



OVERVIEW of this Policy and Commitments to Privacy at Merlin

At Merlin ("we", "us", "our"), we regularly collect and use personal data about consumers who visit our attractions or hotels, or browse our websites. Personal data is any information that can be used to identify you as an individual. The protection of your personal data is very important to us, and we understand our responsibilities to handle your personal data with care, to keep it secure and to comply with legal requirements.

The purpose of this privacy policy ("**Policy**") is to provide a clear explanation of when, why and how we collect and use personal data. We have designed it to be as user friendly as possible, and have labelled sections to make it easy for you to find the information that is most relevant to you.

Please read this Policy carefully. It provides important information about how we use personal data and explains your legal rights. This Policy is not intended to override the terms of any contract that you have with us (for example, Wi-Fi terms and conditions or annual pass terms) or any rights you might have available under applicable data protection laws.

We will make changes to this Policy from time to time for example, to keep it up to date or to comply with legal requirements or changes in the way we operate our business. We will make sure that you are aware of any significant changes by sending an email message to the email address you most recently provided to us or by posting a notice on each relevant website so that you are aware of the impact to the data processing activities before you continue to engage. We encourage you to regularly check back and review this policy so that you will always know what information we collect, how we use it, and who we share it with.

Contents

1. WHO IS RESPONSIBLE FOR LOOKING AFTER YOUR PERSONAL DATA?	2
2. WHAT PERSONAL DATA DO WE COLLECT?	2
3. WHEN DO WE COLLECT YOUR PERSONAL DATA?	2
4. WHAT PURPOSES DO WE USE YOUR PERSONAL DATA FOR AND WHAT IS THE LEGAL BASIS?	3
5. WHO DO WE SHARE YOUR PERSONAL DATA WITH?	3
6. DIRECT MARKETING	4
7. INTERNATIONAL TRANSFERS	4
8. PROFILING	4
9. HOW LONG DO WE KEEP YOUR PERSONAL DATA?	4
10. WHAT ARE YOUR RIGHTS?	5
11. CONTACT AND COMPLAINTS	6
APPENDIX 1 - LEGAL BASIS FOR PROCESSING	6
APPENDIX 2 - GLOSSARY	7

1. WHO is responsible for looking after your personal data?

Merlin Entertainments plc ("**Merlin**") is a British-based entertainment company, with a registered office at Link House, 25 West Street, Poole, Dorset, BH15 1LD, which operates over 100 attractions, and over 20 hotels and holiday villages in 25 countries. Our business is about creating unique, memorable and rewarding visitor experiences. A list of our attractions and a note of the companies that make up the Merlin group which help to achieve this is available at (["Merlin Group"](#)).

The entity in the **Merlin Group** which was originally responsible for collecting information about you will be the Data Controller. Other entities in the Merlin Group may also be Data Controllers where they control the use or processing of such data. There will be a single point of contact for all Merlin Group Data Controllers who can be contacted using the details set in section 11 below.

2. WHAT personal data do we collect?

In relation to potential customers, historic customers and current customers and attraction visitors ("**consumers**"), we collect the following data:

- ★ Information that you provide by filling in forms on our site. This includes information provided at the time of registering to use our site, subscribing to our service, posting material or requesting further services. We will also ask you for information when you report a problem with our site.
- ★ Details of any concerns if you contact us with a query or issue.
- ★ When you complete a survey to tell us how your experience of our attractions or hotels was and how we can improve, although you do not have to respond to them.
- ★ Details of transactions you carry out through our site and of the fulfilment of your bookings including your credit/debit card details.
- ★ Details of your visits to our site including, but not limited to, traffic data, location data, weblogs and other communication data, whether this is required for our own billing purposes or otherwise and the resources that you access.
- ★ Your name, address, telephone number and/or email address in order to contact you with details of your booking or in the unlikely event that we need to contact you urgently about your booking.

This includes the collection of **contact details** such as your name, address, date of birth, telephone number and email address, **engagement details** including your purchase history and attraction visit history, your **marketing preferences** including interests / marketing list assignments, record of permissions or marketing objections, website data, **device data** including IP addresses and details about your browsing history, browser type, and session frequency and cookies - please see our separate cookie policy <https://www.merlinannualpass.co.uk/information/cookies> for further details on cookies.

3. WHEN do we collect your personal data?

Consumers

- ★ We will collect information from you **directly** when you sign up for a newsletter from an attraction website, when you purchase a ticket or pass, where you make a phone booking, where you sign up for Wi-Fi at one of our attractions, when you book to stay at one of our hotels, where you complete a survey, or where you contact us with questions or suggestions.
- ★ We also monitor and record telephone calls in order to record your opt-in to receive marketing content (where required, see section 6 for further details) when you call us **directly**.
- ★ Where someone has applied for a family pass, or entered into a competition on your behalf, information about you in those circumstances will be provided to us **indirectly** by a family member or another third person.

In emergency circumstances, we will also collect information about you **indirectly** from other sources where we believe this is necessary to help ensure the security of our attractions. These other sources may include public registers and social media platforms.

We will not knowingly collect any personal data about children for the purpose of marketing without making it clear that such information should only be provided with parental consent, if this is required by applicable laws - so Merlin will only use the personal data of children as far as is permitted by law where the required parental or guardian consent has been obtained.

4. What PURPOSES do we USE your personal data for and what is the LEGAL BASIS?

We will use your personal data to:

- ★ ensure that content from our site is presented in the most effective manner for you and for your computer.
- ★ provide you with information, products or services that you request from us or which we feel may interest you, where you have consented to be contacted for such purposes.
- ★ carry out our obligations arising from any contracts entered into between you and us.
- ★ allow you to participate in interactive features of our service, when you choose to do so.
- ★ notify you about changes to our service.

We may also send you marketing materials (where we have appropriate permissions as explained in more detail below under Section 6). This process is likely to include profiling, and more information is provided at Section 8 of this Policy about this. We will also need to use your personal data for purposes associated with our legal and regulatory obligations.

We have to establish a legal ground to use your personal data, so we will make sure that we only use your personal data for the purposes set out in this Section 4 and in Appendix 1 where we are satisfied that:

- our use of your personal data is necessary to perform a contract or take steps to enter into a contract with you (e.g. to manage your booking for entry tickets to an attraction), or
- our use of your personal data is necessary to comply with a relevant legal or regulatory obligation that we are subject to (e.g. to comply with ICO requirements), or
- our use of your personal data is necessary to support 'Legitimate Interests' that we have as a business (for example, to improve our products, or to carry out analytics across our datasets), provided it is always carried out in a way that is proportionate, and that respects your privacy rights. Where required under separate laws, for example the Privacy and Electronic Communications Regulations, we will also ensure that you have opted in to send you marketing materials - see section 6 below for more details. Please see Appendix 1 for more details about our Legitimate Interests.

Before collecting and/or using any special categories of data we will establish an additional lawful ground to those set out above which will allow us to use that information. This additional exemption will typically be:

- ★ your explicit consent;
- ★ the establishment, exercise or defence by us or third parties of legal claims; or
- ★ a specific exemption provided under local laws of EU Member States and other countries implementing the GDPR.

PLEASE NOTE: If we have previously told you that we were relying on consent as the basis of our processing activities, going forward we will not be relying on that legal basis unless we have said that are in this Policy.

PLEASE NOTE. If you provide your explicit consent to allow us to process your special categories of data, you can withdraw your consent to such processing at any time. However, you should be aware that if you choose to withdraw your consent we will tell you more about the possible consequences, including if this means that certain services (in particular where you have applied for a carer pass) can no longer be provided).

5. Who do we SHARE your personal data with?

As flagged above, we share data with other Merlin Group companies.

We also share the data with third parties, to help manage our business and deliver services. These third parties may from time to time need to have access to your personal data, and include:

- *service providers, who help manage our IT and back office systems, and assist with our Customer Relationship Management activities, in particular [Experian](#), [Accesso](#), [Mediacom](#), [Cheetah Digital](#), [Adare International](#), [Conversocial](#), [UPS Delivery](#), [The Post Office](#) and [Facebook](#).*
- *our regulators, which include the ICO, as well as other regulators and law enforcement agencies in the E.U. and around the world,*
- *solicitors and other professional services firms (including our auditors).*

Also, if we were to sell part of our businesses we would need to transfer your personal data to the purchaser.

6. Direct Marketing

We may use your personal data to send you direct marketing communications about our attractions, hotels, experiences or our related services. This will be in the form of email, post, SMS or targeted online advertisements.

Where we require explicit opt-in consent for direct marketing in accordance with the Privacy and Electronic Communications Regulations we will ask for your consent. Otherwise, for non-electronic marketing or where we can rely on the [soft opt-in](#) exemption under the Privacy and Electronic Communications Regulations, we will be relying on our Legitimate Interests for the purposes of GDPR as further detailed in section 4 and Appendix 1.

You have a right to stop receiving direct marketing at any time - you can do this by following the opt-out links in electronic communications (such as emails), or by contacting us using the details in Section 11.

We also use your personal data for customising or personalising advertisements, offers and content made available to you based on your visits to and/or usage of our attraction websites or other mobile applications, platforms or services, and analysing the performance of those advertisements, offers and content, as well as your interaction with them. We may also recommend content to you based on information we have collected about you and your viewing habits. This constitutes 'profiling', and more information is provided at Section 8 of this Policy about this.

7. International Transfers

Some entities in the Merlin Group, with whom we share your data, and our service providers who have access to your personal data, are located outside the European Union. We may also share your personal data overseas, for example if we receive a legal or regulatory request from a foreign law enforcement body. We will always take steps to ensure that any international transfer of information is carefully managed to protect your rights and interests, in particular we will either:

- only transfer your personal data to countries which are recognised as providing an adequate level of legal protection in accordance with Article 45 of the GDPR; or
- ensure that transfers outside the European Union are subject to an appropriate legal safeguard - for example, the EU Model Clauses pursuant to Article 46(2) of the GDPR and/or the EU - U.S. Privacy Shield for the protection of personal data transferred to the US (for further details, please see https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/eu-us-privacy-shield_en).

You have the right to ask us for more information about the safeguards we have put in place as mentioned above. Contact us as set out in Section 11 if you would like further information or to request a copy where the safeguard is documented (which may be redacted to ensure confidentiality).

8. Profiling

'Automated Decision Making' refers to a decision which is taken through the automated processing of your personal data alone - this means processing using, for example, software code or an algorithm, which does not involve any human intervention. We do not carry out any automated decision making, however we do carry out profiling using automated processing to tailor marketing materials for a specific customer.

Where we have permissions to send a *consumer* marketing updates, we may use profiling to ensure that marketing materials are tailored to your preferences and to what we think you will be interested in. In certain circumstances it will be possible to infer certain information about you from the result of profiling, which could include special categories of personal data, but we will not do this unless we have obtained your explicit consent to do so.

9. How long do we keep your personal data?

We will retain your personal data for as long as is reasonably necessary for the purposes listed in Section 4 of this Policy. In particular, where there has been no interaction from a consumer (e.g. a purchase, email open, newsletter sign up), a record will be archived after 1 year and deleted after 3 years.

Where we are required to do so to meet legal, regulatory, tax or accounting requirements, we will retain your personal data for longer periods of time, but only where permitted to do so, including so that we have an accurate record of your dealings with us in the event of any complaints or challenges, or if we reasonably believe there is a possibility of legal action relating to your personal data or dealings.

We maintain a data retention policy which we apply to records in our care. Where your personal data is no longer required and we do not have a legal requirement to retain it, we will ensure it is either securely deleted or stored in a way such that it is anonymised and the Personal Data is no longer used by the business.

10. What are your rights?

You have a number of rights in relation to your personal data. In summary, you have the right to request: access to your data; rectification of any mistakes in our files; erasure of records where no longer required; restriction on the processing of your data; objection to the processing of your data; data portability; and various information in relation to any automated decision making and profiling or the basis for international transfers. You also have the right to complain to your supervisory authority (further details of which are set out in Section 11 below). These are defined in more detail as follows:

RIGHT	WHAT THIS MEANS
Access	<p>You can ask us to:</p> <ul style="list-style-type: none"> confirm whether we are processing your personal data; give you a copy of that data; provide you with other information about your personal data such as what data we have, what we use it for, who we disclose it to, whether we transfer it abroad and how we protect it, how long we keep it for, what rights you have, how you can make a complaint, where we got your data from and whether we have carried out automated decision making or profiling, to the extent that information has not already been provided to you in this Policy.
Rectification	<p>You can ask us to rectify inaccurate personal data. We may seek to verify the accuracy of the data before rectifying it.</p>
Erasure / Right to be Forgotten	<p>You can ask us to erase your personal data, but only where:</p> <ul style="list-style-type: none"> it is no longer needed for the purposes for which it was collected; or you have withdrawn your consent (where the data processing was based on consent); or it follows a successful right to object (see 'Objection' below); or it has been processed unlawfully; or it is necessary to comply with a legal obligation which Merlin is subject to. <p>We are not required to comply with your request to erase your personal data if the processing of your personal data is necessary: for compliance with a legal obligation; or for the establishment, exercise or defence of legal claims, in relation to the freedom of expression or for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes. In the context of marketing, please note that we will maintain a suppression list if you have opted out from receiving marketing content to ensure that you do not receive any further communications.</p>
Restriction	<p>You can ask us to restrict (i.e. keep but not use) your personal data, but only where:</p> <ul style="list-style-type: none"> its accuracy is contested (see 'Rectification' below), to allow us to verify its accuracy; or the processing is unlawful, but you do not want it erased; or 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 you have exercised the right to object, and verification of overriding grounds is pending. <p>We can continue to use your personal data following a request for restriction, where:</p> <ul style="list-style-type: none"> we have your consent; or to establish, exercise or defend legal claims; or to protect the rights of another natural or legal person.
Portability	<p>You can ask us to provide your personal data to you in a structured, commonly used, machine-readable format, or you can ask to have it 'ported' directly to another Data Controller, but in each case only where: the processing is based on your consent or the performance of a contract with you; and the processing is carried out by automated means.</p>
Objection	<p>You can object to any processing of your personal data which has our 'Legitimate Interests' as its legal basis (see Appendix 2 for further details), if you believe your fundamental rights and freedoms outweigh our Legitimate Interests. Once you have objected, we have an opportunity to demonstrate that we have compelling Legitimate Interests which override your rights, however this does not apply as far as the objections refers to the use of personal data for direct marketing purposes.</p>

To exercise your rights you can contact us as set out in Section 11. Please note the following if you do wish to exercise these rights:

- **Identity.** We take the confidentiality of all records containing personal data seriously, and reserve the right to ask you for proof of your identity if you make a request.
- **Fees.** We will not ask for a fee to exercise any of your rights in relation to your personal data, unless your request for access to information is unfounded, repetitive or excessive, in which case we will charge a reasonable amount in the circumstances.
- **Timescales.** We aim to respond to any valid requests within one month unless it is particularly complicated or you have made several requests, in which case we aim to respond within three months. We will let you know if we are going to take longer than one month. We might ask you if you can help by telling us what exactly you want to receive or are concerned about. This will help us to action your request more quickly.
- **Exemptions.** Local laws, including in the UK, provide for additional exemptions, in particular to the right of access, whereby personal data can be withheld from you in certain circumstances, for example where it is subject to legal privilege.

11. Contact and complaints

The primary point of contact for all issues arising from this Policy, including requests to exercise data subject rights, is our Data Protection Officer. The Data Protection Officer can be contacted in the following way:

Data.Protection@merlinentertainments.biz

If you have a complaint or concern about how we use your personal data, please contact us in the first instance and we will attempt to resolve the issue as soon as possible. You also have a right to lodge a complaint with your national data protection supervisory authority at any time. In the UK, the supervisory authority for data protection is the ICO (<https://ico.org.uk/>). We do 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.

APPENDIX 1 - LEGAL BASIS FOR PROCESSING

Activity	Type of information collected	The basis on which we use the information
Consumer		
Set up a record on our CRM systems	<ul style="list-style-type: none"> • Contact Details and Engagement Details 	<ul style="list-style-type: none"> • Performance of a contract • Legitimate interests (to ensure we have an accurate record of all consumers that we interact with)
Provide client care and support	<ul style="list-style-type: none"> • Contact Details, Engagement Details and Device Data 	<ul style="list-style-type: none"> • Performance of a contract
Marketing	<ul style="list-style-type: none"> • Contact Details, Marketing Preferences 	<ul style="list-style-type: none"> • Legitimate interests (to provide information about Merlin which may be of interest, to create audience segments for the purpose of carrying out targeted marketing, to enrich data which we use to provide marketing content to you in a better, more personalised way) • Opt-In (where required under the Privacy and Electronic Communications Regulations)
Comply with legal and regulatory obligations	<ul style="list-style-type: none"> • Contact Details and Engagement Details 	<ul style="list-style-type: none"> • Legal obligation

APPENDIX 2 - GLOSSARY

Consumer: means an individual who will, who has, or who is purchasing tickets for an Attraction or using Merlin's websites, goods or services, or participating in a prize draw/competition or Merlin experience.

Data Controller: means a natural or legal person which determines the means and purposes of processing of personal data.

Data Subject: means an individual whom the personal data is about.

EEA: means the European Economic Area.

GDPR: means the General Data Protection Regulation, which comes into force on 25 May 2018 and replaces the previous Data Protection Directive 95/46/EC.

ICO: the Information Commissioner's Office regulates the processing of personal data by all organisations within the UK.

Legitimate Interests: this is a ground which can be used by organisations as a lawful basis of processing, for example where personal data is used in ways that could reasonably be expected, or there is a compelling reason for the processing.

Member States: means those countries which are part of the European Union.

Privacy Shield: means a framework which has been adopted to protect the rights of those individuals whose data has been transferred to the US.

Profiling: means to analyse your personal data in order to evaluate your behaviour or to predict things about you which are relevant in an entertainment context, such as how likely you are to attend a certain event that we host.

Special Categories of Data: means any personal data relating to your health, genetic or biometric data, criminal convictions, sex life, sexual orientation, racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership.

Service Providers: these are a range of third parties to whom we outsource certain functions of our business. For example, we have service providers who provide / support 'cloud based' IT applications or systems, which means that your personal data will be hosted on their servers, but under our control and direction. We require all our service providers to respect the confidentiality and security of personal data.