

VIRGIN ACTIVE THAILAND PRIVACY POLICY



Virgin Active knows that you care how data about you is used and shared and we appreciate your trust in us to do that carefully and sensibly. This policy describes the types of personal data that we may collect about you, the purposes for which we use the data, the circumstances in which we may share the data, the steps that we take to safeguard the data to protect your privacy, and your privacy rights.

THE POLICY

As used throughout this policy, the term “**Virgin Active**” refers to Virgin Active (Thailand) Limited, Company Registration Number 0105556027268 (“**Virgin Active Thailand**”, “**we**”, “**our**” and “**us**”), the Virgin Active Group and its affiliates worldwide. Virgin Active Thailand is bound by the Personal Data Protection Act B.E. 2562 (2019) (the “**PDPA**”) which govern privacy.

We may amend or update our Privacy Policy at any time and will publish any updated policy on the Virgin Active Thailand website. We encourage you to check the Virgin Active Thailand website regularly to ensure that you are aware of the terms of our current Privacy Policy.

By visiting Virgin Active and submitting any personal data to us (whether in a club, via our website, social media or otherwise), you are acknowledging the practices described in this Privacy Policy.

1. WHAT PERSONAL DATA ABOUT YOU DOES VIRGIN ACTIVE THAILAND COLLECT?

The data we gather from you helps us to continually improve your experience with Virgin Active. This personal data may include: your name and contact data; date of birth; preferred communication methods; business name (in the case of a corporate membership) and business address; bank details and/or credit card details and your objectives and interests. We also create data that becomes part of the personal data we hold about you, such as your membership number and your usage of the club and the products that you purchase from us. We may also collect and create details on joint members and other family members, where applicable, including family members under the age of 20.

We may also collect the following data:

- **Personal data from Children**

Other than data that becomes part of the personal data we hold about our under 20 members such as their membership number and usage of the club and the products that are purchased on behalf of under 20 members, we do not knowingly collect personal data from individuals under 20 years of age without the permission of their legal guardian. As a legal guardian, please do not allow your children to submit personal data without your permission.

- **Photographs for Membership Profile and ID Confirmation**

In the interests of security and the prevention of crime, we take a digital photograph of each member to whom a membership is issued including our under 20 year old members. If you qualify for a corporate or age limit membership, we may copy your corporate ID or part of your personal ID card to confirm your age or employment status.

- **Contacting us via Website or otherwise**

When you use the www.virginactive.co.th website (Our Site) or contact us by post, telephone, fax, email or SMS, we collect, store and use certain personal data that you disclose to us. This includes details such as your name, address, telephone, fax, email and mobile phone number as well as traffic data, location data, web logs and other communication data, whether this is required for our own billing purposes, for marketing activities or other resources that you access. If you contact us, we may keep a record of that correspondence and if you have enquired about our products, we may contact you to market our products subject to you granting us consent in writing to do so.

- **CCTV**

We use CCTV in our clubs for health and security reasons. If you have any queries in relation to the use of CCTV operating in and around our clubs please contact us.

- **Surveys**

We also ask you to complete surveys that we use for feedback and research purposes, although you do not have to respond to them.

- **Online portals and profile**

We may also collect and use the personal data you provide while using our online portals and any profile that you create while using our services including health, training and nutritional data.

- **Social media and third party service providers**

We may also collect and use personal data you provide when interacting with us via social media, when you enter competitions, or when you participate in promotions or events. This data may be collected by us directly, or by a third party on our behalf, and may include your photos, comments, and experiences you provide or share with us. If you provide personal data to us via third parties or social media platforms, your personal data will be managed in accordance with the privacy policy in use by that third party, in addition to our own Privacy Policy. If you share your contact information with us via Facebook, Instagram or other social media channel in response to a promotion by us, we may contact you to market our products subject to you granting us consent in writing to do so.

- **Sensitive data**

The term “**sensitive data**” in this context refers to data related to your racial, ethnic origin, political opinions, cult, religious or philosophical beliefs, sexual behavior, criminal records, health data, disability, trade union information, genetic data, and biometric data. Whilst we do not generally collect sensitive data unless it is volunteered and consented to by you, we do specifically collect health data to the extent that it is required to assess your readiness for physical exercise, subject to you granting us consent in writing to do so.

2. WHY DO WE COLLECT PERSONAL DATA FROM YOU AND HOW DO WE USE YOUR PERSONAL DATA?

We will only collect, use, and disclose your personal data when we have proper reasons to do so and relying on the following lawful bases:

- Performance of contract;
- Legal obligation;
- Legitimate interest;
- Vital interest; and
- Consent.

The main types of personal data Virgin Active Thailand collects and the main purposes for which personal data is collected, used, and disclosed are set out below:

- We use personal data to provide the services you request from Virgin Active such as to facilitate: administration of your membership of the club, to manage our relationship with you, to communicate with you and assist you with queries and to facilitate bookings of classes and appointments with our own or third party service providers and other transactions.
- We also use personal data in order to provide and improve our services and operate our facilities (including as described above), or otherwise as required or authorised by law. For example, when an individual sends Virgin Active Thailand a query, we will use the individual's personal data for the purposes for which the individual provided it.
- We may also use the data to: advertise products and services, to carry out market data analysis so that we can continue to deliver enhanced services and facilities, to process payments and maintain accounts and records, to prevent crime and aid in the prosecution of offenders, to comply with the law, and to administer and maintain membership records. In addition, we use this data to improve our platform, prevent or detect fraud or abuses of our website and enable third parties to carry out technical, logistical or other functions on our behalf. As part of conducting our business, personal data may also be used to maintain and develop our business systems, including testing and upgrading them.
- We also use your data to send you newsletters and promotions, and to conduct online surveys or surveys by telephone; prize draws; competitions and other promotions via email, social media, telephone or post. We will also use the data in the course of collecting your membership fees and any other payments that may be due to us from you. If you apply for employment at Virgin Active, we use the personal data you supply to process your job application.
- We use health data provided by you so that we can assess your general health, well-being and your readiness for physical exercise. If we need to collect sensitive data (such as health data), we will not collect that data unless we have first obtained your consent.
- We may also invite you to set up a profile with our preferred personalised wellness tracking system provider. This profile will only be set up with your consent.
- We use social media platforms to undertake marketing activities to offer you products and services that we legitimately feel may be of interest to you, to generate leads and to drive traffic to our website. To do this we may use limited personal data of yours, such as your email address, with social media platforms. We do not control how social media platforms use your personal data so please be sure to direct any questions around how your social media platforms use or store your personal data to that social media platform.

Other than as set out in this Privacy Policy we will not share your personal data with third parties for marketing or any other purposes without your consent, or a proper lawful basis unless we are required to do so by law.

3. IN WHAT CIRCUMSTANCES MAY VIRGIN ACTIVE THAILAND DISCLOSE YOUR PERSONAL DATA?

Data about our club users is an important part of our business and we do not sell it to others. Virgin Active Thailand discloses member data in connection with the purposes outlined in this Privacy Policy. We only disclose personal data as described below and with our group companies which are either subject to this Privacy Policy or follow practices at least as protective as those described in this Privacy Policy.

Our personnel (including our employees and contractors):

Our personnel have access to personal data to the extent that they need to access your personal data in connection with their duties and your membership.

Third party service providers:

We employ other companies and individuals to perform functions on our behalf. Examples include our banking services, sending postal mail and e-mail, removing repetitive data from member lists, analysing data, managing marketing promotions or competitions and providing marketing assistance. We also use third party information technology service providers for the purposes of hosting, storing and securing information and data. Third party service providers have access to personal data needed to perform their functions but may not use it for other purposes.

Further, they must process the personal data in accordance with this Privacy Policy and as permitted by the PDPA.

Promotional offers:

Sometimes we send offers to club users on behalf of other businesses. When we do this, we do not give that business your name and address or any of your health data or other sensitive data.

Business transfers:

As we continue to develop our business, we might sell or buy health clubs or subsidiaries or business units. In such transactions, member data generally is one of the transferred business assets but remains subject to the promises made in any pre-existing Privacy Policy (unless, of course, the member consents otherwise). Also, in the event that Virgin Active or substantially all of its assets are acquired, personal data will of course be one of the transferred assets.

Personalised wellness tracking system:

If you are invited to set up a profile with our preferred personalised wellness tracking system provider and only if you consent to set up a profile we will share your contact details and whether you are male or female with this provider. Any data you share with this provider will be subject to the privacy policy of the provider and we will not have any control over data on the provider's website or system.

Protection of Virgin Active and others:

We release account and other personal data when we believe release is appropriate to comply with the law; enforce or apply our membership or other agreements; or protect the rights, property or safety of Virgin Active, our users or others. This includes exchanging data with other companies and organisations (including credit reporting agencies) for fraud protection and credit risk reduction and with police or other government authorities. Obviously, however, this does not include selling, sharing or otherwise disclosing personally identifiable data from members for commercial purposes in a way that is contrary to the commitments made in this Privacy Policy.

With your consent, other than as set out above, you will receive notice when data about you might go to third parties and you will have an opportunity to choose not to share the data.

4. WHAT ABOUT COOKIES?

Cookies are alphanumeric identifiers that we transfer to your computer's hard drive through your web browser to enable our systems to recognise your browser and to automatically collect data from your computer such as your IP address and other details about your computer which are automatically collected by our web server, operating system and browser type, for system administration and to report aggregate data to our advertisers. This is statistical data about our users' browsing actions and patterns, and does not identify any individual.

The help menu on the menu bar of most browsers will tell you how to prevent your browser from accepting new cookies, how to have the browser notify you when you receive a new cookie and how to disable cookies altogether. Additionally, you can disable or delete similar data used by browser add-ons, such as Flash cookies, by changing the add-on's settings or visiting the website of its manufacturer. However, because cookies allow you to take advantage of some of Virgin Active's essential features, we recommend that you leave them turned on.

If you do leave cookies turned on, be sure to sign off when you finish using a shared computer.

Please note that our advertisers may also use cookies, over which we have no control:

- To estimate our audience size and usage pattern.
- To store data about your preferences, and so allow us to customise Our Site according to your individual interests.
- To speed up your searches.
- To recognise you when you return to Our Site.

5. HOW SECURE IS DATA ABOUT ME?

Virgin Active endeavours to take all steps as are reasonable in the circumstances to protect your personal data from misuse, interference and loss and from unauthorised access, modification or disclosure.

We maintain physical, electronic and procedural safeguards in connection with the collection, storage and disclosure of personally identifiable data. Our security procedures mean that we may occasionally request proof of identity before we disclose personal data to you.

6. WHAT ABOUT LINKS TO OTHER WEBSITES?

Our site may include links to other websites. We do not provide any personally identifiable customer data to these advertisers or third-party websites.

These third-party websites may use technology to send (or "serve") the advertisements that appear on our website directly to your browser. They automatically receive your IP address when this happens. They may also use cookies, JavaScript, web beacons (also known as action tags or single-pixel gifs), and other technologies to measure the effectiveness of their ads and to personalise advertising content. We do not have access to or control over cookies or other features that they may use, and the data practices of these advertisers and third-party websites are not covered by this Privacy Policy. Please contact them directly for more information about their privacy practices.

7. WHAT CHOICES DO I HAVE?

As discussed above, you can always choose not to provide data however this may mean we cannot provide some or all of our services to you. If you no longer want to receive e-mail or other mail from us, tick the opt-out box in your terms and conditions or let us know in writing if you don't want to receive these offers. However, please note, if you do not want to receive legal notices from us, such as this Privacy Policy, those notices will still govern your use of Virgin Active and it is your responsibility to review them for changes.

You have the right to ask us to stop processing your personal data for marketing purposes or other purposes consented by you by sending an email to the Virgin Active Data Protection Officer, whose details are set out in section 10 below.

8. HOW CAN I ACCESS OR CORRECT MY PERSONAL DATA OR MAKE A COMPLAINT?

You may request access to the personal data we hold about you by contacting us

using the details set out in section 10 of this Privacy Policy. We will make effort to respond to any such request within a 30 days, but depending also on the complexity of your request. Although we will be able to provide you with most personal data we hold about you, in some circumstances it may not be possible for us to provide you with access to all of your personal data. Where this is the case, we will notify you and give you the reasons why (except to the extent it would be unreasonable for us to do so).

If you believe that any of the personal data we hold about you is inaccurate, incomplete or not up-to-date, you may contact us using the details set out in section 10 below to request that we correct the data. Although we will take reasonable steps to ensure that the data is corrected, in some circumstances it will not be possible for us to correct your personal data in the manner in which you have requested. Where this is the case, we will notify you and give you the reasons why (except to the extent it would be unreasonable for us to do so).

If you wish to make a complaint about the way we have handled your personal data (including if you think we have breached the PDPA), you may do so by contacting us using the details set out in section 10 below. If you make a complaint, please include contact details such as your name, address, telephone number and email address and clearly describe your complaint. We will respond to your complaint within a reasonable period and will endeavour to resolve the issue in an efficient manner. If we are unable to resolve your complaint and you believe that we have breached the PDPA, you may wish to contact the Personal Data Protection Commission.

In addition to the rights above, and subject to the legitimacy of your request, circumstances, and our lawful reasons/rights to continuously processing, you also have the following rights:

- Right to ask us to erase your personal data
- Right to object the collection, usage, and/or disclosure of your personal data
- Right to restrict the collection, usage, and/or disclosure of your personal data
- Right to request transfer of your personal data to third party or to request a copy of your personal data in electronic form

You can exercise these rights at any time by contacting us using the details set out in section 10 below. We will review your request and make the best effort to comply with them as long as they are reasonable. In the case where we cannot comply with your request, we will let you know the reasonable ground or rights on which we relied on.

9. NOTICES AND REVISIONS

Our business changes constantly and our Privacy Policy and the website terms and conditions will change also. We may e-mail periodic reminders of our notices and conditions, unless you have instructed us not to, but you should check our website frequently to see recent changes. Unless stated otherwise, our current Privacy Policy applies to all data that we have about you and your account. However, we stand behind the promises we make and will never materially change our policies and practices to make them less protective of member data collected in the past without the consent of affected members.

10. CONTACT

For further information about Virgin Active Thailand's privacy procedures and practices, or to request access to or correction of your personal data or make a complaint or exercise any of your privacy rights, please contact the Virgin Active Data Protection Officer using the following details:

Email: privacy@virginactive.co.th
Address: 989 Siam Discovery Center, 6th Floor,
Room No. 602, Rama I Road,
Pathum Wan Sub-district, Pathum Wan District,
Bangkok 10330

This Privacy Policy was last updated in May 2022.