

“Cruise Train Seven Stars in Kyushu” Privacy Policy

1. Privacy Policy

The Company is committed to respect the Personal Data, and protect the privacy of all individuals who use the website operated by the Company in connection with “Cruise Train Seven Stars in Kyushu” (the “Website”). This Privacy Policy sets forth how the Company collects, uses, discloses and protects the data provided by the customers through the Website.

The Company will Process the Personal Data of each customer in accordance with the laws applicable to the data protection (including the General Data Protection Regulation (EU Regulation 2016/679)) and any other law enacted hereafter in place thereof.

The Website may contain links to and from third-party websites. Such third-party websites and any and all services made available through such websites will be subject to their own privacy policy. The Company shall have no liability for any of such third-party privacy programs. If any customer attempts to exit from this Website, such customer is requested to be aware of the foregoing and read through the privacy policy applicable to such third-party websites.

2. Definitions

In this Privacy Policy,

- (a) “Personal Data” of any customer means any information identifying, or capable of identifying, any natural person (the “Data Subject”). Personal Data may include the contact information, any other personal information, picture and opinions about such customer.
- (b) “Affiliated Company” of the Company includes any subsidiary thereof.
- (c) “Process(ing)” means any operation or set of operations performed upon Personal Data or sets of Personal Data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
- (d) “Controller” means the natural or legal person, public authority, agency or any other body which alone or jointly with others determines the purposes and means of the Processing of Personal Data.

3. Information about Company

The information about the Company is as follows:

Company Name: Kyushu Railway Company

Address: 3-25-21 Hakata-ekimae, Hakata-ku, Fukuoka, Japan

4. Means of Collecting Customer's Personal Data

The Company will collect and Process the following Personal Data in connection with each customer:

(a) Any information provided by each customer to the Company

This category of information includes all information provided by such customer to the Company in connection with such customer through such customer's offer to participate in "Cruise Train Seven Stars in Kyushu" through the Website or such customer's other communication with the Company irrespective of whether such communication is via e-mail, postal mail or other form. The information provided by such customer to the Company may contain the name, address, e-mail address, telephone number, sex, nationality, credit card information, passport number, health information (e.g., medical history, food allergies) and information on religious dietary restrictions of such customer.

(b) Any information collected by the Company in connection with each customer

Upon view of the Website by any customer, certain types of data about such customer (the "Access Data") will be automatically collected. Such types of data include access log and cookie. Such types of data may stay in such customer's computer, and data may be continuously collected. For details of the Company's use of customers' Access Data and the legal grounds for such use, each customer is advised to reference to the Access Data Use Policy.

(c) Any information acquired by the Company through other sources

If any customer makes an offer online to participate in a trip through "Cruise Train Seven Stars in Kyushu," such customer will be required to provide the information about any companion accompanying such trip. The Company may acquire the Personal Data of the companion accompanying such trip through the provision of the information about such companion by the customer who makes such offer. Such information may include the name and passport information of such companion.

5. Legal Ground and Purpose of Processing Personal Data

The Company will Process the Personal Data of each customer on the following legal grounds:

- (a) **Contract.** If the Company is required to Process the Personal Data of the customer in order to perform the contract entered with such customer;
- (b) **Legal Obligation.** If the Company is required to comply with any legal obligation;
- (c) **Legitimate Interest.** If it is required to Process the Personal Data of the customer for the legitimate interest of the Company or any third party, and the interest and fundamental rights of such customer do not supersede such legitimate interest;
- (d) **Customer's Material Interest or Public Interest.** Although rarely applicable, the Company may Process the Personal Data of the customer if required for the protection of the customer's (or third-party's) material interests, or for the performance of duties serving for the public interests;
- (e) **Consent.** If the Company acquires a consent of the customer for the Processing of the Personal Data. Even if the Company has acquired a consent from the customer, the Company may Process the Personal Data based on any other legal ground. The withdrawal of the consent by the customer (see Section 9(g) of this Privacy Policy) shall not affect the legality of any Processing performed based on such consent prior to the withdrawal.

If in connection with any customer, the Company intends to Process any health information (e.g., medical history, food allergies), information on religious dietary restrictions or other sensitive data, the Company will Process such information based on an explicit consent of such customer.

The Company will use the Personal Data it possesses in connection with any customer for the following purposes. The Company will use the Personal Data of customers only to the extent necessary to achieve such purposes:

- (a) To enable the customer to make an offer of purchase for, and purchase, "Cruise Train Seven Stars in Kyushu" and/or any other related services and products offered on the Website (this use will be based upon the contract or legitimate interest);
- (b) To enable the customer to trace any purchased products and services (this use will be based upon the contract);
- (c) To provide the after-sales services (e.g., responding to the customer's queries or requests during the trip) (this use will be based upon the customer's consent, contract or legitimate interest);
- (d) To communicate with the customer (including responding to questions, messages

- and requests by the customer) and respond to complaints by the customer (this use will be based upon the contract or legitimate interest);
- (e) To confirm the validity of any trip reservation made by the customer (this use will be based upon the contract or legitimate interest);
 - (f) To transmit a confirmation e-mail upon the membership registration, offer to participate in any tour or amendment to any submitted offer made by the customer, or upon refund to the customer or other applicable transaction with the customer (this use will be based upon the contract);
 - (g) To provide information on traveling through e-mail or website (including the information on the service status of trains and notice of any disordered train schedule), and guidance on any other products and services (this use will be based upon the customer's consent, contract or legitimate interest);
 - (h) To provide information on the service status of trains and other information (this use will be based upon the contract or legitimate interest);
 - (i) To make refund where required (this use will be based upon the contract);
 - (j) To maintain the normal services of trains (this use will be based upon the legitimate interest);
 - (k) To improve the Website and the Company's products and services ([see the Access Data Use Policy](#));
 - (l) To conduct market researches and analysis (this use will be based upon the legitimate interest);
 - (m) To analyze the data obtained from websites including the frequency of access to the websites, preparation of sales activities reports and marketing profile ([see the Access Dara Use Policy](#));
 - (n) To collect and preserve the evidence in connection with any legal dispute (this use is based upon the legitimate interest);
 - (o) To prevent any unauthorized use and improper conduct (this use is based upon the legitimate interest);
 - (p) To prevent any illegal conduct (including any terrorism and other serious crime) and violence (this use is based upon the legitimate interest);
 - (q) To comply with the applicable law (this use will be based upon the legal obligations); and
 - (r) To cooperate with any government authority and agency including any competent data protection authority and other authority engaged in administrative researches or crime investigations (this use will be based upon the contract, legal obligations or legitimate interest).

6. Disclosure of Personal Data to Acquirer

In connection with the provision of the services for “Cruise Train Seven Stars in Kyushu,” the Company may share the Personal Data of customers with the recipients of the following categories:

(a) Co-Use in Jurisdiction of Japanese Law

In the jurisdiction of the Japanese law, the Company may share the personal information with the following co-users under the co-use framework set forth in the Personal Information Protection Act. The details thereof are available in the following, the pamphlet and application form provided to the customers at the time of the customer’s offer to participate, or the Website:

Entities to Be Shared with Personal Information	<ul style="list-style-type: none">- Subsidiaries of the Company- Lodging facilities in which the customer stays or is expected to stay during the trip under “Cruise Train Seven Stars in Kyushu”- Transportation services that the customer uses or is expected to use during the trip under “Cruise Train Seven Stars in Kyushu”- Souvenir shops that the customer uses or is expected to use during the trip under “Cruise Train Seven Stars in Kyushu”- Restaurants and other facilities in which the customer dines or is expected to dine during the trip under “Cruise Train Seven Stars in Kyushu”
Purpose of Co-Use	<ul style="list-style-type: none">- To provide the products and services in connection with the sales of “Cruise Train Seven Stars in Kyushu”- To communicate with the customer (including responding to questions, messages and requests by the customer) and respond to complaints by the customer- To confirm the validity of any trip reservation- To provide information on the service status of trains and other information- To make refund where required- To maintain the normal services of trains

	<ul style="list-style-type: none"> - To improve the Website and the Company's products and services - To conduct market researches and analysis - To analyze the data obtained from websites including the frequency of access to the websites, preparation of sales activities reports and marketing profile - To collect and preserve the evidence in connection with any legal dispute - To prevent any unauthorized use and improper conduct - To prevent any illegal conduct (including any terrorism and other serious crime) and violence - To comply with the applicable law - To cooperate with any government authority and agency including any competent data protection authority and other authority engaged in administrative researches or crime investigations
Personal Information Subject to Co-Use	Name, address, e-mail address, telephone number, sex, nationality, credit card information, passport information and Access Data
Party Responsible for Management of Personal Information	<p>Kyushu Railway Company</p> <p>The Company shall be a joint manager of the Personal Data of customers, and responsible to customers for the Processing of the Personal Data.</p>

(b) Disclosure of Personal Data in Company's Engagement of Third-Party Services

If any third party receives any Personal Data of customers in the course of the Company's engagement of such third-party's services, the Company will obligate such third party to Process such Personal Data in accordance with the contract provisions that require such third party to protect such Personal Data, to Process such Personal Data in compliance with any and all applicable law relevant to the data protection, to use such Personal Data in accordance with the Company's instructions, and to not use such Personal Data for any purpose of such third party itself.

- (i) **Travel Agencies:** In the course of the Company's engagement for the services of distributing "Cruise Train Seven Stars in Kyushu" and responding to queries from customers, the Company may disclose the Personal Data of customers to, and share the same with, any subsidiary of the Company or any travel agency that has entered into a contract individually with the Company or any subsidiary thereof. Such travel agency may include leading major travel agencies in Japan.
- (ii) **Other Service Providers:** Other service providers may include credit card companies, payment agencies for credit card payment, Internet service providers and service providers for IT department.

7. EEA Extraterritorial Transfer of Personal Data

The Personal Data possessed by the Company with respect to customers may be transferred to any third party located outside of the EEA, and kept by such third party. If the Company intends to transfer the Personal Data to any third party located outside of the EEA, the Company will secure the following:

- (a) That the transferred territory is accredited by the European Commission as securing the sufficient level of the protection for the rights and freedom held by customers with respect to their own Personal Data;

Or

- (b) That the acquirer has entered with the Company into standard data protection provisions as approved by the European Commission.

By contacting the point of contact as identified in paragraph 12 below, the further details of the protection given to the customers' Personal Data transferred to any territory outside of the EEA will be made available for the customers' confirmation (which will include a copy of the standard data protection provisions entered by and between the Company and the parties receiving such customers' Personal Data).

8. Period for Retaining Personal Data

The Company will retain the Personal Data collected in connection with each customer during the period necessary for the Processing of such Personal Data.

The foregoing, however, shall not apply to any Personal Data required to be kept during a longer period under the applicable law, and such Personal Data shall be continuously retained during such period as required under the applicable law. Further, the Company

may retain any anonymized Personal Data (i.e., data not capable of identifying a particular person without addition of certain specific information) for three (3) years.

9. Customers' Rights

Each customer shall enjoy a multiple of legal rights in and to the Personal Data possessed by the Company in connection with such customer. Such rights may vary depending on the location of such customer and the data-protection related law applicable to the relationship between the Company and such customer, but typically include the following:

- (a) Right to acquire the information relevant to the Processing of such customer's Personal Data, and to access to the Personal Data possessed by the Company in connection with such customer;
- (b) Right to request the Company for the correction if the Personal Data of such customer is inaccurate or incomplete;
- (c) Right to request the Company for the deletion of the Personal Data of such customer under specific circumstances, which include the following but are not limited thereto:
 - (i) Where it is no longer necessary for the Company to retain the Personal Data of such customer in light of the purposes for which the Company has collected such Personal Data;
 - (ii) Where in respect of any Personal Data that the Company is authorized to Process only with a consent of such customer, such customer has withdrawn his/her consent; and
 - (iii) Where such customer objects to the Processing of the Personal Data performed by the Company based on the legitimate interest, and such legitimate interest of the Company does not supersede the interest, right and freedom of such customer;
- (d) Right to request the Company to restrict the Processing of the Personal Data under specific circumstances, which include the following but are not limited thereto:
 - (i) Where such customer objects to the accuracy of his/her Personal Data (this right shall be, however, exercisable only during the period necessary for the Company to confirm such accuracy);
 - (ii) Where it is no longer necessary for the Company to use the Personal Data except for the use in raising or exercising any legal argument or defending the Company from any legal argument; and
 - (iii) Where such customer objects to the Processing of the Personal Data performed by the Company based on the legitimate interest (this right shall be, however,

exercisable only during the period necessary for the Company to determine whether or not such legitimate interest of the Company supersedes the interest, right and freedom of such customer);

- (e) Right to object to the Company in connection with the Processing of such customer's Personal Data;
- (f) Where the Personal Data is Processed based on such customer's consent or the contract with no other ground being applicable and such Processing is performed by an automatic means, right to receive such Personal Data in a structured, commonly used and machine-readable format, and/or to request the Company to directly transfer his/her Personal Data to any other recipient to the extent technologically practicable (It shall be acknowledged that this right is available only in respect of the Personal Data provided by such customer him/herself to the Company); and
- (g) Right to withdraw, at any time, such customer's consent in connection with the Processing of his/her Personal Data (It shall be acknowledged, however, that the Company may continuously Process such customer's Personal Data if such Processing is possible based on any other legal ground).

Each customer may exercise his/her rights by contacting the point of contact for the Company as identified in paragraph 12. If any customer believes that his/her rights have been infringed by the Company, such company may raise his/her complaint to the relevant data protection authority.

10. Privacy of Children

If any customer who is to travel with an applicant for "Cruise Train Seven Stars in Kyushu" (limited to such applicant as domiciles within the UK or the European Economic Area, however) is less than sixteen (16) years old, and the Company is to Process the Personal Data based on the consent, the Company may collect the Personal Data of such applicant based on the consent of his/her parent or guardian. If any customer who is to travel with a purchaser is less than sixteen (16) years old, and such purchaser intends to transmit the Personal Data to the Company, such purchaser shall always ensure to obtain a consent of his/her parent or guardian. If the Company has become aware that any information is collected from a child with the age of less than sixteen (16) without any lawful ground, the Company will immediately take all reasonable actions to delete such data from the system of the Company.

11. Amendment to Privacy Policy

The Company may amend this Privacy Policy from time to time. The Privacy Policy as amended will be exhibited with the explicit indication of the last amendment date when such amendment is made. Each customer is requested to periodically check this Privacy Policy. If there is any material amendment to this Privacy Policy, the Company will notify by exhibiting such amendment on the website or by any other appropriate means.

12. Point of Contact

All questions in connection with this Privacy Policy, the customers' rights or any other matter relevant to the protection of personal information are requested to be addressed to the following point of contact:

Name: Cruise Train Headquarters, Kyushu Railway Company

E-mail address: cruisetrain@jrkyushu.co.jp

Customers may contact the Company through the following point of contact:

Representative in EU

Address: DP-Dock GmbH, Seven Stars - Cruise Train, Ballindamm 39, 20095 Hamburg, Germany

E-mail address: sevenstars-cruisetrain@gdpr-rep.com