

PRIVACY POLICY

ANDAYA is committed to protecting and respecting your privacy. This policy sets out the basis on which any personal data we collect from you, that you provide to us, or that we may collect from other sources will be processed by us. We may also interact with you through the various services we provide, like email marketing services, social media, newsletter or others. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it. Links to third party sites may appear on our website. Those third party sites are not our responsibility, although we use our best efforts to choose them with care. You should read and agree with those third parties' privacy policies before using such linked sites.

What information do we collect from you?

1. Information you give us. Information about you that you may give us by: booking a Package, completing poll forms, filling in forms on our website and other payment platforms; by corresponding with us by phone, e-mail, online chat, social media or otherwise; or reporting a problem or concern with our website.
2. Information we collect about you. With regard to each of your visits to our site we may automatically collect the following information: Technical information, including the internet protocol (IP) address used to connect your computer to the internet, type of mobile device you use, a unique device identifier (for example your device's IMEI number, the MAC address of the device's wireless network interface or the mobile phone number used by the device), mobile network information, your mobile operating system, your login information, browser type and version you use, time zone setting, browser plug-in types and versions, operating system and platform; Information about your visit to our platform, including the full uniform resource locators (URL) clickstream to, through and from our platform (including date and time); pages you viewed or information you searched for; page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from the page and any phone number used to call our customer service number.
3. Information we receive from other sources. We may receive information about you if you use any other websites we operate. We work with third parties (including, for example, payment and delivery services, advertising networks, analytics providers, search information providers, and may receive information about you from them).

On occasion we also collect sensitive personal data about you, for example, health and financial information. We only collect this data where we have your explicit consent, unless we are permitted to do so in other circumstances under data protection law. For example, we may make a record that a person has a particular medical requirement to ensure he or she may attend a Trek. We may combine information you give to us and information we collect about you. We may use this information and the combined information.

Personal data may be legally collected and used if it is necessary for a legitimate interest of Andaya using the data, as long as its use is fair and does not adversely impact the rights of the individual

concerned. When we use your personal information, we will always consider if it is fair and balanced to do so and if it is within your reasonable expectations. We will balance your rights and our legitimate interests to ensure that we use your personal information in ways that are not unduly intrusive or unfair. Our legitimate interests include:

Promotion of our services, including to develop new offers to promote Treks. Administration and operational management, including responding to solicited enquiries, providing information that you have requested, research, the administration of our resources and tools. Liaising with third parties, including working with partner organizations to develop new services and resources which further our purposes. If you would like more information on our uses of legitimate interests or to change our use of your personal data in this manner, please get in touch with us to the following email address: hola@andayatravel.com

We may disclose your personal information to third parties:

We may disclose your personal information to third party providers in order to make arrangements with accommodation providers, activity providers, airlines, Optional Activity and local guides, and other independent parties. Also, if we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply our terms of use and other agreements; or to protect the rights, property, or our safety and/or, our clients, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection.

We may allow our staff, employees and/or external providers acting on our behalf to access and use your information for the purposes for which you have provided to us. We only provide them with the information they need to deliver the relevant service, and ensure that we take steps to ensure that they process personal data in a secure manner.

How do we use your personal information?

We use information held about you in the following ways:

Communicate with you in response to a specific action performed by you on our website (e.g. when you request information for a Trek), to provide you with support in using our website, and to provide you with the information, products and services that you request from us; to provide you with information about one of our many Treks and to provide you with information about other services we offer that are similar to those that you have already enquired about, to send you news items which are relevant to your interests; to notify you about changes to our services; to ensure that content from our website is presented in the most effective manner for you and for your computer and/or your mobile device; to administer our website for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes; to improve our website to ensure that content is presented in the most effective manner for you and for your computer and/or your mobile device; to help us improve and personalize our services, both on our own website and on third party sites; to measure or understand the effectiveness of advertising we serve to you and others, and to deliver relevant advertising to you; to make suggestions and recommendations to you and other users.

Our Legal Basis for processing data.

Organizations that collect and use personal data must have a lawful basis for doing so under Mexican data protection law and we are required to let you know the lawful basis on which we rely to process your personal data. We rely upon the following lawful bases: Your consent to use your data for a particular purpose (for example to book a Trek); Where the use of the data is in our “legitimate interests” (see below for more information); Where we need to process your data in order to perform our obligations under a contract that we have entered into with you (for example to enroll you in a Trek or provide you with access to resources, products or services); and to process data where we are under a legal obligation to do so.

How do we protect the security of personal data?

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed.

While we will use all reasonable efforts to safeguard your personal data, you acknowledge that the use of the internet is not entirely secure and for this reason we cannot guarantee the security or integrity of any personal data that are transferred via the internet. If you have any particular concerns about your information, please contact us.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

The information we collect from you may be transferred to and processed and/or stored at a destination outside Mexico. If we send your personal data outside Mexico we will take reasonable steps to ensure that the recipient implements appropriate measures to protect your information.

How long do we keep your data for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. In some circumstances we may anonymize your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you no longer have a relationship with us, we will retain and securely destroy your personal information in accordance with applicable laws and regulations.

If you request to receive no further contact from us, we will keep some basic information about you on our suppression list in order to avoid sending you unwanted materials in the future.

Your privacy rights

You have a number of rights under data protection legislation in Mexico. These include:

Right of access.

You have the right to know what information we hold about you and to ask, in writing, to see your

records. Upon request, we will provide you with details of the records we hold as soon as possible and at latest within one month, unless the request is complex. We may require proof of identity before we are able to release the data. Please use the details in the “Contact us” section below if you would like to exercise this right.

Right to be informed.

You have the right to be informed how your personal data will be used. This policy as well as any additional information or notice that is provided to you either at the time you provided your details, or otherwise, is intended to provide you with this information.

Right to withdraw consent

Where we process your data on the basis of your consent (for example, to send you marketing texts or e-mails) you can withdraw that consent at any time. To do this, or to discuss this right further with us, please contact us using the details in the “Contact us” section below.

Right to object.

You also have a right to object to us processing data where we are relying on it being within our legitimate interests to do so (for example, to send you direct marketing by post). To do this, or to discuss this right further with us, please contact us using the details in the “Contact us” section below.

Right to restrict processing.

In certain situations you have the right to ask for processing of your personal data to be restricted because there is some disagreement about its accuracy or legitimate usage.

Right of erasure.

In some cases, you have the right to be forgotten (i.e., to have your personal data deleted from our database). Where you have requested that we do not send you marketing materials we will need to keep some limited information in order to ensure that you are not contacted in the future.

Right of rectification

If you believe our records are inaccurate you have the right to ask for those records concerning you to be updated. To update your records please get in touch with us using the details in the “Contact us” section below.

Right to data portability.

Where we are processing your personal data because you have given us your consent to do so, you have the right to request that the data is transferred from one service provider to another.

Complaints

If you are unhappy with the way in which we have handled your personal information please contact us using the details below.

How will we let you know of changes to our privacy policy?

We may update this policy from time to time without notice to you, so please check it regularly. We will however aim to bring any significant changes to your attention. The privacy policy was last updated in March 09, 2022

How to contact us?

Questions, comments and requests regarding this privacy policy are welcomed and should be addressed exclusively to hola@andayatravel.com

By clicking the “check the box” on Andaya’s platform you are indicating that you have read and agree to our Terms and Conditions, and Privacy Policy.