

PERSONAL DATA PROTECTION POLICY

Effective date : 20th October 2022

Preamble

Any questions regarding MENASIA ARTS CLUB's Privacy Policy can be sent to contact@menasiaartsclub.com. MENASIA ARTS CLUB's Privacy Policy has been written in accordance with :

- *French Computing and Civil Liberties Law of 6th January 1978;*
- *The European Data Protection Regulation (also known as "GDPR") of 23rd May 2018;*
- *The Law of transposition of the European Data Protection Regulation (GDPR) of 20th June 2018*

What does this Privacy Policy include ?

MENASIA ARTS CLUB respects your privacy and is committed to protecting your personal data. We want to be transparent with you about how we collect and use your personal data when you interact with us and use our Services ("Services"). We also want to inform you about your privacy rights and how the law protects you.

To that end, this Privacy Policy is designed to describe :

1. Who are we and how to contact us ?
2. Your rights regarding your personal data
3. Complaints
4. Marketing communication preferences
5. What type of personal data do we collect ?
6. How do we use your personal data and why ?
7. What is our “legal basis” ?
8. What happens if you do not provide the necessary personal data ?
9. Personal data and third-party sources
10. How do we use cookies and other tracking or profiling technologies ?
11. With whom do we share your personal data ?
12. Data transfers
13. How do we ensure the security of your personal data ?
14. How long do we keep your personal data ?
15. Links to third-parties

This privacy policy is intended to inform you about how MENASIA ARTS CLUB collects and processes your personal data through your use of our Services and any data you may provide to us.

The version currently published on the Website is the current version of this policy. The Company reserves the right to modify it at any time in order to comply with legal obligations. Any changes to the privacy policy will be communicated to Users to obtain their consent to the new policy.

By using our Website, the User acknowledges having read, understood and accepted this data protection policy. Any questions regarding this policy can be sent to the following e-mail address : contact@menasiaartsclub.com

1. Who are we and how to contact us ?

Who are we ?

We are MENASIA ARTS CLUB (Lille), whose head office is located at MENASIA ARTS CLUB, 3 rue de Calais, 59800 Lille.

How to contact us ?

Could you please send an email to contact@menasiaartsclub.com

2. Your rights regarding your personal data

In some circumstances, the law gives you the right to :

- Request access to your personal data. This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us to continue to process it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing (see below).
- Object to the processing of your personal data. This right exists where we are relying on a Legitimate Interest as the legal basis for our processing and there is something about your particular situation, which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal data for direct marketing purposes.
- Request the restriction of processing of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal data. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use.
- Withdraw consent. This right only exists where we are relying on consent to process your personal data (“Consent withdrawal”). If you withdraw your consent, we may not be able to provide you with access to the certain specific functionalities of our Services. We will advise you if this is the case at the time you withdraw your consent.

How to exercise your rights :

If you want to exercise any of the rights described above, please contact us using the contact details shown under “Who are we and how to contact us ?”.

Typically, you will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, except in relation to consent withdrawal, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive, or, we may refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or if you have made multiple requests, but not more than three months. In this case, we will notify you and keep you updated.

3. Complaints

If you would like to make a complaint regarding this privacy policy or our practices in relation to your personal data, please contact us at : contact@menasiaartsclub.com

If you feel that your complaint has not been adequately resolved, please note that the European Data Protection Regulation of 2018 gives you the right to contact the National Commission for Information Technology and Civil Liberties (CNIL), the french supervisory authority for data protection issues (www.cnil.com).

4. Marketing communication preferences

You can ask us to stop sending you marketing messages at any time by opting out on the Membership application form, following the opt-out links on any marketing message sent to you and/or by contacting us at any time using the contact details shown under “Who are we and how to contact us ?”.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of Membership applications and other purchases or Services where we require your personal data to complete your order.

5. What type of personal data do we collect ?

All the personal data we collect, both from you and from third parties about you, is outlined in the table below.

The information we may collect may relate to : Members, applicants and other potential or prospective Members, suppliers to the Club, or employees of the Club.

Before you read this table, it might be useful to explain what “personal data” is. Personal information means any information relating to an identified or identifiable natural person ; an identifiable person is one who can be directly or indirectly identified by reference to an identifier such as name, an identification number, location data, online identifier or to one or more factors specific to the physical physiological, genetic, mental, economic, cultural, or social identity of that person.

It does not include “anonymous data” (i.e. information where the identity of individual has been permanently removed).

However, it does include “indirect identifiers” or “pseudonymous data” (i.e. information which alone does not identify an individual but, when combined with certain additional and reasonably accessible information, could be attributed to a particular person).

In accordance with the provisions of Article 8 of the European Regulation 2016/679 and the French Computing and Civil Liberties Law, only minors aged 15 years or older may consent to the processing of their personal data.

Users under fifteen (15) years old are invited to seek the consent of a legal representative - required by the Company - so that their personal data can be collected and so that they can use the Services of the Website.

The Company is not responsible for any personal data provided by a User under the age of fifteen (15).

Category of personal data collected	What does it mean?
Identity data	First name, surname, marital status, title, date of birth and gender.
Contact data	Your personal address, work address, billing address, email address and telephone numbers.
Financial data	Your payment card details. Note, that we pass any financial data we receive from you immediately to our third-party payment processors. We do not store any of your financial data.
Transaction data	Details about payments to and from you in respect of food, beverage and other Services you have purchased from us.
Marketing and communications data	Your preferences in receiving marketing from us and your communication preferences.

Behavioural data	Inferred or assumed information relating to your behaviour and interests based on your online activity and use of our Services.
Technical data	Internet Protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system, and platform and other technology on the devices you use to access this Website or use our Services.
Allergy data	Information about food allergies, intolerances and/or preferences you have.

a) Aggregated data

We also collect, use and share “aggregated data” such as statistical data for any purpose.

Aggregated data may be derived from your personal data, but once in aggregated form it will not be considered personal data as this data does not directly or indirectly reveal your identity. For example, we may aggregate your behavioural data to calculate the percentage of Users accessing a specific Service feature.

However, if we combine or connect aggregated data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

b) Browsing data

When the User uses our Website, he or she may be asked to provide personal connection data (cookies, tracers).

Connection data and browsing information are exclusively used for statistical studies (analysis of the Website's traffic and the User's experience) and for other purposes mentioned in the cookie policy.

The legal basis is as follows : the processing is necessary for the purposes of the legitimate interests pursued by the Company, in particular to offer Users a smooth and improved browsing experience.

Connection data is also used to prevent and fight against computer fraud.

The legal basis is the response to a legal obligation.

6. How do we use your personal data and why?

We will only use your personal data for the purposes for which we collected it as listed below, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

If we need to use your personal data for an unrelated purpose, we will update this privacy policy and we will explain the legal basis which allows us to do so.

7. What is our “legal basis” for processing your personal data ?

In respect of each of the purposes for which we use your personal data, most commonly, we will rely on one of the following legal bases :

- When we need to perform a contract we are about to enter into or have entered into with you (“contractual necessity”).
- When it is necessary for our legitimate interests and your interests and fundamental rights do not override those interests (“legitimate interests”). More detail about the specific legitimate interests pursued in respect of each purpose we use your personal data for is set out in the table below.
- A legitimate interest assessment has been completed.
- When we need to comply with a legal or regulatory obligation (“compliance with law”).
- When we have your specific consent to carry out the processing for the purpose in question (“consent”).

Generally, we do not rely on your consent as a legal basis for using your personal data other than in the context of direct marketing communications.

We have set out below, in a table format, the legal bases we rely on in respect of the relevant purposes for which we use your personal data.

Purpose	Category(ies) of personal data involved	Why do we do this ?	Our legal basis for this use of data
Membership applications	<ul style="list-style-type: none"> - Identity data - Contact data - Marketing and communications data 	To process Membership applications	Contractual necessity
CCTV/security	<ul style="list-style-type: none"> - Identity data 	Internal & External security	Legitimate interests We have a legitimate interest in protecting our Members and the general public, and providing security for those using our Club and it's Services.
Reservations	<ul style="list-style-type: none"> - Identity data - Contact data - Transaction data 	To secure and manage Members, and to settle bills upon consumption	Contractual necessity

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Marketing	<ul style="list-style-type: none"> - Identity data - Contact data - Marketing and communications data 	To send you newsletters and information about events that might interest you.	Consent We obtain explicit consent to send you commercial communications.
To process advance payments for reservations	<ul style="list-style-type: none"> - Identity data - Contact data - Marketing and communications data 	To process your order to secure a reservation or to pay, or pay a part of a reservation in advance and distribute these payments correctly.	Contractual necessity
To improve our Services	<ul style="list-style-type: none"> - Behavioural data - Technical data 	To monitor use of our Services to improve our Services, to help operate our Services more efficiently, and to improve your experience.	Legitimate interests We have a legitimate commercial interest in ensuring that our Website operate as efficiently as possible and that we improve our Website based on information we learn from our Users' use of our Website.

To provide your order to you and record your food allergies, intolerances and preferences	- Allergy data	To ensure that we take into account information about your food allergies, intolerances and/or preferences when preparing and delivering your order to you.	<p>Explicit consent We obtain your explicit consent to use data relating to your food allergies and intolerances.</p> <p>Legitimate interests We have a legitimate interest in taking your food preferences into account when preparing and delivering your order to you, to ensure that you are satisfied with the Services you receive from us</p>
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8. What happens if you do not provide the necessary personal data ?

Where we need to process your personal data either to comply with law, or to perform the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with the functionalities of the Services).

In this case, we may have to stop you using our Services but we will notify you if this is the case at the time.

9. Personal data and third-party sources

In addition to the personal data that we collect directly from you (as described in the section immediately above this one), we also collect certain aspects of your personal data from third-party sources. These sources are broken down in the table below, together with a description of whether they are publicly available or not.

Third-party data source	Publicly available?	Category(ies) or other types of personal data received
Online booking platforms when in force	No	<ul style="list-style-type: none"> - Identity data - Contact data - Transaction data
Analytics providers	No	<ul style="list-style-type: none"> - Behavioural data - Technical data

10. How do we use cookies and other tracking or profiling technologies ?

We may collect information using “cookies”.

a) What are cookies ?

Cookies are small data files stored on the hard drive of your computer or mobile device by a Website.

We may use both session cookies (which expire once you close your web browser) and persistent cookies (which stay on your computer or mobile device until you delete them) to provide you with a more personal and interactive experience on our Website.

We use two broad categories of cookies :

- First-party cookies - served directly by us to your computer or mobile device ; and
- Third-party cookies - served by our partners or service providers on our Website.

b) Cookies we use

Our Website uses the following types of cookies for the purposes set out below :

Type of cookie	Purpose
Essential cookies	These cookies are essential to provide you with Services available through our Website and to enable you to use some of its features.
Functionality cookies	These cookies allow our Website to remember choices you make when you use our Website, such as remembering your language preferences. The purpose of these cookies is to provide you with a more personal experience and to avoid you having to re-enter your preferences every time you visit our Website.
Analytics and performance cookies	These cookies are used to collect information about traffic to our Website and how Users use our Website. The information gathered via these cookies does not “directly” identify any individual visitor. However, it may render such visitors “indirectly identifiable”. This is because the information collected is typically linked to a pseudonymous identifier associated with the device you use to access our Website. The information collected is aggregated and anonymous. It includes the number of visitors to our Website, the websites that referred them to our sites, the pages they visited on our Website, what time of day they visited our Website, whether they have visited our Website before, and other similar information. We use this information to help operate our Website more efficiently, and to monitor the level of activity on our Website.
Social media cookies	These cookies are used when you share information using a social media sharing button or “like” button on our Website or you link your account or engage with our content on or through a social networking website such as LinkedIn. The social network will record that you have done this.

c) Cookies settings

All Users can refuse the recording of “cookies” by configuring their browser in the following way(s) :

- Open a private browser window ;
- Configure cookies via the “Cookies” Widget available on the home page of our Website ;
- Configure your computer so that a message appears asking you to accept, personalize or refuse cookies on each website or systematically ;
- Or any other means available to the User.

At any time, the User may choose to express and modify his or her wishes regarding cookies. The Company declines all responsibility for the consequences linked to the functioning of the Website and the Services that may be offered :

- If the User refuses the cookies ;
- And/or if the Website is unable to save or consult the necessary cookies due to the User's choice.

d) Disabling cookies

You can typically remove or reject cookies via your browser settings. In order to do this, follow the instructions provided by your browser (usually located within the “settings”, “help” “tools” or “edit” facility). Many browsers are set to accept cookies until you change your settings.

If you do not accept our cookies, you may experience some inconvenience in your use of our Website. For example, our Website does not remember your language settings.

Further information about cookies, including how to see what cookies have been set on your computer or mobile device and how to manage and delete them.

Visit www.allaboutcookies.org and www.youronlinechoices.com

11. With whom do we share your personal data ?

The table below describes who we share your personal data with, what we share and why we share it.

Recipients	Category(ies) of personal data that we Share	Why we share it
Membership platform	<ul style="list-style-type: none"> - Identity data - Contact data - Transaction data 	To process Membership applications, and store Member data including payment history.
Payment systems (add the name of the payment provider, in this case STRIPE)	<ul style="list-style-type: none"> - Financial data 	To process payments via third-party platforms in a PCI compliant manner.
Reservations platforms	<ul style="list-style-type: none"> - Identity data - Contact data 	Our Service providers provide us with computer systems that help us manage our bookings and reservations process.
Marketing digital platforms	<ul style="list-style-type: none"> - Identity data - Contact data 	Our Service providers administer our marketing communications with Members who have opted-in to receive such communications from us.

Hosting platform (add the name of the host, in this case OVH)	- User's data stored at the hosting company	To ensure the hosting of the Website and of the User's data.
Courier companies	- Identity data - Contact data	We share only the essential details with third-party when delivering physical content to you from time to time.
Printing companies	- Identity data - Contact data	We share only the essential details with third-party printers when we print physical content that requires your name and address (letters/envelopes) to you from time to time.

12. Data Transfers

As you can see from the above, we share your personal data with our affiliated companies and certain external third-parties.

We endeavour to ensure that people to whom we provide personal data hold it subject to appropriate safeguards and controls. Whenever we transfer your personal data out of your country, we ensure a similar degree of protection is afforded to it by ensuring safeguards are implemented (explained below).

13. How do we ensure the security of your personal data ?

We have put in place appropriate technical and organisational security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We store all the personal information you provide on secure password and firewall protected servers. We limit access to your personal data to those employees and other staff who have a business need to have such access. All such people are subject to a contractual duty of confidentiality.

We have put in place procedures to deal with any actual or suspected personal data breach. In the event of any such breach, we have systems in place to cooperate with the appropriate regulatory authorities. In addition, in certain circumstances (e.g., where we are legally required to do so) we may notify you of breaches affecting your personal data.

14. How long do we keep your personal data ?

We will only retain your personal data for so long as we reasonably need to use it for the purposes set out above in “How do we use your personal data and why?” unless a longer retention period is required by law (for example for regulatory purposes).

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Category of personal data	Retention period
Identity data	When you have not opted in to receive marketing communications from us or for your data to be held on our customer database, your identity data will be deleted after two (2) years from the date of your Membership termination. If you wish to reinstate your Membership you will need to provide proof of your Membership number and payment of your joining fee for these aspects to be considered upon re-joining.
Contact data	When you have not opted in to receive marketing communications from us or for your data to be held on our customer database, your contact data will be deleted after two (2) years from the date of your Membership termination. If you wish to reinstate your Membership, you will need to provide proof of your Membership number and payment of your joining fee for these aspects to be considered upon re-joining.
Financial data	We pass any financial data we receive from you immediately to our third-party payment processors. We do not store any of your financial data.

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Transactions data	We store transaction data for a period of two (2) years from the date of your Membership termination. If you wish to reinstate your Membership you will need to provide proof of your Membership number and payment of your joining fee for these aspects to be considered upon re-joining.
Marketing and communications data	We store marketing and communications data until you unsubscribe from our marketing communications.
Behavioural data	We anonymise behavioural data almost immediately following collection. We then retain behavioural data in anonymised form for thirty-eight (38) months.
Technical data	We anonymise technical data almost immediately following collection. We then retain technical data in anonymised form for thirty-eight (38) months.
Allergy data	We store allergy data for a period of two (2) years from the date of your Membership termination.



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In establishing our data processing policy, we have established a reference grid for the duration of data retention, developed through the recommendations of the National Commission for Information Technology and Civil Liberties (CNIL). In addition, the Company may retain certain personal data in order to fulfill its legal or regulatory obligations, to allow the exercise of Users' rights, or for statistical purposes. When the retention period expires, the personal data will be deleted or anonymized.

15. Links to third-parties

Our Website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third-parties to collect or share your personal data. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our Website, we encourage you to read the privacy policy of every Website you visit.