

PATHÉ PRIVACY STATEMENT

From 21-8-2023

1. WHO IS RESPONSIBLE FOR PROCESSING PERSONAL DATA?

This is the privacy statement of Pathé Theatres B.V. (hereinafter: "Pathé" or "we", "our", etc.).

Pathé is a cinema chain in the Netherlands. We show movies and organise events in our cinemas. Via our website www.pathe.nl (hereinafter: the "Website") and applications (hereinafter: the "Apps"), you can buy tickets for a movie or an event, you can create a Club Pathé account (hereinafter: "Club Pathé account"), take out a paid subscription and/or you can participate in contests or other offers.

On our Website and in our Apps you can create a Club Pathé account. With Club Pathé you get a personalised experience. You can add movies to your Watchlist and select preferences for movie genres. We then personalise our Website and Apps based on your preferences and interests. You can also collect Club Pathé points ("Points") and exchange these for vouchers, gift cards, cinema vouchers and other products. You can also buy tickets for our movies and events without a Club Pathé account. If you want a paid subscription, however, you need a Club Pathé account. In that case, you can choose to turn off personalisation.

We attach great importance to privacy and data protection. This privacy statement describes how we handle personal data and the rights you, as a data subject, have. All personal data is collected, processed and secured in accordance with the General Data Protection Regulation ("GDPR"). Pathé is the controller of the processing operations listed below.

2. HOW CAN YOU CONTACT US?

For questions or comments about the collection of personal data by Pathé, you can contact our customer service at:

privacy@pathe.nl

3. WHOSE PERSONAL DATA DO WE PROCESS?

We process personal data of people who we want to get in contact with, are in contact with already or have contacted in the past. For example, we may process your personal data when you

- buy a movie ticket;
- create a Club Pathé account;
- become a paid subscriber;
- link your Club Pathé account to your Pathé Thuis account;
- use a voucher, gift card and/or BioscoopCadeau;
- use our Website or Apps;
- participate in a promotion, game or contest;
- organise or attend an event in one of our cinemas;
- subscribe to our newsletter; or
- contact our customer service.

4. WHAT PERSONAL DATA DO WE PROCESS?

Below is an overview of the categories of personal data that we process:

Contact information

- First and last name
- Age and gender
- Address
- Phone number
- E-mail address

Details of your purchases and visits to our cinemas

- Details of your purchase (which movie, which cinema, date and time of the movie, how many tickets, etc.)
- Location and time of your order (online or in one of our cinemas)
- Use of a voucher, gift card, BioscoopCadeau and/or free ticket
- Check of your ticket at the screening
- Purchases of drinks, snacks and other products in our cinema, if linked to your account
- SMS alerts you send to us in case of problems in the movie theatre or (technical) difficulties during the movie
- Camera footage

Payment information

- Method of payment, such as iDeal or credit card
- The amount due
- Bank account number
- Credit card details

Information about your Club Pathé account

- Password (encrypted)
- Account number
- Purchase history
- Your behaviour on our Website and in our Apps
- Movie preferences, as saved to your Watchlist
- Cinema preferences
- Points collected
- Friend list
- Image or profile picture

Information about your paid subscription

- Your subscription type
- Price of the subscription
- Date of the subscription
- A photo of yourself (to use for your pass)
- Card number and pin code for online purchases

Marketing information

- What commercial communication and newsletters you are subscribed to
- Your interests, based on your use of our Website and Apps
- Information about your Pathé Thuis account, such as your purchase history and movie preferences

Correspondence, phone and chat recordings

- Phone calls
- Chats
- (E-mail) correspondence
- Messages you send us on social media

Social media information

- Limited information about your profile when you post a message on social media profiles or pages
- Messages that you post on our social media profiles or pages
- Reviews about Pathé

Information about customer surveys

- Whether you are subscribed or unsubscribed to our customer surveys
- The answers you provide in these surveys
- Analyses based on these answers

Information that says something about the use of our Website, Apps and social media

- Activities on our Website, Apps and social media
- IP-addresses
- Information collected via cookies (please refer to our [Cookie Statement](#))
- Information that you provide by filling in our forms
- Information about the device used to visit our Website or other online user interface, such as the browser and operating system you use

Information that says something about the use of our Wi-Fi connection

- MAC-address
- Location and time of connection
- Information about the device used to connect to Wi-Fi

Information from our Pathé Business customers and suppliers

- Name and function
- Organisation
- Contact details
- Subject of the offer or quote
- Price and payment information

5. WHERE DO WE GET YOUR PERSONAL DATA?

We receive most of the personal data because you provide it to us, for example when you buy a movie ticket, create a Club Pathé account, participate in our promotions, because you enter your data on our Website or because you communicate with us. We also receive your personal data when you link your Club Pathé account to your Pathé Thuis account.

We also place cookies that allow us to collect information about your website visit. You can find more information about this in our [Cookie Statement](#).

If you follow Pathé on social media or communicate with, or about, Pathé, we may get access to some of your publicly available profile information. If you share information about Pathé on social media,

your data may become visible on these platforms. Pathé also follows social media channels itself and may therefore also access data about you via these social media channels.

6. FOR WHAT PURPOSES DO WE PROCESS YOUR PERSONAL AND ON WHAT LEGAL BASIS?

To sell you a movie ticket or another product without a Club Pathé account

Legal basis: necessary for the performance of a contract

- To process your purchase
- To send you your movie tickets or other products
- To check the validity of vouchers, gift card and/or BioscoopCadeau
- To process your payment

To facilitate your cinema experience

Legal basis: necessary for the performance of a contract

- To grant you access to a screening and to check your ticket
- To check your age when an age restriction applies or when you buy alcohol
- To follow up on requests such as SMS-alerts

To provide the paid subscription

Legal basis: necessary for the performance of a contract

- To process your registration for a paid subscription
- To perform the paid subscription, such as sending movie tickets and providing discount
- To process your payment
- To control your identity when you make use of a paid subscription

To provide the Club Pathé loyalty programme

Legal basis: necessary for the performance of a contract

- To register you as a Club Pathé member
- To personalize your Pathé experience and tailor our services, such as our Website and Apps, to your preferences and interests
- To send you personalised offers
- To register your purchase history and additions to your Watchlist
- To share your purchased tickets with your friends in your friends list
- To link your Club Pathé account to your Facebook account, if you register using your Facebook account
- To post your reviews and ratings
- To register your collected Points
- To send you personalised newsletters, if you are subscribed to these

You can change your settings and preferences any time in your Club Pathé account

To link your Club Pathé account to your Pathé Thuis account

Legal basis: consent

- To link your Club Pathé account to your Pathé Thuis account and to exchange personal data
- To personalise our services and communication, based on your purchase history and interests in both accounts

To enable your participation in our promotions or contests

Legal basis: necessary for the performance of a contract

- To register your participation and allow you to participate in a contest, game or promotion, such as the Pathé Quiz, the Pathé Fun Module and the Pathé Live Wall
- To inform you about the results
- To award prizes

For relationship management and marketing purposes

Legal basis: legitimate business interest (direct marketing) and consent

- To keep you informed of Pathé news, events and promotions
- To send you information about similar products or services
- To use advertisement services to place advertisements intended for a particular target group. When we use cookies for this purpose, our [Cookie Statement](#) applies
- To take photos and record videos to promote an event or movie
- To send reminders and alerts via our Apps. You can adjust these settings in the Apps at any time

For the development and improvement of our products and services

Legal basis: legitimate business interest

- To analyse how our products are being used to optimise them
- To carry out internal audits and research

To combat fraud and to protect the safety of our visitors and employees, to secure our premises and property, to record incidents and to enforce our [visitor terms](#).

Legal basis: to comply with a legal obligation and the legitimate business interest to protect persons and property

- To secure our cinemas, including through the use of camera surveillance
- To protect our (intellectual property) rights
- To check for unlawful use of memberships, discounts, Points and cinema passes, such as the (unintended) sharing of a paid subscription
- To impose and enforce cinema bans
- To transfer your data to the police, judicial authorities, or other third parties when necessary

To establish a relationship with Pathé Business customers, suppliers and other organisations.

Legal basis: necessary for the performance of a contract

- To enter into and register a business relationship
- To maintain contacts
- To organise events
- To provide movie vouchers

To ensure the security and stability of our IT systems

Legal basis: legitimate interest of Pathé and third parties to secure our cinemas and to prevent/minimise incidents and to comply with a legal obligation

- To monitor our IT systems
- To carry out internal audits and research
- To transfer your data to the police, judicial authorities, or other third parties when necessary

7. WHO DO WE SHARE YOUR PERSONAL DATA WITH?

1 WITHIN THE PATHÉ GROUP

To the extent that personal data is exchanged between parties within the Pathé Group, this is done on the basis of Pathé's legitimate business interest to conduct efficient and responsible business operations. These parties provide the same level of protection as Pathé.

2 PATHÉ THUIS

We work together with Thuisbioscoop B.V., which operates under the name Pathé Thuis, Pathé Thuis offers a video-on-demand service through various platforms and on pathe-thuis.nl. Pathé Thuis is established at the Meester Treublaan 7, 1097 DP Amsterdam (Chamber of Commerce: 61817953).

Pathé and Pathé Thuis are joint controllers for the processing your personal data for certain purposes. This concerns the provision of customer service to Pathé Thuis customers by Pathé and the exchange of personal data for direct marketing purposes, if you have provided your consent.

If you want to read more about Pathé Thuis' processing activities, you can read Pathé Thuis' privacy statement [here](#).

3 ACCESS BY THIRD PARTIES TO YOUR PERSONAL DATA

Pathé may use third party services to process your data in accordance with this privacy statement. These parties act as processors for Pathé and Pathé will ensure that these parties provide adequate safeguards with respect to technical and organisational security measures. Third parties acting as processors for Pathé have entered into a processor agreement, which includes a commitment that they will only process data on behalf of Pathé.

Your data is also passed on to other parties outside Pathé if we are legally obliged to do so, such as supervisory authorities, if we have to carry out a contract with you, if you have given your consent or if this is necessary to fulfil agreements with you.

In addition, we also provide your data to other parties we require as part of our services.

8. DO WE TRANSFER YOUR PERSONAL DATA TO THIRD COUNTRIES?

Pathé may use the services of third parties to process your data in accordance with this privacy statement. These parties may be located outside the European Economic Area (EEA).

Your personal data will only be stored or processed outside the EEA by us or by third parties engaged if this is in accordance with the applicable regulations for the transfer of personal data to countries outside the EEA. This means that we will only transfer your personal data outside the EEA if the European Commission has decided that the third country in question ensures an [adequate level of protection](#), or if other [appropriate safeguards](#) are put in place.

9. HOW LONG DO WE RETAIN YOUR PERSONAL DATA?

Your data will not be retained longer than we need it for the purposes for which it is collected or processed. Pathé has formulated the following ground rules:

- We retain your data for a **maximum of eighteen (18) months** for purposes such as to provide you services, to send you invoices, to process your purchases and to inform you about the progress therefore (marketing excluded). In sum, this applies to the processing activities that are necessary for the performance of a contract with you as a customer.
- We retain your data for a **maximum of twelve (12) months** to carry out analyses for reporting purposes, to improve Pathé's services and to optimize and improve our Website.
- We retain your data for a **maximum of six (6) months** to secure our Website and IT systems.

There are exceptions to the aforementioned main rules, for example because certain categories of data need to be kept for a shorter period of time due to their sensitivity:

- When you purchase a ticket online without using a Club Pathé account, we retain your data up to **one (1) day** after the screening;
- We retain your data about the use of our IT-systems for a **maximum of six (6) months** for the purpose of securing our Website, computer and network systems;
- We place cookies and similar technologies for a **maximum of six (6) months**. Read our [Cookie Statement](#) for more information;
- In general, we retain your data that are visibly saved in your Club Pathé account for **as long as your account is active or until you delete the data yourself**. If you have not logged into your account for seventeen (17) months and there are no open orders, Pathé will send you a message to ask if you still want to make use of your account. In case you also do not respond to a second message, Pathé will delete the personal data linked to your account after eighteen (18) months of inactivity;
- When you subscribe to a Pathé newsletter, we use your e-mail address to send you the newsletter until you indicate that you no longer wish to receive the newsletter. This is done through an **opt-out** that is included in every newsletter we send you as well as in your Club Pathé account;
- When you send us an SMS-alert, we retain the contents of this alert and your mobile phone number for a duration of **thirty (30) days**;
- When we process location data in our App, we end the linking of this data to other data after a maximum of **twenty-four (24) hours**. The location data are then irreversibly disconnected from the other data;
- When you connect to our Wi-Fi, we retain the information about your device/the connection that is necessary to allow the Wi-Fi connection to occur for a maximum of **twenty-four (24) hours** after the connection has ended;
- If you participate in one of our interactive (gaming) concepts or promotions that we organize together with Livewall, we retain your personal data for a **maximum of twelve (12) months**;
- We retain camera footage for a maximum of twenty-eight (28) days, unless a longer retention period is necessary to process an incident. In that case, the camera footage will be deleted once the incident has been handled.

If we no longer need the data for the purposes described above, we can still retain the data for archiving purposes, (possible) legal proceedings or research purposes.

10. WHAT HAPPENS IN THE EVENT OF A TRANSFER OF BUSINESS?

In the future, one or more parts or assets of Pathé may be transferred to a third party or Pathé may merge with a third party. In that case, your personal information may be transferred to that third party. If this is the case, Pathé will notify you in advance.

11. WHAT ARE YOUR RIGHTS?

You have a number of rights with regard to the processing of your data (see below). If you would like more information about this or would like to exercise one of these rights, please fill in the contact form on e-mail us at customer@klantenservice.pathe.nl.

- Right to withdraw your consent if we have requested your consent for a particular processing of your personal data;
- Right of access;
- Right of rectification if personal data is incorrect or incomplete;
- Right of erasure if personal data is irrelevant to the purpose for which it was collected, if consent has been withdrawn, if you object to a processing of personal data based on a legitimate interest or if the processing of personal data is unlawful;
- Right to restrict processing if you dispute the accuracy of personal data processed by Pathé, or if you have objected to the processing of personal data by Pathé;
- Right to data portability;
- Right to object to processing or direct marketing. You have the right to object to the processing of your data within the framework of our legitimate interest. We will then make a new assessment to determine whether your data may no longer be used. You can also specifically object to the use of your data for direct marketing;
- Right of objection and human intervention in case of automatic decisions;
- Right to complain. You can lodge a complaint with Pathé's Data Protection Officer at privacy@pathe.com or with the Data Protection Authority.

Pathé will respond to your request to exercise the above mentioned rights within **four (4) weeks**, unless there is a reason to extend this period. In that case, Pathé will inform you accordingly.

12. HOW DO WE PROTECT YOUR PERSONAL DATA?

We take appropriate measures to prevent abuse, loss, unauthorised access, unwanted disclosure and unauthorised alteration of personal data. Only persons who need access to your data in view of their function can access it. All of these persons have a duty of confidentiality..

13. CHANGES

We may change our privacy statement from time to time. This may, for example, be the case if we add new processing activities, if there are changes in the applicable data protection laws and regulations, or if there are technical developments. We will inform you in the case of substantial changes to this privacy statement. Where necessary, we will ask for your consent for a modified or new processing activity.