

**ISLAND BOAT CLUB LTD.  
PERSONAL DATA PRIVACY STATEMENT**

## **1. Introduction**

Island Boat Club Ltd. ("Boat Club") provides its Members with access to a fleet of luxury boats ("Club Boats") and a range of services to ensure those Members enjoy all the benefits of boating in Bermuda without any of the usual hassles of boat-ownership and on a cost-effective basis.

This personal data privacy statement ("Privacy Statement") is designed primarily to help Boat Club's Members and prospective Members understand how Boat Club uses and protects the personal data that is obtained in the conduct of its business. The Privacy Statement also applies to certain other parties that provide personal data to Boat Club (typically on a voluntary basis), including, but not limited to, visitors to Boat Club's website and social media platforms and Boat Club's third-party service providers.

For the purposes of this Privacy Statement:

- Personal data means any information about an identifiable individual (also referred to as "personal information" or "personally identifiable information").
- The use of personal data includes collecting, obtaining, recording, holding, storing, organizing, adapting, altering, retrieving, transferring, consulting, disclosing, disseminating or otherwise making available, combining, blocking, erasing or destroying such data.

Boat Club is committed to protecting the security, confidentiality, and privacy of any personal data that is used in conducting its business activities. As such, Boat Club has adopted a number of Data Privacy Principles as set out in this Privacy Notice and has also implemented related internal policies and procedures to ensure the appropriate use and protection of personal data in accordance with applicable laws and regulations. All Boat Club employees are required to comply with these Data Privacy Principles and the related internal policies and procedures.

## **2. What are Boat Club's Data Privacy Principles?**

To ensure the security, confidentiality, and privacy of its personal data in accordance with applicable laws & regulations, Boat Club has adopted the following Data Privacy Principles:

- **Transparency:** Boat Club will be clear and transparent as to how it uses Personal Data.
- **Limited purposes:** Boat Club will use personal data solely for the purposes of operating and developing its business as a private members' boat club. See section 4 for more details.
- **Data minimisation and adequacy:** Boat Club will only request and use personal data that is proportionate to its business activities.
- **Fair and lawful usage:** Boat Club will only use personal data lawfully and where it has legitimate reason to do so. See section 6 for more details.

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- Data quality and accuracy: Boat Club will seek to ensure that any personal data that it uses remains accurate and up to date.
- Data security and retention: Boat Club will seek to retain personal data securely in order to prevent (i) loss, (ii) unauthorized access, destruction, use, modification or disclosure, or (iii) any other misuse. Boat Club will also securely dispose of personal data when it is no longer required. Boat Club's information security safeguards are proportionate to (i) the likelihood and severity of the harm threatened by the loss, access or misuse of the personal information; (ii) the sensitivity of the personal information (including in particular whether it is sensitive personal information); and (iii) the context in which it is held.
- Training and awareness: Boat Club employees with access to other individuals' personal data are made aware of their obligations regarding all personal data with due regards also to these Data Privacy Principles.
- Third parties: Where Boat Club appoints a third-party service provider which requires Boat Club to share some personal data to perform the agreed services, it will ensure that the third party has adopted standards of protection that are equivalent to those set out in this Privacy Statement. Boat Club will only disclose personal data to governmental or judicial bodies or law enforcement agencies or its regulators if required by applicable laws and regulations. See section 8 for more details.
- Data transfers: Before Boat Club transfers personal data to another jurisdiction, it assesses the adequacy of the protection provided by the overseas third party. Depending on the results of that assessment, Boat Club may require the third party to contractually implement additional safeguards and protections commensurate with the standards set out in Bermuda's personal information protection laws and regulations. See section 8 for more details.
- Data Subject's rights: Boat Club will ensure that the Data Subject's rights are observed in accordance with applicable laws and regulations. See section 10 for more details. For purposes of this Privacy Statement, Data Subject is the identified or identifiable individual to whom the personal data relates.

### **3. How does Boat Club collect and receive personal data?**

The personal data typically obtained by Boat Club is provided directly by individuals on a voluntary basis during the application process to become a new Member (including initial expressions of interest) and then during the course of the Membership so that Boat Club can provide its ongoing services and meet its other contractual obligations as set out in the Membership Agreement and related Rules and Regulations. Limited personal data may also be obtained through referrals of interested parties by existing Members.

Some personal data may also be automatically collected from individuals who access Boat Club's website and social media platforms. This is addressed in Boat Club's separate Cookie Policy, a copy of which is available on our website at: <https://www.islandboatclub.bm/>

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Limited amounts of personal data may also be collected from third parties primarily to enable such entities and their employees to provide services to the Boat Club so that it can conduct its business activities effectively. See section 8 below for more details on third-party service providers.

**4. What personal data is collected by Boat Club?**

Boat Club seeks to only collect and use personal data that is necessary for the following purposes:

- a. Conduct its business as a private members' boat club, including the provision of related services to its Members, and
- b. Provide information about Boat Club to prospective Members and/or visitors to its website and social media platforms.

Boat Club seeks to ensure that it uses personal data that is adequate, relevant, and not excessive for the purposes for which it was requested.

The personal data that is requested and/or provided by Boat Club's actual and prospective Members primarily includes:

- Personal information: name, date of birth, and personal contact details (e.g., home address, telephone numbers, email addresses), and personal contact details of other named individuals (e.g. spouse, partner, or parent) to be contacted in case of an emergency.

If Members provide Boat Club with personal data about other named individuals they should first ensure that such individuals are made aware of the information being provided and, if appropriate, provide the individuals with a copy of this Privacy Statement.

- Bank account and credit card details: such information as is necessary to collect amounts due from Members with respect to Initiation Fees, Annual Membership Fees, Additional Charges, etc. and to pay any refunds thereof.
- Electronic identification data: This is necessary to access Boat Club's Advanced Reservation App (i.e. to confirm availability of Club Boats at specific dates and times) and includes individual login information and related reservation rights for the Club Boats.

Further, as addressed in more detail in its separate Cookie Policy, Boat Club's website and its other on-line social media platforms use cookies to store or retrieve data on the device used by the user as they browse the various web pages and content. The electronic data obtained through the use of cookies may include, inter alia, (i) the user's IP address, location, operating system, browser, device, and other technical information, as well as (ii) information about how and when the user accessed the website or other on-line platforms. However, none of this information reveals the visitor's specific identity, like their name or contact information.

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Such cookies help to ensure that users of the website and other on-line platforms access the information about Boat Club in an efficient manner. Cookies may also be used to provide high-level statistical data about the users and their collective use of the website.

The personal data that is requested from and/or provided by Boat Club's third-party service providers is generally limited to names and contact details (e.g., work address, telephone numbers, and email addresses).

In very limited cases, Boat Club may receive some information about individuals that is of greater sensitivity (referred to as sensitive personal information) and therefore is subject to additional considerations to ensure Boat Club has a valid legal basis for collecting such sensitive personal information and that such information is appropriately safeguarded. The sensitive personal information received by Boat Club may include:

- Diversity related personal information: such as information about place of origin, race, colour, national or ethnic origin, gender, marital status, and family status.
- Health and disability information: such as sickness or disability that may affect the individual's fitness to operate the Club Boats.
- Criminal information: such as information about alleged or proven criminal offences that may affect the individual's eligibility to become or remain a Member or use the Club Boats.

**5. How does Boat Club use personal data?**

Boat Club does not share personal data with third parties other than as necessary for its legitimate business needs and as required or permitted by law. In particular, Boat Club **does not** sell or otherwise make personal data available to any third party for their own commercial use or benefit.

Boat Club primarily uses personal data to:

- Respond to requests for Membership, including expressions of interest either directly or through its website and other on-line platforms.
- Provide services to its Members and fulfill its other obligations to Members pursuant to their Membership Agreement and the related Boat Club Rules & Regulations.
- Perform such other activities as are necessary for the running of its business. As addressed in further detail in section 8 below, Boat Club uses a number of specialist third-party service providers to support some of those activities.
- Meet its legal obligations.

More specifically, Boat Club uses personal data in order to:

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- Make decisions about eligibility and suitability for Membership during both the application process and an ongoing basis with due regards to the criteria set out in Boat Club's Rules & Regulations.
- Prepare the Membership Agreement for execution by each Member.
- Provide access to the Club Boats. This includes use of an Advanced Reservation App to select the time, date, Club Boat, and location for pick-up and drop-off. The Member's contact details are also used to facilitate timely communication with Boat Club's employees in the event of last-minute changes to the reservation dates and/or times for use of Club Boats as well as the locations for the pick-up and drop-off of Club Boats.
- Respond to emergencies. Employees will also have access to contact information of named individuals provided by each Member and may be required to use such personal data in the event of an emergency that arises during the operation of a Club Boat or while at any of the agreed pick-up or drop-off locations.
- Administer the financial implications of the Membership Agreements, including invoicing, collecting, accounting, and processing of Initiation Fees, Annual Membership Fees, Additional Charges, etc. and providing any refunds thereof.
- Administer, and ensure compliance with, the terms of the Membership Agreement and related Boat Club Rules and Regulations, most notably the sections on Reservations, Boat Usage Privileges, Responsibilities and Limitations.
- Deal with legal disputes that may arise from the Membership, including but not limited to (i) disagreements on amounts invoiced to Members or the respective rights and obligations under the Membership Agreement and related Rules and Regulations, or (ii) accidents during the operation of any of the Club Boats.
- Provide Members and prospective Members with Boat Club newsletters, promotional material, and other marketing communications as well as any updates to the Boat Club Rules & Regulations and other legal documentation.
- Invite Members and prospective Members to Boat Club social events.
- Reply to an official request from a public or judicial authority.
- Comply with any legal or regulatory obligations imposed on the operation of the Club Boats or Boat Club itself.

**6. What are the legal grounds for Boat Club to use personal data?**

In accordance with applicable data privacy laws and regulations, the processing of personal data must be supported by a lawful basis. Accordingly, Boat Club only uses personal data (including sensitive personal information) where it is lawful to do so, specifically in the following circumstances:

- Performance of a contract: Boat Club may use a Member's personal data if such information is necessary for Boat Club to provide the services and perform its other obligations under the

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Membership Agreement and related Rules and Regulations to which the individual is a party. Similarly, Boat Club may use personal data provided by a potential Member where that individual requested Boat Club to take the necessary steps to establish a Membership relationship. Boat Club may also use personal data provided by third-party service providers where it is necessary for the relevant provider and/or Boat Club to perform their respective obligations under the services agreement;

- Reasonable expectation: Boat Club may use personal data if it reasonably considers, giving due weight to the sensitivity of the personal data, that the individual would not reasonably be expected to refuse that use and the actual use of the personal data does not prejudice the individual's rights. However, this basis may not be available to process sensitive personal information;
- Consent: Boat Club may use personal data where it can reasonably demonstrate that the relevant individual has consented. Individuals may withdraw their consent at any time by contacting Boat Club's CEO, Jack Bridges ([jack@islandboatclub.bm](mailto:jack@islandboatclub.bm));
- Emergency: Boat Club may use personal data if it is necessary to respond to an emergency that threatens life, health or security, such as if there was a medical emergency while a Member is operating a Club Boat or while at any of the Boat Club's pick-up and drop-off moorings and locations;
- Public information: Boat Club may use personal data if it is publicly available and its use is consistent with the purpose of its public availability; or
- Provision of law: Boat Club may use personal information if that use is pursuant to a provision of law that authorises or requires such use, such as keeping records for tax purposes or providing information to a public body or law enforcement agency.

Prior to using any sensitive personal information (including criminal record data), Boat Club will identify the appropriate lawful basis from those listed above. This basis will typically be the relevant individual's explicit consent or a specific legal requirement to collect and report such information.

**7. Must you give the personal data requested by Boat Club?**

Boat Club seeks to minimize the amount of personal data and, in particular, sensitive personal information that it collects.

Nevertheless, the provision of certain personal data, in particular the contact details and information with respect to bank accounts as well as contacts in the case of an emergency, is necessary for Boat Club to enter into, maintain, and fulfil the Membership Agreement with each Member and the related Rules and Regulations. In particular, absent certain personal data, Boat Club would not be able to:

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- Perform the services set out in the Membership Agreement with that individual (such as providing access to the designated Club Boats at specified times, dates and locations, and invoicing and collecting Initiation Fees, Membership Fees, Additional Charges, etc.), or
- Comply with its contractual obligations to the Member, including the health and safety of Members when operating Club Boats.

Similarly, Boat Club and its third-party service providers may not be able to meet their respective obligations under the relevant services agreement unless the parties exchange certain limited personal data with respect to those employees that are involved in the performance and oversight of the services.

**8. Does Boat Club transfer personal data to third parties and/or other countries?**

Boat Club uses third parties to provide the following specialist services on a cost-effective basis:

- Invoicing and collection of amounts due from Members.
- Banking.
- Accounting and financial reporting.
- Provision and hosting of the Advanced Reservation App to arrange Members' access to designated Club Boats on specific dates and time.
- Provision of marine hull and personal liability insurance and related handling of any claims.
- Legal and other professional.
- Marketing and business development, including the hosting of Boat Club's website and social media platforms.
- Information Security and related IT systems, including processing and storage of Boat Club's data and responding to information security threats.

Boat Club may also be required to share personal data with the following:

- Auditors: Boat Club may disclose personal data if relevant to ad hoc financial and data privacy/data security audits or other investigations.
- Courts, tribunals, law enforcement or regulatory bodies: Boat Club may disclose personal data in order to respond to requests of courts, tribunals, regulators, government and law enforcement agencies or where it is necessary or prudent to comply with applicable laws, court, tribunal or regulator orders or rules, or government regulations.

Some of the service providers, or their affiliates that provide sub-contracting support, are based overseas primarily in the United States, South Africa and Mauritius.

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Boat Club only shares personal data that is necessary for the service provider to perform the requisite services. In general, such personal data is limited to names and contact details of Boat Club Members. However, the hosts of Boat Club's electronic data and/or back-up data will have broad access to the personal data used by Boat Club.

Boat Club ensures that all third parties receiving personal data from Boat Club are subject to standards equivalent to those set out in this Privacy Statement and/or by similar contractual provisions that seek to ensure Boat Club's personal data is adequately protected.

In particular, before Boat Club transfers personal data to another jurisdiction, it assesses the adequacy of the protection provided by the overseas third party for that personal data. Such assessment considers whether the level of protections of the laws that apply to the overseas third party are comparable with those required by Bermuda's personal information protection laws and regulations. Depending on the results of that assessment, Boat Club may require the third party to contractually agree to adopt additional safeguards and protections commensurate with the standards set out in Bermuda's personal information protection laws and regulations.

**9. How long does Boat Club retain the personal data?**

Boat Club will keep the personal data only for as long as is necessary to fulfil the purpose for which it was originally collected and with due regards to any legal, regulatory or reporting requirements that relate to the retention period of business records.

**10. What are an individual's rights with respect to Boat Club's use of their personal data?**

Subject to the terms of the applicable laws and regulations, Data Subjects have the following rights:

- **Right to Access:** an individual may request Boat Club to provide a copy of their personal data and further details of (i) the purposes for which such personal data is used by Boat Club, (ii) the names of the persons or types of persons to whom the personal data is disclosed, and (iii) the circumstances for any such disclosure to third parties.
- **Right to Withdraw Consent:** an individual may request Boat Club, where its processing is based on consent, to stop that particular processing by withdrawing their consent. However, Boat Club may be continue to process certain personal information to the extent permitted by other legal grounds as described in section 6 above. Further, any withdrawal of consent by a Member may render it impossible for Boat Club to provide the Membership services and otherwise fulfil the terms of the Membership Agreement with that individual.
- **Right to Accuracy/Rectification:** an individual may request Boat Club to update any inaccuracies in the personal data it holds about them.
- **Right to Blocking:** an individual may request Boat Club to cease or not to begin using their personal data for the purposes of advertising, marketing or public relations, or where the use of that personal data is causing, or is likely to cause, substantial damage or substantial



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distress to the individual or another individual. (Note that Boat Club does not use personal data for the purposes of advertising, marketing or public relations without explicit consent).

- Right to Erasure: an individual may request Boat Club to delete any of their personal data where the personal data is no longer relevant for the purposes of its use.

Please contact the Company's CEO, Jack Bridges, ([jack@islandboatclub.bm](mailto:jack@islandboatclub.bm)) if you have any questions, concerns, or requests about Boat Club's use of your personal data. The CEO is the designated Privacy Officer for the purposes of compliance with the Bermuda Personal Information Protection Act 2016.

If you are dissatisfied with Boat Club's use of your personal data as outlined in this Privacy Statement you may contact the Office of the Privacy Commissioner ([privcom@privacy.bm](mailto:privcom@privacy.bm)), which is an independent supervisory authority established pursuant to the Bermuda Personal Information Protection Act 2016.

#### **11. Updating this Privacy Statement**

This Privacy Statement was updated in August 2025. Any further updates will be provided on Boat Club's website and, for Members, directly via email.