the right, without prior notice, to remove any content uploaded to this page that contravenes French legislation, specifically the provisions relating to data protection. When required, S.A. Hotel Negresco also reserves the right to file a claim against the user, including for messages of a racist, insulting, defamatory or pornographic nature, regardless of the media used (text, photo, etc.).

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8. External Personal Data Protection Policy

8.1. Overview

In its capacity as controller, Le Negresco (whose registered office is located at 37 Promenade des Anglais, Nice, 06000) places great importance on protecting and respecting your privacy. Le Negresco builds relationships with its clients based on mutual trust: for Le Negresco, ensuring the security and confidentiality of personal data is an absolute priority.

Le Negresco complies with all French and European regulatory and legislative provisions in the area of personal data protection.

Le Negresco uses personal data to honour its commitment to offer its clients a personalised service.

Le Negresco applies a strict policy to guarantee the protection of personal data:

Personal data are processed in a transparent, confidential and secure manner;

Le Negresco is engaged in an ongoing process to protect the data of its users, in accordance with the Data Protection Act of 6 January 1978 as amended (hereinafter referred to as "LIL") and the General Data Protection Regulation (EU) of 27 April 2016 (hereinafter referred to as the "GDPR");

Le Negresco has appointed a DPO (Data Protection Officer), who has been declared to the CNIL).

8.2. The Purpose of this Policy

This policy applies to the personal data of clients and other persons concerned with whom Le Negresco has dealings, and to the handling of these personal data in all forms (oral, written or electronic).

8.3. Name and Details of the Controller

As the controller, Le Negresco adopts appropriate technical and organisational measures to ensure the protection and confidentiality of personal data processed in accordance with the provisions of the Data Protection Act and the RGPD.

8.4. Collection and Origin of Data

All data are collected directly from the persons concerned. However, Le Negresco can process personal data taken from information provided by the person concerned or by third parties.

Le Negresco promises to obtain the consent of the persons concerned and/or allow them to oppose the use of their data for certain purposes when their consent is required. In all cases, the persons concerned will be informed of the purposes for which their data are collected.

8.5. Categories of data processed

Le Negresco can process all or some of the following data:

Surname (and birth name);

Forename;

Date and place of birth;

Gender

Profession;

Personal and professional details;

For guests of the Hotel Negresco, details of passport or visa; information about your stay including booking date, arrival and departure dates, goods and services used, special requests, preferences for services, telephone numbers called from a hotel landline;

Passport/visa Information;

Information regarding your stay, including the reservation date, the arrival date and departure date, goods and services used, special requests, your preferences for services, phone numbers dialled from a landline from the hotel;

Bank details, methods of payment;

Exchanges with Le Negresco;

Membership of a loyalty programme;

Information obtained during your presence, such as video surveillance images, information relating to your access or any other security system;

Information on your preferences and habits.

Some information may constitute sensitive information as defined in regulations in force (e.g. religious affiliation and health status). Le Negresco promises to process these sensitive data in accordance with regulations in force, and to inform the persons concerned.

8.6. How Does Le Negresco Use Your Personal Data?

Le Negresco uses your personal data to:

Supply hotel rooms and various goods and services, including catering services, and to issue invoices for the same;

Provide a customised service;

Manage loyalty programmes;

Honour its commitments to all third parties involved in the organisation of your stay (travel agency, travel organiser, operators, employer, etc.);

Assess customer satisfaction;

Carry out direct marketing and promotion operations;

Comply with legal and regulatory requirements.

Our Data Protection Officer (DPO) is also made aware of these purposes via the prearranged formalities carried out before the DPO.

8.7. Targeted Advertising

In accordance with applicable regulations, and with your consent when required, Le Negresco can use your personal data for commercial prospecting purposes (for example, to send you newsletters or inform you of certain events, or any other communications which may be of interest to you). According to regulations, you can withdraw your consent and exercise your right of opposition at any time.

8.8. Cookies and similar technologies

N LE SPA uses cookie technology to evaluate and improve the functionality of its website. Cookies identify your web browser when you visit Le Negresco website. According to regulations, you can disable cookies. However, if you do disable them you will not be able to use all of the functions of the N LE SPA website.

8.9. Recipients of Your Data

Le Negresco only discloses personal data to authorised and specified recipients, to government bodies as authorised within the framework of their mission, and to the judicial authorities upon request.

8.10. Data Retention Duration

All personal data processed by Le Negresco is archived as per its purpose, pursuant to the regulations in force, and stored in accordance with the legal statute of limitations, specifically for tax, commercial and accounting purposes.

8.11. Security

Le Negresco has put all technical and organisational measures in place to ensure security and confidentiality in the processing of personal data.

To this end, Le Negresco has adopted all appropriate measures in view of the nature of the data and risks presented by processing to protect the security of data and, in particular, to prevent them from being deformed or damaged and unauthorised third parties from accessing them (physical protection of the premises, authentication processes with secure personal access via confidential user names and passwords, the logging of connections, the encryption of certain data, etc.).

8.12. Transfers of Data Outside the European Union

As a general rule, Le Negresco processes and stores your personal data within the European Union. However, some service providers of Le Negresco are located in third countries outside the European Union. In these cases, your personal data may be transferred to these countries. In such cases, Le Negresco ensures that information is transferred in accordance with applicable regulations and guarantees sufficient protection for privacy and fundamental rights (in particular through standard contractual clauses).

8.13. Your rights

Le Negresco adopts all reasonable measures to ensure the accuracy and relevance of personal data processed.

In accordance with European regulations in force, you have the following rights:

The right of access;

The right of rectification;

The right of erasure;

The right of restriction of processing;

The right to object, in particular to the processing of your personal data for direct marketing purposes;

The right to be notified, upon request, of the list of recipients or categories of recipients of your personal data;

The right to data portability, i.e. the right to receive personal data that you have provided to Le Negresco in a format that is structured, in current use and legible by the machine and the right to send these data to another controller;

The right to lodge a complaint with a supervisory authority or to obtain reparations from competent courts if you consider that Le Negresco has not respected your rights;

The right to set instructions regarding the fate of your personal data after your death.

You may exercise any of these rights by writing to the data controller: 37 Promenade des Anglais, Nice 06000 or via e-mail at dpo@lenegresco.com, clearly identifying yourself with a copy of proof of identity (ID card or passport).

Under Article 17 of the General Data Protection Regulation, any requests for the deletion of personal data are subject to the obligations imposed by the regulations, in particular as regards the retention or archiving of documents. The right to erasure may not conflict with:

- The exercise of the right to freedom of expression and information;
- Compliance with a legal obligation (accounting documents);
- If the information relates to a legitimate public interest in the fields of health, or for scientific, historical, or statistical research;
- For their use in exercising or defending legal rights.8.14.

Contact

For all questions relating to this confidentiality policy or any requests relating to your personal information, you can contact Le Negresco:

By sending an e-mail to the Data Protection Officer at the following address: dpo@lenegresco.com

By writing to the following address: Le Negresco – A l'attention du Délégué à la Protection des Données – 37 Promenade des Anglais, Nice 06000

8.15. CNIL

The website <http://www.n-le-spa.com> has been reported to the CNIL under number 1743065 v0.

9. Information policy regarding cookies

Some features of this website (referred to hereafter as "Website") use the services proposed by third-party sites.

These features create cookies which enable these websites to trace your browsing.

These cookies are not created if you block them.

You can obtain information about the nature of the cookies created, accept them or block them, either globally for all of the website and all of the services, or individually, cookie by cookie.

9.1 Definition of Cookies

Cookies are information stocked in the devices (computer, tablet, smartphone, etc) of an Internet user and used by the website to send information to the Internet user's browser, enabling this browser to send information to the original website.

Cookies enable the conservation of information when the browser accesses the different pages of a website or when the browser returns at a later stage to this website, during their validity period.

Cookies are useful as they enable a website to recognize an Internet user's device.

Different types of cookies exist:

- session cookies, which are deleted as soon as the user exits the browser or leaves the website
- persistent cookies, which remain on the user's device until their expiration or until the user deletes them using the features of their browser.

9.2 Cookies on the Website

The Cookies used by SA Hôtel Negresco fall under several categories.

Cookies strictly necessary for browsing on our Website: these cookies enable the use of all of the features of the Website, such as reservation of a room online, without which the services requested could not be provided. These cookies do not collect information which can be used for marketing purposes.

Feature Cookies: these cookies are used to recognize an Internet user who connects to the Website and propose personalized features. The information collected by these cookies is anonymous but can identify an Internet user following association with other data. They can be used for advertising means.

Analysis and performance cookies: these cookies enable the collection of information on the way in which the Website is used (most visited pages, existence of error messages). These cookies do not collect information enabling the identification of the Internet user.

Advertising and targeting cookies: these cookies collect information on the pages visited by the Internet user as well as the hypertext links followed and are in general placed by advertising networks which share the information collected by the advertisers. This enables a personalization of the advertising online.

Third-party cookies: The Negresco can use the services of third parties in order to optimize the use of the Website by an Internet user and to post advertisements apart from the Website. These third parties (such as advertisers and web traffic analysis services) can also create cookies that Le Negresco does not control.

Should you wish to provide further information on behavioural advertising on the Internet and manage your preferences concerning the use of cookies for advertising purposes, or object to such use, please consult the European platform of the "Your Online Choices" third-party service.

9.3 Browser settings

The Internet user has the possibility of blocking his cookies through the configuration of the browser being used. Most browsers allow you to manage your cookies. It is possible to configure the browser to accept or block, on a case by case basis, cookies before they are created. It is also possible to regularly remove cookies from the device via the browser. To manage cookies and preferences, the configuration of each browser is different. It is described in the help menu of the browser.

However, if you configure the browser to block cookies, some features, pages, and spaces on the website will not be accessible, and we cannot be held responsible in this case.

You will find more information on:

Google

Firefox

Windows

Safari

The CNIL- Commission Nationale de l'Informatique et des Libertés- (French Data Protection Agency) website gives practical advice on the ways of removing cookies already created on your device depending on the browser which was used.

9.4 Modification

Le Negresco reserves the right to modify, update or correct, at any moment, and without previous notice, all or part of the policy relating to cookies and without notification by publishing the updated policy on the Website. It is important to regularly consult the policy relating to cookies.

9.5 Contact information

For any questions concerning the information policy relating to cookies, please contact us at the following address:

SA Hôtel Negresco

37 Promenade des Anglais

06000 Nice

E-mail : dpo@lenegresco.com

Latest version: March 2024

10. Personal data – Management of Subscriptions to Le Negresco Newsletter

The dispatch of the newsletter constitutes a processing of personal data managed by Le Negresco and its partners.

10.1. The controller

The controller is SA Hôtel Negresco, whose registered office is located at 37 Promenade des Anglais, Nice (06000) and which is represented by Mr Lionel Servant, General Manager, domiciled for legal purposes at said office.

10.2. Purposes of Processing

Data are processed to manage the dispatch of Le Negresco newsletter. This management of data allows Le Negresco to manage subscriptions and the formulation of statistics.

10.3. Legal Basis

In accordance with article 6 of the General Data Protection Regulation (EU Regulation 2016/676), the legal basis for this processing is consent.

10.4. Categories of Data Processed

Within the context of this processing, the data processed are:

The e-mail address,

The subscription date,

Statistics linked to the newsletter service.

10.5. The Mandatory Nature of Data Collection

An e-mail address must be collected in order to send the newsletter.

10.6. Automated Decision-making

Processing does not provide for automated decision-making.

10.7. Persons Concerned

This processing only relates to persons who wish to receive Le Negresco newsletter.

10.8. Categories of Recipients of Data

The following parties receive personal data:

Le Negresco sales department;

Le Negresco lodging department;

The reservations department;

The catering department;

N Le Spa

N La Plage

Partners of Le Negresco.

10.10. Transfers of Data Outside the EU

Negresco processes and stores your personal data within the European Union. However, some service providers of Le Negresco are located in third countries outside the European Union. In these cases, your personal data may be transferred to these countries. In such cases, Le Negresco ensures that information is transferred in accordance with applicable regulations and guarantees sufficient protection for privacy and fundamental rights.

10.11. Duration of data retention

Le Negresco shall retain an e-mail address until the person concerned unsubscribes (via the unsubscription link included in the newsletters) and in accordance with timeframes stipulated in law.

10.12. Your rights to your data

You have a right to access, a portability right, a right to oppose and a right to erase your personal data. You also have the right to restrict the processing of your personal data.

10.13. How to exercise your rights

Le Negresco Data Protection Officer (DPO) is your point of contact for any complaint or demand to exercise one of the rights referred to above in relation to this processing.

You can contact the DPO electronically at the following e-mail address: dpo@lenegresco.com.

You can also contact the DPO by post: Hôtel Negresco Le Délégué à la Protection des Données 37 Promenade des Anglais Nice 06000

10.14. Filing a Complaint with the CNIL

If, after having contacted us, you believe that your rights to your data have not been respected, you can submit a complaint to the CNIL.

11. Applicable Law and Assigned Jurisdiction

All disputes regarding the use of the website <http://www.n-le-spa.com> are subject to French law. The Paris courts hold sole jurisdiction.

12. Disputes

In case of any disputes between the professional and the consumer, they shall endeavour to find an amicable solution.

Should they not reach an amicable agreement, the consumer may call upon the consumer ombudsman who deals with the professional free of charge, i.e., the Association des Médiateurs Européens (European Ombudsman Association, AME CONSO) within a year of a written claim sent to the professional.

Complaints must be made to the ombudsman in the following manner:

either by filling in the form provided for this purpose on the AME CONSO website:
www.mediationconso-ame.com;
or in writing to AME CONSO, 11 Place Dauphine – 75001 PARIS

13. Main Laws Involved

The French Data Protection Act no. 78-17 of 6 January 1978, amended by law no. 2004-801 of 6 August 2004.

The French Digital Economy Trust Act no. 2004-575 of 21 June 2004.

14. Glossary

User: An Internet user who connects to the Internet and uses the aforementioned website.

Personal information/details/data: “Details that directly or indirectly enable the identification of the individual to whom they apply, regardless of the form those details take” (article 4 of the French Data Protection Act no. 78-17 of 6 January 1978).