

# Privacy Policy

## General information

ASP Online Software Ltd ("**ASP**", "**we**", "**us**", "**our**") is a Limited Company incorporated in England

This policy describes how we may collect and use your personal information including when contacting us or using ASP's Embrace and all our other websites and mobile apps.

*Use of ASP Websites and mobile apps is subject to our terms of use and any products and services supplied are subject to our Terms and Conditions. By agreeing to the ASP Terms & Conditions (which includes this privacy policy), you are providing us your affirmative consent that we will collect, store, process and transfer personal in accordance with this Privacy Policy.*

### *ASP Online Software Privacy Statement*

1.1 The entity responsible for your personal information is ASP Online Software Ltd (ASP).

1.2 ASP is a limited company incorporated in England.

1.3 At ASP, we take our data protection and privacy responsibilities seriously. This statement describes how we collect, process, use, disclose and transfer your personal information as a data controller. It covers instances when you contact us, use our services or interact with our websites, such as embrace.asponlinesoftware.com, ey.asponlinesoftware.com or www.asponlinesoftware.com and ASP mobile apps (together "ASP Websites").

### Terms of Use

2.1 Use of ASP's products and services are subject to our terms our [Terms and Conditions](#).

### Updates

3.1 We may amend this statement from time to time to keep it up to date with legal requirements and the way we operate our business. Please regularly check these pages for the latest version of this statement. If we make material changes to this privacy statement, we will seek to inform you by notice on our website or email ("Notice of Change").

### Third Party Websites

4.1 ASP Websites may link you to other websites. We are not responsible for the way in which third party websites operate or the way in which they may process any personal information, which you provide to them. It is important that you understand this and check their respective privacy policies and terms of use.

In this section you can find out more about:

- the types of personal information we collect
- when we collect personal information
- how we use personal information

### 5.1 Embrace Account Access

- 5.1.1 When you set-up an account on Embrace, we will collect information from you to set up your Embrace account and allow you to start creating content. This will include your name, email address, company name and phone number.

5.5.2 We may also keep a record of any communications we have with you. In this section you can find out more about:

- the types of personal information we collect
- when we collect personal information
- how we use personal information

### 5.5 Customer support and online services

- 5.5.1 If you contact us with a query or comment about any of our services, or would like us to keep you informed about the latest news and developments at ASP, we will need to collect information about you including your contact details, as well as some of the information referred to in the "Account" section above, to help us respond to your query or request. We may do this when you can call our customer support centre, or interact with us through email.

6.1 We will only collect, use and share your personal information where we have an appropriate legal basis to do so. Appropriate legal bases include:

- 6.1.1 where we need to use your personal information to **perform a contract or take steps to enter into a contract with you**; for example, to invoice for Embrace usage.
- 6.1.2 where we have your consent to using your personal information for a particular activity, for example to share with you special offers from ourselves and our partners that we consider may be of interest to you.

6.2 To help you understand the legal grounds on which we process your data, please go through table that sets out the legal bases upon which we process your personal information in certain circumstances. There may be one or more legal bases applicable to the activities listed. These may be amended and updated from time to time.

Item	What we use your information for	Further details	Legal basis for using personal information
1.	To provide you with customer support.	We may need to process your personal information in order to provide you with customer support. This may	Legitimate interests. It is in our legitimate interests to ensure that our business runs smoothly and that we

		include your name, Company, contact details.	provide you with timely customer support, without undue delay and complication. It is unlikely that us doing this will override your interests or fundamental rights and freedoms which require protection of your personal data. If you are a data subject protected by the GDPR you have rights to restrict or object to this processing, however please note that this may adversely affect our ability to provide you with effective customer support.
2.	To communicate with you on new offers and services from ASP or other affiliates.	In order to communicate with you regarding new offers and services from either us or our affiliates (such as new products or enhancements to existing products) we will need to process personal information about you. Such information might include your name, address, contact details.	Legitimate interests. It is in our legitimate interests to promote our business and develop our relationship with you. In order to do this we may wish to bring to your attention new offers from us or our affiliates. It is unlikely that us doing this will override your interests or fundamental rights and freedoms which require protection of your personal data. If you are a data subject protected by the GDPR you have rights to restrict or object to this processing, however please note that this may adversely affect our ability to update you on such new offers and services from us or our affiliates.
3.	To engage in surveys with you.	In order to obtain feedback from you through surveys in relation to our services and other matters related to our business, we will need to process personal information such as your name, address, date of birth, contact details.	Legitimate Interests. It is in our legitimate interests to engage in surveys with you in order to ascertain certain information for the purposes of how we conduct our business. It is unlikely that us doing this will override your interests or

			fundamental rights and freedoms which require protection of your personal data. If you are a data subject protected by the GDPR you have rights to restrict or object to this processing, however please note that this may adversely affect our ability to conduct surveys with you.
5.	To offer opportunities to you to enter into competitions or prize draws.	In order to enter you into competitions or prize draws and award the prizes we will need to process personal information such as your name, address, contact details.	Legitimate Interests. It is in our legitimate interests to promote our business by engaging with consumers through competitions or prize draws. It is unlikely that us doing this will override your interests or fundamental rights and freedoms which require protection of your personal data. If you are a data subject protected by the GDPR you have rights to restrict or object to this processing, however please note that this may adversely affect our ability to provide you with the opportunity to participate in competitions or prize draws.
7.	To handle complaints made by you.	In order to handle complaints made by you, we will need to process your personal information such as your name, address, contact details (where relevant to your complaint).	Legitimate Interests. It is in our legitimate interests to ensure that we handle your complaints in an efficient manner, without undue delay and complication. It is unlikely that us doing this will override your interests or fundamental rights and freedoms which require protection of your personal data. If you are a data subject protected by the GDPR you have rights to restrict or object to this processing however, please note that this may adversely

			affect our ability to handle your complaint effectively.
8.	To comply with a legal or regulatory obligation, including providing specific information to law enforcement or similar bodies upon legitimate requests.	In order to comply with a legal or regulatory obligation, including providing specific information to law enforcement or similar bodies, upon request we will need to process your personal information such as your name, , address.	Legal obligation Processing is necessary for compliance with a legal obligation to which we are subject.
9.	To comply with a legitimate request from a law enforcement agency or similar body to share information with them.	In order for us to comply with a request by law enforcement or similar bodies to share information with them we may need to process your personal information such as your name, date of birth, address.	Legitimate Interests It is in our legitimate interests to be able to share information with law enforcement or similar bodies from time to time, subject to their legitimate requests. We will need to be able to process this information in order for us to comply with legitimate requests, including in cases where we determine that we are not compelled to by applicable laws. Prior to sharing that information we will ensure that by properly exercising our right to act in our legitimate interest to share the requested data we will not be overriding your interests or fundamental rights and freedoms which require protection of your personal data.
10.	In the case that you start a legal claim against us and we need to defend that legal claim.	In order for us to defend a claim brought by you or a third party, we may need to process your personal information. This may include your name, address (identifying you)	Legitimate Interests It is in our legitimate interests to be able to commence or defend legal claims as and when we consider it necessary for the protection of our business. We will need to be able to process this information in order for us to instruct our legal counsel and fully defend ourselves against the claim you may bring. It is unlikely that, by us properly exercising our rights to commence or defend claims,

			we will override your interests or fundamental rights and freedoms which require protection of your personal data.
11.	In the case that we start a legal claim against you.	In the event that we wish to commence a claim against you, we may need to process your personal information. This may include your name, address and contact details	It is in our legitimate interests to be able to commence or defend legal claims as and when we consider it necessary for the protection of our business. We will need to be able to process this information in order for us to instruct our legal counsel and fully defend ourselves against the claim you may bring. It is unlikely that, by us properly exercising our rights to commence or defend claims, we will override your interests or fundamental rights and freedoms which require protection of your personal data.

7.1 We work closely with a number of trusted partners with whom we need to share information to help us provide our services:

- 7.1.1 banks and payment providers, to authorise and complete payments;
- 7.1.2 other third parties who help manage our business and deliver services. For example, these may include IT service providers who help manage our IT and back office systems, or third party booking agents; and
- 7.1.3 From time to time we may share information about you with government organizations and agencies, and international organisations, to comply with applicable laws, regulations and rules. We may also do so to comply with legitimate requests from law enforcement, regulatory and other governmental or international agencies, or when to do so is in our legitimate interests, even if we are not compelled to share that information by applicable law. Further information about when we do this can be found [here](#) and [here](#).

7.2 If, in the future, we sell or transfer some or all of our business or assets to a third party, we may disclose or transfer information to a potential or actual third party purchaser of our business or assets.

### 8.1 Direct marketing

- 8.1.1 We are committed to keeping you informed about our products and services in line with your personal preferences. We will always ask your permission before

sending marketing material, whether about our services or those of our preferred partners.

- 8.1.2 We will usually send this by email but we may choose to contact you in other ways for example by phone, post, SMS and/or other electronic means if that is more appropriate. You can ask us to stop sending you marketing material at any time by contacting us.

## 8.2 Managing your marketing preferences

- 8.2.1 To protect privacy rights and to ensure that you have control over how market our services to with you:
  - 
  - 8.2.1.1 we will take steps to limit direct marketing to a reasonable and proportionate level and only send you communications which we believe may be of interest or relevance to you;
  - 8.2.1.2 You can also click the "unsubscribe" link that you will find on any online newsletters which you receive, or contact our customer support team by email [click here](#).
  - 8.2.1.3 you can change the way your browser or device manages cookies, which may be used to deliver online advertising, by following the settings on your browser as explained in "COOKIES AND MOBILE" .
- 8.2.2 We recommend that you routinely review the privacy statements and preference settings that are available to you on any social media platforms.

## 8.3 More about profiling and analytics

- 8.3.1 We may use some of the information you give us to perform profiling and analytics with the data. We will do this either with your consent or where it is in our legitimate interests to do so.
- 8.3.2 One of the methods by which we do this is by installing and using Cookies on your browser or device. You can learn more about how to adjust settings relating to Cookies on your browser and device, and about our Cookie Policy in the section titled Cookies and Mobile, below.
- 8.3.3 Some of the legitimate purposes we profile and analyse data include:
  - 8.3.4 to allow us to enhance our provision of services to you;
  - 8.3.5 to provide you with tailored content online and optimise your experience of our websites;
  - 8.3.6 to offer personalised products when you fly with us or use our other services;
  - 8.3.7 to obtain a better understanding of our customers, what you would like to see from us, and how we can improve our services for you;
  - 8.3.8 to share advertising material we believe may be of interest to you, including from our third party partners;
  - 8.3.9 to help us operate our services more efficiently, including to ensure that our most loyal customers obtain the best services.
- 8.3.10 If you are a Data Subject with rights under the GDPR, prior to profiling your information on the basis that it is within our legitimate interests to do so, we will take steps to ensure that those interests do not override your own interests or fundamental rights and freedoms. If you are a Data Subject with rights under the GDPR you may have rights to object to us profiling your personal information. You can learn more about profiling and analytics under the GDPR [here](#).



- TRANSFERRING PERSONAL INFORMATION GLOBALLY

9.1 We operate our business on a global basis. The countries to which we commonly disclose your personal information include the United Arab Emirates ("UAE"), the United States of America ("USA"), United Kingdom ("UK"). Some of these countries, for example, the UAE and the USA, have laws which do not offer, in the opinion of the European Commission or other supervisory authorities, an adequate level of data protection.

9.2 We will always strive to adopt the highest standards of privacy protection, wherever your personal information is located and adopt appropriate measures (consistent with locally applicable laws) to secure an adequate level of privacy protection. We will take appropriate steps to ensure that transfers of personal information are in accordance with applicable laws and carefully managed to protect your privacy rights and interests. Transfers will be limited to countries which are recognized as providing an adequate level of legal protection or where we can be satisfied that alternative arrangements are in place to protect your privacy rights. To this end:

- 9.2.1 where we receive requests for information from government entities, international organisations or regulators, we carefully validate these requests to ensure that it is legally appropriate to share the personal information requested.

9.3 You have a right to contact us at [helpdesk@asponlinesoftware.com](mailto:helpdesk@asponlinesoftware.com) for more information about the safeguards we have put in place (including a copy of relevant contractual commitments) to ensure that your personal information is adequately protected when it is transferred as mentioned above. See also the section titled "Your Rights", below.

## 10.1 How we protect your information

10.1.1 We invest an appropriate level of resources to protect the security and confidentiality of personal information.

- 10.1.1.1 We offer the use of secure communication transmission software (known as "secure sockets layer" or "SSL") that encrypts all information you input to our website before it is sent to us. SSL is an industry standard encryption protocol and this ensures that the information is reasonably protected against unauthorised interception;
- 10.1.1.2 We also follow strict security procedures in the storage and disclosure of information which you have given us, to prevent unauthorised access to that information; and
- 10.1.1.3 We take all reasonable and appropriate steps to protect your personal information but cannot guarantee the security of any data you disclose to us via email or online.

- 10.1.1.4 Where you disclose information to us using our mobile app, please ensure that your device remains safe. We cannot be held responsible for any data misuse arising from unauthorised access to your device.

#### 11.1 Our policy on "cookies"

- 11.1.1 A cookie is an element of data that a website sends to your browser, which then stores it on your system. Cookies may collect personal information about you. Cookies allow us to understand who has seen which pages and advertisements, to determine how frequently particular pages are visited and to determine the most popular areas of our website. Cookies also allow us to make ASP Websites more user-friendly by, for example, allowing us to take you to the language site of last use, so that we can give you a better experience when you return to our website.
- 11.1.2 Cookies will be deployed on your device when you visit ASP Websites unless you indicate that you do not wish this to happen or if you have turned this feature 'off' in your web browser or device settings.
- 11.1.3 For more information about how our cookies work and information about how to manage your cookie settings please visit our Cookie Policy.

12.1 You may have certain legal rights regarding your personal information depending upon the country you are in or how we interact with you. You can learn more about this in this section.

12.2 Subject to the terms of this Privacy Statement we guarantee that you have following key rights wherever you are:

- 12.2.1 To access your personal information. We will tell you what personal information we hold about you and can provide you with a copy of this;
- 12.2.2 To seek rectification of that personal information. Where the personal information we hold about you is inaccurate we will rectify this, upon your request. Note that this right may be limited in terms of the scope of detail that we will or can rectify;
- 12.2.3 To lodge a complaint to us. We will receive and handle your complaints in accordance with best practice and depending upon where you are and whether we are subject to it, any applicable law.

12.3 If you benefit from rights as a data subject under the EU General Data Protection Regulation ("GDPR"), you will have certain additional rights in relation to our handling of your personal information.

- 12.3.1 To access your personal information
  - 12.3.1.1 You have a right to request that we provide you with a copy of your personal information that we hold and you have the right to be informed of; (a) the source of your personal information; (b) the purposes, legal basis and methods of processing; (c) the data controller's identity; and (d) the entities or categories of entities to whom your personal information may be transferred.
- 12.3.2 To seek rectification of that personal information
  - 12.3.2.1 You have a right to request that we rectify inaccurate personal information. We may seek to verify the accuracy of the personal information before rectifying it.

- 12.3.2.2 We are not required to comply with your request to erase personal information if the processing of your personal information is necessary: (a) for compliance with a legal obligation; or (b) for the establishment, exercise or defence of legal claims.
- 12.3.3 To erase personal information;
  - (a) You can also request that we erase your personal information in limited circumstances where:
    - (b) it is no longer needed for the purposes for which it was collected; or
    - (c) you have withdrawn your consent (where the data processing was based on consent); or
    - (d) following a successful exercise of the right to object (see right to object); or
    - (e) it has been processed unlawfully; or
    - (f) to comply with a legal obligation to which ASP is subject.
- 12.3.4 To restrict the processing of your personal information;
  - (a) its accuracy is contested, to allow us to verify its accuracy; or
  - (b) the processing is unlawful, but you do not want it erased; or
  - (c) it is no longer needed for the purposes for which it was collected, but we still need it to establish, exercise or defend legal claims; or
  - (d) you have exercised the right to object, and verification of overriding grounds is pending.
    - (a) we have your consent; or
    - (b) to establish, exercise or defend legal claims; or
    - (c) to protect the rights of another natural or legal person.
- 12.3.5 To transfer your personal information;
  - (a) the processing is based on your consent or on the performance of a contract with you; and
  - (b) the processing is carried out by automated means.
- 12.3.6 To object to the processing of personal information;
  - 12.3.6.1 You can ask us to stop processing your data where our legitimate interest is our legal basis for doing so unless we can show compelling legitimate grounds for continuing to process your data which override your own interests, or where we need to do so in order to defend legal claims against ASP;
- 12.3.7 To obtain a copy of personal information safeguards used for transfers outside your jurisdiction;
  - 12.3.7.1 You can ask to obtain a copy of, or reference to, the safeguards under which your personal information is transferred outside of the European Union. We may redact data transfer agreements to protect commercial terms; and
- 12.3.8 To lodge a complaint with your local supervisory authority.
  - 12.3.8.1 You have a right to lodge a complaint with your local supervisory authority if you have concerns about how we are processing your personal information.
  - 12.3.8.2 We ask that you please attempt to resolve any issues with us first, although you have a right to contact your supervisory authority at any time.

12.4 A further explanation of these general key rights and the GDPR specific rights is outlined under each heading. Please click on these for further details.

12.5 You may have other rights depending upon the country you are in. You may therefore have rights to lodge a complaint to a local privacy authority; however whether you lodge a complaint, and who you lodge it with, is solely your responsibility.

12.6 If you wish to access any of these rights, we may ask you for additional information to confirm your identity and for security purposes, in particular before disclosing personal information to you. We reserve the right to refuse to provide this additional information if your request is manifestly unfounded or excessive.

12.7 You can exercise your rights by contacting us at [helpdesk@asponloinesoftware.com](mailto:helpdesk@asponloinesoftware.com). Subject to legal and other permissible considerations, we will make every reasonable effort to honour your request promptly or inform you if we require further information in order to fulfil your request.

12.8 We may not always be able to address your request fully, for example if it would impact the duty of confidentiality we owe to others, or if we are legally entitled to deal with the request in a different way.

## Contact US

- 13.1.1 The primary point of contact for all issues arising from this privacy statement, is the ASP Data Protection Officer. The Data Protection Officer can be contacted in the following ways: Please email us at [helpdesk@asponlinesoftware.com](mailto:helpdesk@asponlinesoftware.com)
- 13.1.2 If you have any questions, concerns or complaints regarding our compliance with this statement and the data protection laws, or if you wish to exercise your rights, we encourage you to first contact us. We will investigate and attempt to resolve complaints and disputes and will make every reasonable effort to honour your wish to exercise your rights as quickly as possible and in any event, within the timescales provided by data protection laws.

## 13.2 To contact your data protection supervisory authority

13.2.1 In some countries, you may have a right to lodge a complaint with your local [data protection supervisory authority](#). We ask that you please attempt to resolve any issues with us before your local supervisory authority.