

Agoda

Marketing Affiliate Partner Center Privacy Policy

Introduction

Last Updated: April 2019

This Privacy Policy describes how Agoda Company Pte. Ltd. (30 Cecil Street, Prudential Tower #19-08, Singapore 049712) ("Agoda," "we," "us," "our") collects, uses, and shares information about owners, employees, representatives or other individuals acting on behalf of marketing partners when you visit and access the Marketing Affiliate Partner Center ("Partner Center") on our website (mobile and desktop) (collectively, "Site"). Below is a summary of our privacy practices. Our full Privacy Policy is available below, or you can click the links on any of the points detailed in the summary table for further details.

| | |
|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Collection | We may collect contact and account information about you, such as your name, Partner Center user ID and password, business address, and business email address as well as financial information as necessary for payment, including bank account information, through your use of the Site. |
| 2. Use | We may use your information to provide Partner Center services (e.g., allow you to monitor bookings of accommodations, view management information and communicate about marketing opportunities) and to maintain and improve the Site. |
| 3. Sharing | We may share your information with service providers and our affiliates. |
| 4. Privacy Rights | You may have rights related to requesting information regarding how we share with third parties. |
| 5. Cookies | We may use cookies and similar technologies to help provide and customize our Site. |
| 6. International Transfers | We maintain appropriate protections for cross-border transfers as required by law for international data transfers. |
| 7. Security | We maintain reasonable security measures to protect your information and require our service providers to do the same. |
| 8. Access Rights | You may exercise certain rights of access, correction, deletion, portability, or object to certain processing of your information. |
| 9. Updates to Privacy Policy | We will notify you of any material changes by posting the updated version of this Privacy Policy and taking other steps as needed. |
| 10. Additional Considerations | We have drafted this Privacy Policy in the English but certain translations may be available for your convenience. |
| 11. Contacting Us | Please contact us with any questions about this Privacy Policy or our privacy practices as detailed below. |

1. Information We Collect

We collect contact and account information about you that you provide to us when using the Site, such as your name, Partner Center user ID and password, business address and business email address. We also collect financial information as necessary for payment, such as bank account information.

By visiting our Site, we may also automatically collect certain usage information, such as your IP address, geographic data, country, browser, and information about your device's operating system, application version, language settings, and pages that have been shown to you. If you are using a mobile device to access our mobile optimized Site, we might also collect information that identifies your mobile device, such as the device ID, location of the device (with your consent), and device-specific settings and characteristics.

Where required by law, we rely on the following legal bases to process information about you:

- Necessity to Perform Contract with You - we need to process your information in order to provide requested marketing services, including allowing you to monitor accommodation bookings and view relevant management information;
- Our Legitimate Interests - we process your information for security and safety; to detect and prevent fraud; to protect and defend the rights or property of others, or our own rights and interests; to provide our marketing services; and to respond to lawful requests, court orders, and legal process;
- Compliance with Legal Obligations - we need to process your information to comply with relevant laws and regulatory requirements;
- Consent for Non-Essential Cookies - we rely on your consent to place non-essential Cookies. Please see "Your Choices" below for details on how to opt-out of such Cookies; and
- Protect Vital Interest - we may need to process your information in case of emergency involving an individual's life or health.

2. How We Use the Information We Collect

We may use information collected through the Site to:

- Provide you with the requested services, including creating a Partner Center user account, offering marketing opportunities and communicating with you when you access the Partner Center
- Maintain and improve the Site
- Protect the security of you and the Site, and send you security alerts
- Exercising a right or obligation conferred or imposed by law, including responding to request and legal demands

Marketing Opportunities

Privileged & Confidential

We use information you provide to us, such as contact information, to inform marketing partners about system/product updates, to send the Marketing Partner newsletter and to invite Marketing Partners to participate in referral programs, surveys or other market research.

Communications on the Site

We offer owners, employees, representatives or other individuals acting on behalf of marketing partners various means to communicate through the Partner Center Site. You can contact us with questions via the Site and via other channels that we may make available.

We may access communications and may use automated systems to review, scan, and analyze communications for security purposes; fraud prevention; compliance with legal and regulatory requirements; investigations of potential misconduct; product development and improvement; research; and technical support. We reserve the right to block the delivery of or review communications that we, in our sole discretion, believe may contain malicious content, spam, or may pose a risk to you or, customers/guests, us, or others. Note, all communications sent or received using the Site's communication tools will be received and stored by us.

3. Sharing and Disclosure of Your Information

In connection with your visit to our Site and use of our services, we may share your information as follows:

- *Third Party Service Providers* - such as web hosting, data analysis, user support, and other add-on service providers we appoint to perform services on our behalf.
- *Our Affiliated Group Companies* - our affiliated (group) companies' employees who have access to this information with our permission and who need to know or have access to this information to perform the service requested by you (including support services) and internal (audit/compliance) investigations.
- *Where Required or Permitted by Law* - such as to protect ourselves against liability, to respond to subpoenas, judicial processes, legitimate requests, warrants or equivalent by law enforcement officials or authorities, to investigate fraud or other wrongdoing or as otherwise required or necessary in order to comply with applicable law, protect our legitimate interests or to the purchasers in connection with any sale, assignment, or other transfer of all or a part of our business or company. We may also, in compliance with applicable law, disclose your information to enforce or apply the terms and conditions applicable to our services or to protect the rights, property, or safety of Agoda, our users, or others.
- *Business Reorganization* - such as part of any sale, assignment or other transfer of our business, or transition of service to another provider. We will ask for your consent if required by applicable law.

We provide appropriate protections for such sharing as required by applicable law to prohibit third parties from using your information for their own purposes, and to address the security and confidentiality of your information. Except as disclosed in this Privacy Policy or as required or

Privileged & Confidential

permitted by applicable law, we will not disclose your information to third parties without your consent.

4. Privacy Rights

South Korea Privacy Rights

If you are a South Korean resident, you may request information from us about how we may share certain categories of your information with third parties. We entrust the processing of your information as provided below, accompanying such entrustment with contractual safeguards to protect your information:

| Name of Trustee | Entrusted Functions |
|------------------------|----------------------------------------------------------------------------------------------------|
| Web Hosting Trustee | Hosting databases used to maintain user's information. |
| User Support Trustee | Responding to user inquires about Agoda's Site and services. |
| Analytics Trustees | Assessing how users interact with the Site and third party websites, in order to improve the Site. |

As described in more detail under the section "**How You Can Access or Change Your Information**," you may have certain data subject rights under local law.

For further information, please contact the Agoda Data Governance Officer at privacy@agoda.com with "South Korean Privacy Matter" in the subject line to request such further information. You may also contact your local authorities (local numbers provided):

- Privacy Invasion Reporting Center (privacy.kisa.or.kr / dial 118)
- High-Tech Crime Investigation Division, Supreme Prosecutors' Office (www.spo.go.kr / dial 1301)
- Korean National Police Agency Cyber Bureau (www.ctrc.go.kr / dial 182)

However, please note that as set out in our business agreement with you, Agoda Company Pte. Ltd. in Singapore is the entity contracting with you and there is currently no entity of ours in South Korea that is able to enter into a business partnership with you.

We will retain your information for the period necessary to fulfil the purposes outlined in this Privacy Policy and internal company policies. When Agoda no longer needs to use your information, we will remove your information from our systems and records and/or take steps to properly anonymize it so that you can no longer be identified from it, unless we need to keep your information to carry out corporate tasks and achieve our business objectives or to comply with applicable legal or regulatory obligations.

China Privacy Rights

Privileged & Confidential

If you are a Chinese resident, please note the following regarding the cross-border transfer/sharing of your information.

Disclosure / Transfer of Information

We will maintain the confidentiality of your information, but may provide or transfer your information to third parties as detailed above under "Sharing Your Information," which may include transferring your information to persons to whom we are required to make disclosures to under applicable law within or outside China.

Transfer of Information Overseas

We will generally maintain your information on servers in Hong Kong and Singapore, or any other data centers outside the PRC. However, we may transfer your information to third parties mentioned above who may be located outside the China.

5. Cookies

Our Site uses and allows third parties to place cookies (session and persistent), pixels/tags, , application program interfaces ("**APIs**"), and other technologies (collectively, "**Cookies**") on our Site that collect and store certain information about you. Some of these Cookies are necessary to provide, secure, and maintain the Site to you, such as to keep you logged in while your visit our Site, while other functional/analytic Cookies are used to provide you with a better user experience, such as:

- To personalize the Site by remembering information about your activities on the Site (e.g., the language you selected or your log-in details); and
- Perform website analytics, such as demographic reporting to improve our Site and services.

Your Choices

Please review your Internet browser settings, typically under the sections "Help" or "Internet Options," to exercise choices you have for certain Cookies. If you disable or delete certain Cookies in your Internet browser settings, you might not be able to access or use important functions or features of this Site, and you may be required to re-enter your log-in details.

Please also visit the following third parties' websites to exercise certain opt-out choices over Cookies:

- Google Analytics - <https://tools.google.com/dlpage/gaoptout?hl=en>

You may need to make such choices on each browser and device you may use to exercise choice regarding certain Cookies. Lastly, at this time the Site is not configured to honor browsers' "Do Not Track" signals.

6. International Transfers

Privileged & Confidential

In connection with the purposes described above, your information may be stored in locations outside of your home country, which may have different standards of data protection than your home country. We provide appropriate protections for cross-border transfers as required by law for international data transfers, including information transferred to third parties. With respect to such transfers from the European Economic Area ("**EEA**") to the United States and other non-EEA jurisdictions, we may rely on the EU Model Clauses and/or the need to process your information in order to provide the requested services (performance of a contract) to transfer your information. As permitted by applicable law, you may request details about the suitable safeguards we have in place by contacting us as detailed below. For Chinese residents, please see the details provided above under "*China Privacy Rights*."

7. Protecting Your Information

We maintain reasonable physical, electronic, and organizational security measures to protect your information against accidental or unlawful destruction or accidental loss, alteration, or unauthorized disclosure or access.

Retention

We will retain your information for the period necessary to fulfil the purposes outlined in this Privacy Policy and internal company policies. When Agoda no longer needs to use your information, we will – unless we need to keep your information to comply with applicable legal or regulatory obligations or the information is required to carry out corporate tasks and achieve our business objectives – remove it from our systems and records and/or take steps to properly anonymize it so that you can no longer be identified from it.

8. How You Can Access or Change Your Information

If you wish to update your information, or in certain circumstances exercise rights to access, correct, delete, restrict, or object to processing of your information, as well as the right to revoke consent for certain processing or to exercise the right to data portability, please contact us by sending an email to partners@agoda.com.

To protect your privacy and security, we will verify your identity before responding to such request, and your request will be answered within a reasonable timeframe. To the extent permitted by applicable law, we reserve the right to charge a reasonable fee for such access. We may need to retain certain information for recordkeeping purposes, to complete any transactions that you began prior to your request, or for other purposes as required or permitted by applicable law.

9. Updates to Privacy Policy

On occasion, Agoda may revise this Privacy Policy to reflect changes in the law, our information collection and use practices, the features of our Site, or advances in technology. If we make revisions that change the way we collect or use your information, those changes will be posted

Privileged & Confidential

in this Privacy Policy and the effective date will be noted at the beginning of this Privacy Policy. Therefore, you should review this Privacy Policy periodically so that you are up to date on our most current policies and practices. Agoda will also prominently post such material changes prior to implementing the change, and ask for your consent if required by law.

10. Additional Considerations

Language

This Privacy Policy has originally been drawn up in the English language. Translations in other languages are available for your convenience. In case of conflict between the English language version and a translated version, the English language version shall prevail.

11. Contacting Us

If you have any questions about this Privacy Policy or our privacy practices, please contact our Agoda Data Governance Officer by email at privacy@agoda.com or by sending a registered letter to the address at:

Agoda Company Pte. Ltd.
c/o Data Governance Officer
30 Cecil Street
Prudential Tower #19-08
Singapore 049712

If you reside in the EU, you may also contact our local representative, Agoda International Pte. Ltd. (UK Branch) 9th Floor North, The Metro Building, 1 Butterwick, Hammersmith, London W6 8DL, United Kingdom, or your local data protection authority with any questions or complaints about our privacy practices.