

## GLOBAL PRIVACY POLICY TREASURE BAY CASINOS

Treasure Bay Gaming and Resorts, Inc. and the Treasure Bay web sites and properties described below (collectively, “us” “we” or “our”) respect the rights of our customers. This Privacy Policy (“Policy”) describes our information collection, use, protection and sharing practices. If you have any questions or concerns about this Policy, please contact us at [marketing@treasurebay.com](mailto:marketing@treasurebay.com).

This Policy applies only to our web sites that post this Policy (collectively, “TB Web Sites”), and the following resorts, casinos and properties (collectively, “TB Properties”):

Treasure Bay Casino and Hotel, Biloxi, Mississippi  
Divi Carina Bay Casino, St. Croix, USVI  
Alhambra Casino, Aruba  
Divi Flamingo Casino, Bonaire

Treasure Bay Gaming and Resorts, Inc. is a United States corporation subject to the laws of the United States. This Policy describes our information collection, use, protection and sharing practices in the United States. The United States may not offer a level of privacy protection as great as that offered in other jurisdictions. In jurisdictions outside of the United States where we are subject to different or more restrictive local laws, we may adjust our practices in those jurisdictions to comply with local laws. Otherwise, we make no representation that the practices described in this Policy are compliant with laws outside of the United States that apply to the collection, security, use and disclosure of information. Information that is collected or stored in jurisdictions outside of the United States may, subject to applicable law, be disclosed or transferred to the United States or other locations. When information is transferred to the United States, it will be handled in accordance with the laws of the United States.

### I. INFORMATION WE COLLECT

We collect information from a variety of sources and in a variety of ways, including without limitation, the following:

**Contact Information.** When you visit TB Properties or TB Web Sites you might provide us with contact and other personal information such as your name, date of birth, postal address, e-mail address and telephone number.

**Purchase and Transaction Information.** When you visit TB Properties or TB Web Sites, we might collect information about your purchases, reservations and gaming activity (in jurisdictions where gaming is permitted).

**Sensitive Information.** When you make a purchase or engage in other transactions, you might provide us with your credit or debit card number, financial account number, driver’s license number, state identification card number, Social Security number, passport number or naturalization number (“Sensitive Information”).

**Wi-Fi and Location Information.** When you use Wi-Fi services we make available at TB Properties, we might collect information (directly or through third parties) about the web sites you visit, the type of device and browser you are using, your device identification number, bandwidth used, session time, etc. With your consent, we might also collect information about your precise physical location within and around TB Properties for marketing purposes.

**Device and Browser Information.** When you visit TB Web Sites, we might collect information about the type of device and browser you are using, the unique number assigned to your server or Internet connection, your geographic location and your interactions with the TB Web Sites. We may also use “cookies” and similar technologies to help us recognize and serve you better. Third-party advertising companies that work with us may also use cookies and similar technologies to collect information at TB Web Sites and other web sites for a variety of purposes including providing you with advertisements that are likely to be of interest to you.

**Social Media Information.** When you use integrated social media features on TB Web Sites, mobile applications, or other social media websites, we may obtain information such as your name and e-mail address.

**If you choose to use our mobile application the information that may be collected includes:**

**Geo-Location Information.** We may request access or permission to and track location-based information from your mobile device, either continuously or while you are using our mobile application, to provide location-based services. If you wish to change our access or permissions, you may do so in your device’s settings.

**Mobile Device Access.** We may request access or permission to certain features from your mobile device, including your mobile device’s Bluetooth, calendar, camera, reminders, sensors, SMS messages, social media accounts, storage, and other features. If you wish to change our access or permissions, you may do so in your device’s settings.

**Mobile Device Data.** We may collect device information (such as your mobile device ID, model, and manufacturer), operating system, version information, and IP address.

**Push Notifications.** We may request to send you push notifications regarding your account or the Application. If you wish to opt-out from receiving these types of communications, you may turn them off in your device’s settings.

**Other Information.** We may obtain information about you from third parties, including entities that direct you to or are located at TB Web Sites or TB Properties, business partners, family members, and friends.

## **II. HOW WE USE THE INFORMATION WE COLLECT**

### **A. Use by Treasure Bay**

**Marketing Purposes.** We may use the information we collect for our own marketing purposes such as notifying you of special promotions, offers and events via e-mail, telephone, text message, push notifications and other means.

**Non-Marketing Purposes.** We may use the information we collect for non-marketing purposes such as (1) validating your identity; (2) recording gaming-related activity (in jurisdictions where gaming is permitted); (3) conducting statistical or demographic analysis; (4) processing, fulfilling, and tracking reservations, purchases or other transactions; (5) complying with legal and regulatory requirements; (6) customizing your experience at TB Web Sites; (7) protecting and defending Treasure Bay Gaming and Resorts, Inc. and its affiliates against legal actions or claims; (8) preventing fraud; (9) debt collection; and (10) satisfying contractual obligations (collectively “Non-Marketing Purposes”).

When it is possible to do so, we may link personal information (such as your name or e-mail address) with non-personal information (such as the unique identifier associated with your computer or mobile device). We may also link personal information with other generally or publicly available information to help us identify your preferences or interests. The information we collect may also be merged with information available from other sources such as (1) companies that match e-mail addresses with postal addresses and other information; (2) credit card verification and credit services; and (3) other subsidiaries, resorts, casinos, or properties that are owned, operated, or affiliated with Treasure Bay Gaming and Resorts, Inc. (collectively “TB Affiliates”).

## **B. Sharing within Treasure Bay Gaming and Resorts, Inc. and with TB Affiliates**

We may share the information we collect for any purpose among Treasure Bay Gaming and Resorts, Inc. and any individual TB Property, TB Web Site, or TB Affiliate. However, Sensitive Information will only be shared for Non-Marketing Purposes.

## **C. Sharing With Business Partners and Other Third Parties**

We may share the information we collect with our business partners and other third parties for (1) Non-Marketing Purposes, (2) joint marketing purposes, and (3) our business partners’ own marketing purposes. However, Sensitive Information will only be shared for Non-Marketing Purposes. When we provide Sensitive Information or other personal information to our business partners and other third parties, we require them to exercise reasonable care to protect such information and restrict the use of such information to the purposes for which it was provided to them.

## **D. Certain Business Transactions**

We may share all of the information we collect (including Sensitive Information) with any successor to all or part of our business in connection with a transaction involving a sale, purchase, reorganization, or transfer of any of the assets of Treasure Bay Gaming and Resorts, Inc. and/or any individual TB Property or TB Web Site.

### **III. YOUR COMMUNICATION PREFERENCES**

#### **A. How to Opt-Out**

If you wish to opt-out of receiving marketing solicitations from us, or do not want us to share your personal information for marketing purposes with our business partners or other third parties, or with any individual TB Property, TB Web Site, or TB Affiliate please e-mail us at [marketing@treasurebay.com](mailto:marketing@treasurebay.com), call us at 228-385-6144 or write to us at 1980 Beach Boulevard, Biloxi, MS. 39531.

Although you may opt-out of the use and sharing of personal information for marketing purposes, we may still use and share information we collect for Non-Marketing Purposes.

#### **B. Telemarketing**

Even if you registered your telephone number on a do-not-call list, certain exemptions may allow us to contact you by telephone. However, to ensure our customers' preferences are honored, we also maintain our own internal do-not-call list. If you would like to opt-out of receiving telemarketing sales calls from us by adding your telephone number to our internal do-not-call list, please call us at 228.385.6144.

### **IV. YOUR CALIFORNIA PRIVACY RIGHTS**

California law requires certain businesses to respond to requests from California residents asking about the disclosure of personal information to third parties for third party marketing purposes. Alternately, such businesses may adopt a policy of not disclosing personal information to third parties for marketing purposes if a California resident has opted-out of such information-sharing. We have an opt-out policy in place. If you wish to opt-out of our sharing your personal information with third parties for marketing purposes, please follow the "How to Opt Out" instructions in Section III.A. above.

### **V. SECURITY**

Information collected by Treasure Bay Gaming and Resorts, Inc. and any individual TB Property or TB Web Site is stored on secure servers, which are protected by firewalls and other industry standard security measures. These security measures are intended to protect these servers from unauthorized access. However, no security system is impenetrable, and these systems could become accessible in the event of a security breach. We have controls in place that are designed to detect potential data breaches, contain and minimize the loss of data, and conduct forensic investigations of a breach.

Our staff is required to take reasonable measures to ensure that unauthorized persons cannot view or access your personal information. Employees who violate our privacy policies are subject to disciplinary action, up to and including termination of employment.



We cannot enforce or control the security of the computers, electronic devices, or electronic communication method that you may use to send e-mails and submit information to us over the Internet. You are responsible for ensuring that the computers, electronic devices and electronic communication methods you use will provide adequate security for communicating with us. We are not responsible for the disclosure or interception of information that you send us before we receive it.

As a standard security practice, we will take reasonable steps which are generally recognized in the industry to ensure that the communication methods used to support the TB Web Sites do not permit connection or communication by methods that have known security weaknesses or vulnerabilities. As such, if you experience trouble using a TB Web Site, it may be an indication that you need to upgrade your Internet browsing tool or application to a newer version that supports more secure communication methods.

In situations where your personal information is collected by third parties under contract with us for performance of their contractual duties and other purposes, we require such third parties to exercise reasonable care to protect that information and restrict the use of your personal information to the purposes for which it was provided.

## **VI. OTHER WEB SITES**

We are not responsible for the information collection or privacy practices of other web sites, including web sites operated by our business partners or other third parties. You should review and understand the privacy policies posted on any linked sites you visit before using those sites or providing any personal information on them.

## **VII. PERSONS UNDER AGES 18 AND 21**

Some of our areas and activities are intended for persons 21 or older. If you are under 21, you may not access or attempt to access any areas or participate in any activities that are restricted to persons 21 or older. We do not knowingly collect or allow the collection of personal information from persons under 18. If you are the parent or guardian of a person under 18 and believe that the person has provided us with personal information, you may contact us at [marketing@treasurebay.com](mailto:marketing@treasurebay.com) and request that it be deleted from our marketing database.

## **VIII. CHANGES TO THIS POLICY**

We reserve the right to revise this Policy at any time without notice. When this Policy is revised in a material way, notice will be posted on the TB Web Sites along with the revised Policy.

EFFECTIVE: January, 2021