

LEGAL BASES FOR PARTICIPATION IN THE "Christmas 2023" CAMPAIGN

(Comment sweepstakes on Instagram)

1. ORGANISING COMPANY AND PURPOSE OF THE COMPETITION

The competition is organised by INVERSIONES PASCUAL S.L (hereafter Hotels VIVA) with registered address at Calle Agustin Argüelles, 07400 Alcudia and Tax Identification Number B-07461767, registered on the Trade Register (Mallorca), volume 1.134, folio 170, sheet PM-7. VIVA ensures that it is in possession of the prizes described in these conditions and declares its commitment to proceed to award them to the winner.

The purpose of the competition is to increase community and promoting the hotels of Hotels VIVA

2. PARTICIPATION AND GEOGRAPHIC SCOPE

Participation in the competition implies acceptance by the participants of each and every one of the terms and conditions outlined in these rules.

The limit to participate is the 6th of January, 2024. we will announce the winners on 8th January 2024.

Any entries received outside of this period will not be accepted. Entry is free and requires an email address. Any person over 18 years of age may participate, excluding Hotels VIVA employees, staff, shareholders or any other associated company or belonging to the group, nor family members. Likewise, agencies, providers or any other person directly or indirectly related with this competition are also excluded from participation.

3. COMPETITION PROCESS

There will be 3 draws from which there will be 1 winner in each draw.

To participate you will be required to:

- A valid email address
- Accept the legal terms and conditions

The winner will be chosen by random drawing through the following tool "easypromos" or a similar one.

4. PRIZE

A total of 1 winner will be selected for each draw. In the event that the winning entry does not fulfil all the requirements outlined in these conditions, it will be considered void, and the prize will be transferred to the chosen substitute. The winner will receive only one prize.

The prizes are classified as 1st prize, 2nd prize and 3rd prize:

- 1) 1st PRIZE: A 5-night stay for 2 adults and 2 children on half board basis in any of our hotels.
- 2) 2nd PRIZE: A 3-night stay for 2 adults and 2 children on half-board basis in any of our hotels.
- 3) 3rd PRIZE: A 2-night stay for 2 adults and 2 children on half board basis in any of our hotels.

The chosen dates will be subject to availability and is valid for the whole 2024 season(except July and August). The winners will be announced via public posts on social media platforms. After having contacted the organisation via private message, the winner will be given more details regarding the prize.

In the event that the winning user cannot receive public and/ or private messages or fails to make contact with Hotels VIVA following the announcement of the winner on social media, the prize will be transferred directly to the substitute winner. If the substitute winner does not claim the prize, it will be considered “unclaimed”. We reiterate that if the winning entry does not comply with the requirements outlined in these conditions, it will be considered void and the prize will therefore be transferred to the selected substitute. Hotels VIVA reserves the right to change the prize in the event that, for any reason, it can no longer be awarded. In this case, Hotels VIVA is required to provide an alternative prize with the same specifications, or superior to those of the original prize. There will be no cash alternative in exchange for the prize and it cannot be exchanged nor transferred.

5. ORGANISER RESPONSIBILITY

Hotels VIVA does not accept responsibility for losses or damages of any kind that results from the temporary lack of availability or functionality.

Hotels VIVA reserves the right to modify or add supplementary annexes regarding procedures and prizes as long as they are justified, do not harm the participants and are duly notified to them.

Hotels VIVA will not accept liability for any delays, losses or damages caused to shipments which may occur for reasons which are not attributable to it. The organiser will not be liable for cases of force majeure or those beyond its control that could prevent the winner from benefiting from all or part of their prize. Hotels VIVA will be exempt from any liability if any of the above cases were to occur. In the event that this competition cannot take place, albeit for fraudulent activity, technical errors or any other reason within the promoter’s control and which affect the normal course of the competition, Hotels VIVA reserves the right to cancel, modify and/or suspend it.

Hotels VIVA does not assume any liability nor does it accept responsibility for any of the content (including images or videos) of any entry that may infringe the rights of third parties (such as intellectual property rights or advertising rights). Hotels VIVA reserves the right to delete, immediately, any comment, post, image or video deemed inappropriate, obscene or offensive in any way, and that has been published on the official Hotels VIVA social media pages on Facebook, Twitter and/or Instagram. The authors of said materials will be automatically disqualified from the competition and blocked from all Hotels VIVA social media.

6. EXCLUDED PARTICIPANTS

The following groups may not participate in the competition and therefore cannot win the

prize:

- a) Under 18s (notwithstanding that their image appears)
- b) Employees at Hotels VIVA
- c) Employees at businesses, advertising or promotions agencies which are involved in the competition.

- d) Immediate relatives (parents, siblings or children) of people included in points a) and b).
- e) Partners of all of those who are included in points a), b) and c).

In the event that the winner does not fulfil all requirements outlined in these conditions or the details provided in order to participate in the competition were invalid, or the winner failed to provide the details requested, among which they may be requested to provide a copy of their identity document, they will not be able to receive the prizes which are the subject of this competition.

7. DETECTION OF FRAUDULENT PARTICIPATION

Hotels VIVA reserves the right to exclude those users who are suspected or detected as having participated fraudulently in this competition, in addition to reserving the right to request any type of documentation to confirm or eliminate any suspicions. Failure to submit the requested documentation will result in the participant being immediately eliminated from the competition. Hotels VIVA reserves the right to eliminate, justifiably, any participant who defrauds, alters or affects the proper functioning and the normal and regulatory course of the competition. Hotels VIVA reserves the right to exclude from the competition those participants who engage in illegal practices.

8. PERSONAL DATA PROTECTION

Any personal data provided will be used for the sole purpose of managing your participation in the Competition.

In accordance with Organic Law 15/1999 of 11 December on Personal Data Protection and its implementing regulations, we inform you that each participant with the acceptance of the competition legal conditions agrees that personal data provided for participation in this

competition and then via email or private message on Facebook and Twitter are incorporated into a file owned by VIVA Hotels, with registered address at Calle Agustín Argüelles, Alcudia, with the aim of processing the contestants entry and to notify him/her in the event that they are named the winner. These details will also be used in order to send commercial information about the company and other companies which form part of the group, products and services from third parties related to the leisure and tourism sectors.

The participant guarantees that the personal information provided is true and also takes responsibility for informing Hotels VIVA in the event of any changes. Maximum diligence in terms of Data Protection is recommended, such as via the use of security tools, and Hotels VIVA cannot be held responsible for the theft, modification or loss of unlawful data. Hotels VIVA maintains levels of Personal Data Protection Security in accordance with the LOPD (Personal Data Protection Act) and the Royal Decree 1720/2007 of 21 December, which approves the Regulation on development of the LOPD (Personal Data Protection Act) which contain personal data and has established all technical means in their power to avoid the loss, misuse, alteration, unauthorised access or theft of the data provided by the user as part of the competition, without prejudice to informing you that the internet security measures are not impenetrable. Hotels VIVA is committed to complying with the duty of secrecy and confidentiality regarding the personal data contained in the automated file, in accordance with the applicable legislation.

In accordance with Organic Law 15/1999, the participant may exercise their rights of access, rectification and cancellation of their data by sending a request, accompanied by a photocopy of their identity document, addressed to Hotels VIVA, Departamento LOPD, Calle Agustín Argüelles 07400, Alcudia.

9. APPLICABLE LAW

The participants and the organising company accept that any controversies that may arise as a result of the interpretation or execution of these conditions will be subject to the jurisdiction of the Courts and Tribunals of Palma de Mallorca.