



MYBA The Worldwide Yachting Association Terms of Service – in accordance with GDPR requirements.

MYBA The Worldwide Yachting Association henceforth known as MYBA.

This notice applies to all MYBA websites, including but not limited to:

<https://www.myba-messenger.com>;

<https://www.myba-econtract.com>;

<https://www.myba-association.com>

Henceforth in this document these sites will be known as “The Website”.

## 1. Terms

By accessing The Website, you are agreeing to be bound by these terms of service, all applicable laws and regulations, and agree that you are responsible for compliance with any applicable local and national laws. If you do not agree with any of these terms, you are prohibited from using or accessing this site. The materials contained in this website are protected by applicable copyright and trademark law.

## 2. Use License

Each MYBA website will have its own use license which will vary according to the various functions of the site. Please refer to the individual license.

## 3. Disclaimer

The materials on The Website are provided on an 'as is' basis. MYBA makes no warranties, expressed or implied, and hereby disclaims and negates all other warranties including, without limitation, implied warranties or conditions of merchantability, fitness for a particular purpose, or non-infringement of intellectual property or other violation of rights.

Further, MYBA does not warrant or make any representations concerning the accuracy, likely results, or reliability of the use of the materials on its website or otherwise relating to such materials or on any sites linked to this site.

## 4. Limitations

In no event shall MYBA or its suppliers be liable for any damages (including, without limitation, damages for loss of data or profit, or due to business interruption) arising out of the use or inability to use the materials on The Website, even if MYBA or an MYBA authorised representative has been notified orally or in writing of the possibility of such damage. Because some jurisdictions do not allow limitations on implied warranties, or limitations of liability for consequential or incidental damages, these limitations may not apply to you.

## 5. Accuracy of materials

The materials appearing on The Website could include technical, typographical, or photographic errors. MYBA does not warrant that any of the materials on The Website are accurate, complete or current. MYBA may make changes to the materials contained on The Website at any time without notice. However, MYBA does not make any commitment to update the materials.



## 6. Links

MYBA has not reviewed all of the sites linked to its website and is not responsible for the contents of any such linked site. The inclusion of any link does not imply endorsement by MYBA of the site. Use of any such linked website is at the user's own risk.

## 7. Modifications

MYBA may revise these terms of service for The Website at any time without notice. By using The Website, you are agreeing to be bound by the relevant version.

## 8. Governing Law

These terms and conditions are governed by and construed in accordance with the laws of France and you irrevocably submit to the exclusive jurisdiction of the courts in France.

### **Privacy Policy**

Your privacy is important to us. It is MYBA policy to respect your privacy regarding any information we may collect from you across The Website.

This privacy notice provides you with details of how we collect and process your personal data through your use of The Website.

By providing us with your data, you warrant to us that you are over 13 years of age.

**MYBA** is the data controller and we are responsible for your personal data.

### **Contact Details**

MYBA The Worldwide Yachting Association  
120 Avenue Eugène Donadeï  
Cap Center  
06700 St Laurent du Var  
France

Email: [info@myba.net](mailto:info@myba.net)

### Log data

When you visit The Website, our servers may automatically log the standard data provided by your web browser. This data is considered “non-identifying information”, as it does not personally identify you on its own. It may include your computer’s Internet Protocol (IP) address, your browser type and version, the pages you visit, the time and date of your visit, the time spent on each page, and other details.

We may also collect data about the device you are using to access The Website. This data may include the device type, operating system, unique device identifiers, device settings, and geo-location data.

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What we collect can depend on the individual settings of your device and software. We recommend checking the policies of your device manufacturer or software provider to learn what information they make available to us.

#### Personal information

We may ask for personal information, such as your:  
Name, Email, Phone/mobile number, Work address

This data is considered “identifying information”, as it can personally identify you. We only request personal information relevant to providing you with a service, and only use it to help provide or improve this service.

#### Sensitive Data

We do not collect any Sensitive Data about you. Sensitive data refers to data that includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data. We do not collect any information about criminal convictions and offences.

#### How we collect information

We collect information by fair and lawful means, with your knowledge and consent. We also let you know why we’re collecting it and how it will be used. You are free to refuse our request for this information, with the understanding that we may be unable to provide you with some of your desired services without it.

#### Use of information

We may use a combination of identifying and non-identifying information to understand who our visitors are, how they use our services, and how we may improve their experience of our website in future. We do not disclose the specifics of this information publicly, but may share aggregated and anonymised versions of this information, for example, in website and customer usage trend reports.

We may use your personal details to contact you with updates about our website and services, along with promotional content that we believe may be of interest to you. If you wish to opt out of receiving promotional content, you can follow the “unsubscribe” instructions provided alongside any promotional correspondence from us.

#### Data processing and storage

Your personal information is stored on our servers in France and the USA. It is used only to contact you for operational matters, and to allow you to be contacted by third parties also registered on this site, for normal business purposes.

If you wish your data to be removed from our database, please request this and we will comply in a reasonable time-frame. This will have an effect on the services MYBA can provide.

#### Security



We are committed to ensuring that your information is secure. In order to prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the information we collect.

Your information is stored on systems that are protected by technical measures which meet international quality assurance standards and are backed up on a regular basis.

#### Cookies

We use “cookies” to collect information about you and your activity across our site. A cookie is a small piece of data that our website stores on your computer, and accesses each time you visit, so we can understand how you use our site. This helps us serve you content based on preferences you have specified. Please refer to our Cookie Policy for more information.

#### Third-party access to information

We use third-party services for:

Analytics tracking, Payment processing

These services may access our data solely for the purpose of performing specific tasks on our behalf. We do not share any personally identifying information with them without your explicit consent. We do not give them permission to disclose or use any of our data for any other purpose.

We may, from time to time, allow limited access to our data by external consultants and agencies for the purpose of analysis and service improvement. This access is only permitted for as long as necessary to perform a specific function. We only work with external agencies whose privacy policies align with ours.

We will refuse government and law enforcement requests for data if we believe a request is too broad or unrelated to its stated purpose. However, we may cooperate if we believe the requested information is necessary and appropriate to comply with legal process, to protect our own rights and property, to protect the safety of the public and any person, to prevent a crime, or to prevent what we reasonably believe to be illegal, legally actionable, or unethical activity.

We do not sell or rent your personal information to marketers or third parties. Please refer to the individual Terms of Service of each individual website for further information.

#### Limits of our policy

This privacy policy only covers MYBA’s own collecting and handling of data. We only work with partners, affiliates and third-party providers whose privacy policies align with ours, however we cannot accept responsibility or liability for their respective privacy practices.

The Website may link to external sites that are not operated by us. Please be aware that we have no control over the content and policies of those sites, and cannot accept responsibility or liability for their respective privacy practices.

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#### Changes to this policy



At our discretion, we may change our privacy policy to reflect current acceptable practices. We will take reasonable steps to let users know about changes via our website. If you are a registered user on The Website, we will notify you using the contact details saved in your account. Your continued use of this site after any changes to this policy will be regarded as acceptance of our practices around privacy and personal information.

#### Your rights and responsibilities

As our user, you have the right to be informed about how your data is collected and used. You are entitled to know what data we collect about you, and how it is processed. You are entitled to correct and update any personal information about you, and to request this information be deleted.

You are entitled to restrict or object to our use of your data, while retaining the right to use your personal information for your own purposes. You have the right to opt out of data about you being used in decisions based solely on automated processing.

This policy is effective as of 25 May 2018.

#### Cookie Policy

We use cookies to help improve your experience of The Website. This cookie policy is part of MYBA privacy policy, and covers the use of cookies between your device and The Website. We also provide basic information on third-party services we may use, who may also use cookies as part of their service, though they are not covered by our policy.

If you don't wish to accept cookies from us, you should instruct your browser to refuse cookies from The Website, with the understanding that we may be unable to provide you with some of your desired content and services.

#### What is a cookie?

A cookie is a small piece of data that a website stores on your device when you visit, typically containing information about the website itself, a unique identifier that allows the site to recognise your web browser when you return, additional data that serves the purpose of the cookie, and the lifespan of the cookie itself.

Cookies are used to enable certain features (e.g. logging in), to track site usage (e.g. analytics), to store your user settings (e.g. time zone, notification preferences), and to personalise your content (e.g. advertising, language).

Cookies set by the website you are visiting are normally referred to as "first-party cookies", and typically only track your activity on that particular site. Cookies set by other sites and companies (i.e. third parties) are called "third-party cookies", and can be used to track you on other websites that use the same third-party service.

#### Types of cookies and how we use them

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#### Essential cookies



Essential cookies are crucial to your experience of a website, enabling core features like user logins, account management, shopping carts and payment processing. We use essential cookies to enable certain functions on The Website.

#### Performance cookies

Performance cookies are used in the tracking of how you use a website during your visit, without collecting personal information about you. Typically, this information is anonymous and aggregated with information tracked across all site users, to help companies understand visitor usage patterns, identify and diagnose problems or errors their users may encounter, and make better strategic decisions in improving their audience's overall website experience. These cookies may be set by the website you're visiting (first-party) or by third-party services. We use performance cookies on The Website.

#### Functionality cookies

Functionality cookies are used in collecting information about your device and any settings you may configure on the website you're visiting (like language and time zone settings). With this information, websites can provide you with customised, enhanced or optimised content and services. These cookies may be set by the website you're visiting (first-party) or by third-party service. We use functionality cookies for selected features on The Website.

#### Third-party cookies on The Website

We may employ third-party companies and individuals on The Website—for example, analytics providers and content partners. We grant these third parties access to selected information to perform specific tasks on our behalf. They may also set third-party cookies in order to deliver the services they are providing. Third-party cookies can be used to track you on other websites that use the same third-party service. As we have no control over third-party cookies, they are not covered by MYBA's cookie policy.

#### Our third-party privacy promise

We review the privacy policies of all our third-party providers before enlisting their services to ensure their practices align with ours. We will never knowingly include third-party services that compromise or violate the privacy of our users.

#### How you can control or opt out of cookies

If you do not wish to accept cookies from us, you can instruct your browser to refuse cookies from The Website. Most browsers are configured to accept cookies by default, but you can update these settings to either refuse cookies altogether, or to notify you when a website is trying to set or update a cookie.

If you browse websites from multiple devices, you may need to update your settings on each individual device. Although some cookies can be blocked with little impact on your experience of a website, blocking all cookies may mean you are unable to access certain features and content across the sites you visit.