

PRIVACY POLICY

1. INTRODUCTION

At the NOD Activity Park, operated by NOD d.o.o., Podhom 3, 4247 Zgornje Gorje (also “we,” “us,” “our”), we value the protection of privacy and are committed to ensuring the security and confidentiality of personal data.

We want to provide you with transparency about how and why we collect, use, and share your personal data when you use our website, **purchase a ticket, and visit and use the services and activities of the NOD Activity Park**, and whenever you otherwise interact with us or receive communications from us.

This Privacy Policy has been designed to fully comply with the Personal Data Protection Act (ZVOP-2) (Official Gazette of the Republic of Slovenia No. 163/2022) and with the General Data Protection Regulation (Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC, hereinafter: the GDPR), ensuring that your rights and privacy are protected as set out in this legal framework.

This Privacy Policy applies to the processing of personal data of our customers (also “you,” “your”) by NOD d.o.o., the operator of the NOD Activity Park.

You can read more about the processing of personal data (the legal bases for processing, your rights in connection with processing and how to exercise them, etc.) below.

Terms capitalized in this Privacy Policy (e.g., “Active Participant,” “Declaration of Liability Waiver and Assumption of Risk,” “Park”) have the same meaning as set out in our General Terms and Conditions of Business.

2. IDENTITY AND CONTACT DETAILS OF THE CONTROLLER; DATA PROTECTION OFFICER

The controller of your personal data under the GDPR is:

Name: NOD, pustolovski park d.o.o.

Address: Podhom 3, 4247 Zgornje Gorje

Email: info@nodpark.com

Registration number: 8045674000

Under the GDPR, we are not required to appoint a Data Protection Officer.

For more information about the processing of personal data, you can contact us at phone no.: +386 64 165 839, or email: info@nodpark.com.

3. THE DATA WE COLLECT, THE PURPOSE, LEGAL BASIS, AND RETENTION PERIOD

This section provides a central and detailed overview of all aspects of the processing of your personal data. The purpose of this section is to give you a complete overview of what data we process and why.

We may collect, use, store, and otherwise process various types of personal data about you, the categories of which are described in detail below. We have also described all the ways in which we intend to use these categories of personal data, and since the GDPR requires us to have a legal basis for collecting and using your personal data, we rely on the legal bases set out in this document. We retain your personal data for as long as is necessary to achieve the purposes set out.

3.1. Data we collect when you visit our website

3.1.1. Data we collect

When you visit our website, we collect the following personal data:

- Internet Protocol (IP) address,
- browser type and version,
- time zone setting and location,
- browser plug-in types and versions,
- operating system and platform,
- device ID,
- and other technology on the devices you use to access our website.

Mandatory cookies are installed automatically when you visit our website. Mandatory cookies generally do not disclose any personal data and are intended to ensure the proper functioning of the website.

For other types of cookies (analytical, marketing), we will ask for your consent before installation.

3.1.2. Purpose of collection

Analytical cookies allow us to recognize and count the number of visitors and see how visitors move around our website when using it. This helps us improve the way our website works, for example by ensuring that users can easily find what they are looking for. Marketing cookies record users' visits to our website, the pages you have visited, and the links you have followed. We use this information to make our website and the advertising displayed on it more relevant to the interests of our website's visitors.

3.1.3. Legal basis:

In the case of mandatory cookies, the legal basis for processing the data is the legitimate interest pursued by the controller, namely ensuring the technical security and functioning of the website. The processing of data collected through analytical and marketing cookies is based on consent.

3.1.4. Retention period:

The retention period depends on the individual cookie.

You can read more about cookies in our Cookie Policy, available at www.nodpark.com.

3.2. General communication and inquiries

3.2.1. Data we collect

When you contact us to obtain information, ask questions, or submit general inquiries through our published email addresses, phone numbers, or contact form, we process the personal data you voluntarily provide to us in doing so. This data may include:

- First and last name,
- Email address,
- Phone number,
- The content of your message or the nature of your inquiry, and any other information you provide in the communication.

3.2.2. Purpose of collection

The purpose of processing this data is to provide effective customer support. This includes answering your questions, providing information about the operation of the Adventure Park and equipment rental, and resolving any issues.

3.2.3. Legal basis

The processing of personal data is based on

- taking steps at your request prior to entering into a contract, where your inquiry relates to a possible equipment booking, event organization, purchase of a service, etc.
- our legitimate interest in providing high-quality information, ensuring smooth operations, and maintaining a professional relationship with visitors.

3.2.4. Retention period

We retain the data for as long as necessary to fulfill the purpose — i.e., until your inquiry has been finally resolved, or the two-way communication has concluded (as a rule, no longer than 6 months after the last exchange of messages), unless the communication results in a further contractual relationship (e.g., a confirmed booking).

3.3. Video surveillance

By entering the area of the Activity Park, an individual enters an area that is under continuous video surveillance for safety purposes. The Controller carries out video surveillance transparently and responsibly, with all surveillance notices clearly visible at the park's entry points; further information on the processing of this data is set out below:

3.3.1. Data we collect

Through the use of the video surveillance system, the controller collects and processes the following personal data:

- a video image of the individual (without audio recording),
- the location, date, and exact time of the recording,
- vehicle license plate numbers.

3.3.2. Purpose of collection

The purpose of processing the personal data is to:

- ensure the safety of people (visitors and other persons present) within the Park area,
- protect high-value property (real estate and equipment) from damage, destruction, theft, or vandalism.

3.3.3. Legal basis

The legal basis for the processing is the controller's legitimate interest. The aim of the video surveillance system is to achieve a higher level of safety for people and property that cannot be ensured without the use of a video surveillance system. Based on past experience and organizational measures, and the risks identified, the purpose described in the preceding paragraph of this section cannot be achieved through other, less intrusive measures.

3.3.4. Retention period

We retain personal data for 3 months, or exceptionally longer if necessary for the establishment, exercise, or defense of legal claims, namely until the purpose has been fulfilled or until the expiry of the five-year statute of limitations for asserting claims.

3.4. Active participation in the Park

3.4.1. Data we collect

When you enter the Park as an Active Participant, we will ask you to complete and sign the Declaration of Liability (in accordance with the General Terms and Conditions of Business, available at the Park's ticket desk/reception and on the website www.nodpark.com), or to hand over to us a signed declaration that you completed and brought with you. For the purposes of your visit to the Park as an Active Participant, we process the following personal data:

- first name, last name,
- address,
- date of birth.
- email address

In the case of an Active Participant under 15 years of age, we also process:

- the first name, last name, and address of the legal representative,
- the first name, last name, address, and email address of the Companion (if the legal representative is not also the Companion),

3.4.2. Purpose of collection

The purpose of processing data in connection with the visit to the Park itself (entry and signing of the Declaration of Liability) is to enable your entry to the Park and to process the personal data necessary to complete and sign the mandatory Declaration of Liability, without which the service cannot be provided to you.

We collect the data for the purpose of:

- demonstrating awareness and assumption of risk, i.e., obtaining your written confirmation that you understand and accept the risks associated with the activities in the Park,
- verifying that you meet the conditions for active participation in the Park (e.g., verifying the Active Participant's age),
- risk management: demonstrating the Operator's duty of care (e.g., regarding awareness of safety instructions) and legal protection in the event of an incident or accident,
- asserting, exercising, or defending our legal claims arising from the contractual relationship.

3.4.3. Legal basis

The processing of personal data is necessary for the performance of the contract we have concluded with you (the purchase of the ticket).

The processing of personal data is also necessary for the purposes of our legitimate interest, namely effective risk management, maintaining records of Declarations of Liability, and protection against legal liability for the assertion, exercise, or defense of legal claims that may arise from your Active Participation in the Park.

3.4.4. Retention period

We retain the data collected in connection with the signing of the Declaration of Liability for the entire duration of the contractual relationship (until the visit has ended) and for the duration of the statutory limitation periods applicable to claims arising from the contractual relationship. In the event of ongoing judicial or administrative proceedings, this data may be retained for longer, namely until the final conclusion of the proceedings.

3.5. Processing of personal data in the event of incidents and accidents

3.5.1. Data we collect

For the purpose of maintaining the records required of us by standard SIST EN 15567-2 in the event of accidents or near-misses, we process certain personal data of the Active Participants involved in the accident or near-miss, collecting the following personal data:

- first name, last name,
- age (year of birth),
- contact details.

3.5.2. Purpose of collection

We collect personal data for the purpose of documenting, analyzing, and maintaining an official record of the accident or incident, in order to determine the causes of the event and ensure technical safety in the Park.

3.5.3. Legal basis

The legal basis for the processing is the controller's legitimate interest, as the processing of the data is necessary for the following legitimate interests pursued by the controller:

- Ensuring that the Park operates in accordance with internationally recognized professional guidelines and the standard for adventure parks, SIST EN 15567-2, which requires the operator to maintain mandatory accident documentation.
- For the defense or assertion of legal claims (e.g., in liability disputes, proceedings before an insurer, the police, or inspection authorities).

3.5.4. Retention period

Accident reports and all related personal data are securely retained for 3 years from the date of the event, in accordance with the recommendations of standard SIST EN 15567-2. In the event that legal or liability proceedings are initiated, this data is retained until the proceedings have been finally concluded.

3.6. Equipment booking

3.6.1. Data we collect

When you submit a booking with us for the rental of bicycles, cycling equipment such as helmets and protective gear, and other equipment available for rental ("Equipment"), or rent Equipment, we need certain data in order to enter into a contract with you and charge the cost of the booking. For this purpose, we collect the following personal data:

- Equipment booking
 - First and last name;
 - Address;
 - Email address;
 - Payment data for the booking (transaction number and payment status of the booking fee; we do not store full payment card details, which are processed by an external payment service provider).
- Equipment rental:
 - data on the Renter (first name, last name, address, date of birth, email),
 - data on the Users of the equipment (first name, last name).

Where data on the Users of the equipment is provided to us by the Renter or the Business Renter, all the information on the purpose of processing, legal basis, categories of data, retention periods, and your rights that we are required to provide in cases where personal data was not obtained directly from you is available in Part 8 of this Privacy Policy.

3.6.2. Purpose of collection

We collect personal data for the purpose of performing the contract we have concluded with you (booking and/or rental of Equipment). This covers the entire process, from processing your booking email, carrying out the financial transaction to pay the booking fee, sending a confirmation of the Equipment rental booking to your email address, and communicating in the event of any issues, to signing the equipment rental form. We also collect data for the purpose of carrying out the rental itself, which includes identifying the Renter when the Equipment is rented, documenting the condition of the Equipment upon issue and return, and maintaining records necessary to determine any liability in the event of damage, loss, or misappropriation of the rented Equipment.

We also collect data for the purpose of documenting the conclusion of the contract and asserting, exercising, or defending our legal claims arising from the contractual relationship.

3.6.3. Legal basis

The processing of personal data is necessary for the performance of the contract we have concluded with you (the booking and/or rental of Equipment).

The processing of personal data is also necessary for the purposes of our legitimate interest, namely documenting the conclusion of the contract and asserting, exercising, or defending our legal claims arising from the contractual relationship.

The processing and retention of data contained in issued invoices is necessary to comply with our statutory obligations, in particular under tax and accounting legislation.

3.6.4. Retention period

We retain the data collected in connection with the booking and/or rental of Equipment for the entire duration of the contractual relationship (until the equipment is returned) and for the duration of the statutory limitation periods applicable to claims arising from the contractual relationship. In the event of ongoing judicial or administrative proceedings, this data may be retained for longer, namely until the final conclusion of the proceedings or until the expiry of the statutory periods.

3.7. Newsletter sign-up and sending marketing communications

3.7.1. Data we collect

For the purpose of sending marketing communications and newsletters, we process the following personal data, which you provide to us when electronically signing the Declaration of Liability or in the process of booking bicycles and other cycling equipment for rental.

- First name, last name,
- email address.

3.7.2. Purpose of collection

The purpose of processing the data is to carry out direct marketing, which is divided into two key and separate services we offer:

- Marketing of Adventure Park activities: Sending newsletters and notices relating exclusively to events at the Adventure Park (information on opening hours, news about the climbing courses, special offers, family or group promotions, and themed events at the Park itself).
- Marketing of bicycle and cycling equipment rental: Sending offers and information related to our bicycle rental service (presentations of new bicycles and cycling equipment in our fleet, information on promotional rental prices, package offers for cyclists).

3.7.3. Legal basis

The processing of personal data for the purpose of direct marketing and sending newsletters is based on two separate legal bases, depending on the channel through which you provide us with your data:

- Consent (newsletter sign-up when electronically signing the declaration at the Park): For individuals who, when electronically signing the Declaration of Liability at the Park itself, expressly check the box to sign up for the newsletter, the processing of personal data is based on the individual's voluntary consent. Giving consent is not a condition for signing the Declaration of Liability or for entry to the park. You may withdraw this consent at any time, free of charge and easily (by clicking the “unsubscribe” link at the bottom of every email).
- Legitimate interest (booking cycling equipment): For customers who book cycling equipment by email, the processing of personal data is based on our legitimate interest in establishing, maintaining, and preserving a relationship with our customers. You may decline to receive these messages at the time of booking, or at any later time (by clicking the “unsubscribe” link at the bottom of every email), free of charge.

If you do not agree to receive marketing communications from us, or if you wish to withdraw consent you have given, you may unsubscribe from receiving messages at any time, free of charge, by clicking the “unsubscribe” link at the bottom of every email, or by sending your request to our contact email address

3.7.4. Retention period

The retention periods for data collected for direct marketing purposes are adapted to the legal basis on which the data is processed:

- Data collected on the basis of consent (newsletter sign-up when signing the declaration): We retain personal data for the purpose of sending newsletters until consent is withdrawn. Upon receiving a withdrawal, we permanently delete the data from our newsletter recipient database.
- Data collected on the basis of legitimate interest (booking cycling equipment): We retain personal data processed for marketing purposes on the basis of legitimate interest for 2 years from your last communication with us (e.g., from your last equipment booking), unless you unsubscribe from receiving messages sooner. After these periods have elapsed, or immediately upon receipt of your request to unsubscribe or withdraw consent, we immediately and permanently remove your personal data from our direct marketing systems

4. HOW WE SHARE YOUR PERSONAL DATA

In addition to employees within our organization, we share personal data with our service providers who help us achieve the processing purposes set out in this Privacy Policy.

We share your personal data with the following types of third parties, as permitted by the GDPR:

- Cookie providers: see our Cookie Policy,

- Payment processing provider,
- Equipment booking provider,
- Provider for photographing active participants.

5. YOUR RIGHTS

As a data subject, you have certain rights under the GDPR regarding the personal data we collect and process. We are committed to respecting these rights and ensuring transparency in our data processing practices. Below is a description of the rights granted to you by the GDPR:

- 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 processing it lawfully.
- The right to request correction of the personal data we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, although we may need to verify the accuracy of the new data you provide to us.
- The right to 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 processing it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your data unlawfully, or where we are required to erase your personal data to comply with local law. Please note, however, that we may not always be able to comply with your request for erasure for specific legal reasons, which will be notified to you, if applicable, at the time of your request.
- The right to object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation that makes you want to object to processing on this ground, as you feel it impacts your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- The right to request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
 - o if you want us to establish the data's accuracy;
 - o where our use of the data is unlawful but you do not want us to erase it;
 - o where you need us to hold the data even if we no longer require it, as you need it to establish, exercise, or defend legal claims; or
 - o you have objected to our use of your data, but we need to verify whether we have overriding legitimate grounds to use it.
- The right to request the transfer of your personal data to you or to a third party. We will provide your personal data to you, or to a third party you have chosen, in a structured, commonly used, machine-readable format. Please note that this right only applies to automated information which you initially provided consent for us to use, or where we used the information to perform a contract with you.
- You have the right to withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

In addition, if you believe that we have not adequately addressed your concerns, you have the right to lodge a complaint with the competent supervisory authority (Information Commissioner of the Republic of Slovenia, Dunajska cesta 22, 1000 Ljubljana, Slovenia, gp.ip@ip-rs.si).

6. SECURITY

We implement appropriate technical and organizational measures to protect your personal data against unauthorized access, disclosure, alteration, or destruction.

Our security measures are designed in accordance with applicable data protection legislation. Some of these security measures include:

- Pseudonymization and encryption of personal data.
- Robust authentication and authorization measures to maintain the confidentiality and integrity of data.
- A comprehensive incident response plan for the rapid restoration of access to data and systems in the event of a physical or technical incident.
- Periodic security audits and penetration testing to assess the effectiveness of security measures.
- Strict role- and responsibility-based user access controls to ensure appropriate access to data.
- Multi-factor authentication and a strong password policy to enhance the security of user identification and authorization.
- Secure transmission protocols (such as HTTPS) used to protect data in transit.
- Physical protection of data centers with controlled access, monitoring, and environmental protection.
- Extensive logging of data access and changes provides an audit trail for security monitoring and compliance.
- Internal IT and security management governance policies are in place to ensure alignment with industry standards and compliance requirements.
- Policies are in place to ensure that only necessary data is collected and maintained, and that the data is accurate and up to date.
- Agreements with sub-processors include clauses ensuring the security and confidentiality of data, and sub-processors are regularly checked for compliance.

7. TRANSFERS TO THIRD COUNTRIES

Some service providers, as set out in this Privacy Policy, whom we engage to provide services, have their registered office outside the EU/EEA, where the GDPR does not apply.

Where we transfer personal data outside the EU/EEA or any other territory we consider to have inadequate data protection legislation, we will only transfer your personal data

- where we have standard contractual clauses with the service provider that have been adopted by the European Commission,
- or on the basis of an adequacy decision under the EU-U.S. Data Privacy Framework

8. INFORMATION TO BE PROVIDED WHERE PERSONAL DATA HAS NOT BEEN OBTAINED FROM THE DATA SUBJECT

In certain cases, we do not receive your personal data directly from you, but it is provided to us by a third party (e.g., a Renter who rents equipment on your behalf, or a Business Renter who rents Equipment for its participants). In such situations, as controller, in accordance with Article 14 of the

GDPR, we ensure transparency of processing and inform you of all key information regarding the protection of your personal data.

8.1. Controller, contact details, Data Protection Officer

The controller of your personal data is set out in Part 2 of this Privacy Policy. Given the nature and scope of the processing, we are not required to appoint a Data Protection Officer (DPO); for any questions, we are available at the contact details set out in Part 2 of this Privacy Policy

8.2. The purposes for which personal data is processed and the legal basis for the processing

We process your data for the following purposes:

- Performance of the rental agreement: For the purpose of identifying the persons to whom the Renter has handed over the Equipment for use, and for ensuring safe and compliant use of the Equipment.
- Asserting legal claims: For the purpose of documenting the conclusion of the rental relationship and for asserting, exercising, or defending our legal claims (e.g., in the event of damage, loss, or misappropriation of the Equipment).

This data is processed on the following legal bases:

- performance of the contract we have concluded with the Renter,
- legitimate interest.

8.3. Categories of personal data concerned

We collect the following personal data about you:

- First and last name.

8.4. Recipients or categories of recipients of personal data, where applicable:

We do not disclose your personal data to third parties, unless required by law or necessary to assert our legal claims (e.g., to lawyers, insurers, or competent state authorities in the event of a dispute).

8.5. Transfers to third countries

We do not transfer this personal data to third countries or international organizations.

8.6. Retention period:

We retain data on the Users of the equipment for the entire duration of the rental relationship (until the end of the visit) and for the duration of the statutory limitation periods applicable to claims arising from the contractual relationship. In the event of ongoing judicial or administrative proceedings, the data is retained until the proceedings have been finally concluded.

8.7. Legitimate interests

Where processing is based on legitimate interest, the legitimate interests pursued by the controller are as follows.

Although, under the General Terms, the Renter bears full responsibility for the rented Equipment, we process the personal data of Users for the following legitimate interests:

- Monitoring compliance with the contractual restriction on use: Under the General Terms, the Renter may hand over the Equipment for use only to persons named in the contract (Users). Identifying the Users is necessary so that the Controller can verify that the Equipment is actually used only by the authorized persons for whom the Renter has assumed responsibility.

- Assistance in establishing damage: Although the Renter bears the cost of any damage, we need data on the actual User so that, in the event of damage, loss, or misappropriation, we can accurately reconstruct the events and establish the circumstances of the damaging event.

8.8. Right of access to personal data, and rectification or erasure of personal data

You have the right to request access to personal data from us as controller, and the rectification or erasure of personal data or restriction of processing concerning the data subject, as well as the right to object to processing and the right to data portability, in accordance with the provisions of the GDPR.

8.9. Right to lodge a complaint with a supervisory authority

If you believe that we are infringing your rights in connection with the processing of personal data, you have the right to lodge a complaint with the supervisory authority (Information Commissioner of the Republic of Slovenia, Dunajska cesta 22, 1000 Ljubljana, Slovenia, gp.ip@ip-rs.si).

8.10. Source of the personal data

Your personal data was provided to us by a third party, the Renter or Business Renter, who has entered into an Equipment rental agreement with us and named you in it as the authorized User of the equipment.

8.11. Automated decision-making, profiling

No automated decision-making takes place in connection with your personal data, nor do we use your data for the purpose of profiling within the meaning of Article 22 of the GDPR.

9. CHANGES TO OUR PRIVACY POLICY

We reserve the right to update, supplement, or amend this Privacy Policy at any time to reflect changes in our practices, legal requirements, or technological developments.

Our use of your personal data will be governed by the most current version of the Privacy Policy.

All updates will be made available at: www.nodpark.com

We recommend that you review this Privacy Policy regularly to stay informed about how we collect, use, and protect your personal data.

10. CONTACT US

If you have any questions or concerns regarding our Privacy Policy or any changes to it, you can contact us at: phone no.: +386 64 165 839, or email: info@nodpark.com