

Privacy Statement (Non-EU)

Last updated: August 2022.

Thank you for visiting the website of NEMAH Apartment & Vacation Rental Curaçao (“NEMAH”, “we” or “us”). An important part of our commitment to you is our respect for your privacy as a user of the NEMAH website (the “Website”). This Privacy Policy seeks to help you understand whether and how we collect information about you when you visit the Website, and how we use such information.

Your visit to the Website is subject to this Privacy Policy and our Terms of Use. By visiting the Website, you agree to this Privacy Policy and our Terms of Use, which may be updated by us at any time. If we update our Privacy Policy, we will post the updated Privacy Policy here. Any such changes will be effective upon posting. You should consult the “Privacy Policy” bar on this Website each time you visit the Website. If you do not agree with anything contained in this Privacy Policy, you should not use the Website.

This Privacy Policy concerns only the Website and does not concern any website to which the Website may link. Should you choose to visit these third-party sites, you should review their privacy policies to ensure that you understand and are comfortable with their practices concerning your personally identifiable information. Similarly, this Privacy Policy does not concern your interaction with NEMAH in any matter other than your use of the Website.

If you have any questions or comments about this Privacy Policy, you can email us at info@nemahcuracao.com or write to us at Kaya Bayete 57, Willemstad, Curaçao.

1. The Types of Information We Collect About You

When you enter and browse the Website, we may collect two different types of information about you: information you provide to us, and information we collect through technology.

Information You Provide to Us

In order to obtain access to certain information or materials provided via the Website, you may have to provide information that we collect and store in a way that allows us to relate it to you personally, including but not limited to your name, e-mail address, mailing address and phone number. We refer to such information as personally identifiable information. Additionally, we may collect and retain a record of all communications with you.

Information We Collect Through Technology

We may collect information about you through technology. For example, we may collect your IP address each time you request a page during a visit to the Website. (An IP address is often associated with the portal through which you enter the Internet.) At times, we may also use IP addresses to collect information regarding the frequency with which users browse various parts of the Website.

The Website may also use other technical methods to track and analyze the traffic patterns on the Website, such as the frequency with which our users visit various parts of the Website. These technical methods may involve the transmission of information either directly to us or to another party authorized by us to collect information on our behalf. We may also use these technical methods in HTML e-mails that we send our Website users to determine whether such users have opened those e-mails and/or clicked on links in those e-mails. We may collect the information from use of these technical methods in a form that is personally identifiable.

During some visits we may use software tools such as JavaScript to measure and collect session information, including 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. We may use this information to measure Website activity, to develop ideas for improving our Website and for any other purpose to the extent permitted by applicable law.

Cookies and How We Use Them

Cookies are small text files that may be placed on your browser when you visit our Website. Cookies are used primarily for administrative purposes, to improve your experience with our Website. For instance, when you return to the Website after logging in, cookies provide information to the Website, including personal information, so that the Website will remember who you are.

The Website www.nemahcuracao.com uses cookies primarily to capture anonymous analytics to improve our Website experience and performance. This includes compiling statistical information concerning, among other things, the frequency of use of our Website, the pages visited, and the length of each visit, as well as information about your computer, operating system, browser, language, and country. We do not use cookies to store any personal information that could be read or understood by others.

Using the settings of your Internet browser, you can choose to have your computer warn you each time a cookie is being sent, or you can choose to turn off all cookies. Consult your browser Help menu to learn the correct way to modify your cookies. If you choose to turn off cookies, you may not have access to many features make your browsing of our Website smoother, and some of our services may not function properly. You may at any time delete any cookies set by using the relevant option of your Internet browser or by deleting the cookies on your

hard drive. If you would like to modify your browser to notify you when you receive a new cookie or to disable cookies altogether, please refer to Managing Cookies.

If you continue without changing your settings, we will assume that you accept receipt of all cookies on the NEMAH Website.

Visitors to NEMAH's premises

When you visit our premises, we may collect the following personal information about you for the following purposes:

1. contact information by completion of the security list of visitors in line with our legitimate interests (security of the building);
2. video images of you in the entry and exit areas from CCTV footage in line with our legitimate interests (security of the building);
3. your name and time of entry to NEMAH's premises through a security access system in line with our legitimate interests (maintaining security of our premises);
4. if applicable, health information by completion of the first aid accident book in order to comply with legal obligations (health and safety).

2. Our Use of Your Personally Identifiable Information

NEMAH does not disclose any nonpublic personally identifiable information about its Website users to any nonaffiliated third party, except as set forth below.

We may use or disclose certain personally identifiable information we collect about you when you visit and browse the Website as part of our normal business operations, or to send you administrative communications either about your interactions with us or about features of the Website, including any future changes to this Privacy Policy.

We may also store your personally identifiable information and share it with our affiliates. We may use or disclose this information for research and other business purposes, and we may associate your personally identifiable information with other information we collect about you, such as details about your usage patterns and interests, but we will not sell this information or disclose it to third parties.

We may also use service providers to facilitate our services or platform functions on our behalf. These companies and individuals may have access to your personally identifiable information, as needed to perform their functions, but may not use it for another purpose.

We will use or disclose personally identifiable information when we believe that such disclosures are required by law, regulation, legal process, subpoena, document request or governmental request. For example, it may be necessary, under anti-money laundering and similar laws, to disclose information about investors in order to accept subscriptions from them. We may also do so to help enforce our Terms of Use, protect your safety or security, including the safety and security of property that belongs to you, or protect the safety and security of our Websites, databases or third parties, including the safety and security of tangible or intangible property that belongs to us or to third parties. Also, in the event that NEMAH, or substantially all of the assets of NEMAH or one or more of its businesses, are acquired or merged with another entity, whether an affiliate or a third party, user information may be one of the transferred assets. We may transfer all user information (which may include personally identifiable information) to our acquirers or successors. NEMAH, however, reserves the right to use any personally identifiable information in any manner permitted by law.

Lawful basis for using your personal information

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances (each a lawful basis):

1. where we need to perform the contract we are about to enter into or have entered into with you;
 2. where it is necessary for our legitimate interests (as further explained in the relevant section applicable to you above) and your interests and fundamental rights do not override those interests; or
 3. where we need to comply with a legal or regulatory obligation.
- Generally, we do not rely on consent as a legal basis for processing your personal data.

3. How We Use Your Non-Personally Identifiable Information

Non-personally identifiable information is information that does not personally identify you, including anonymous information and aggregate data. We may use this information to understand better how our visitors use the Website, research our visitors' demographics, interests, and behavior, improve the Website, provide visitors with customized services and information, and for other similar purposes. We may combine this information with personally identifiable information. We may share this information with others, such as investors, for information or promotional purposes, and may use this information in any manner permitted by

law, but any disclosure that identifies you personally will be governed by Section 2 of this page.

4. Protection of Information

We endeavor to protect your personally identifiable information. We use technical, administrative and physical methods to maintain the integrity and security of our databases, including firewalls. However, please be aware that there is no such thing as “perfect security” on the Internet, and third parties may unlawfully intercept or access transmissions or private communications. We will not be responsible or liable for any damages, losses or causes of action arising out of or in connection with the disclosure of your personally identifiable information.

5. Do Not Track

NEMAH does not track its customers over time and across third party websites to provide targeted advertising and therefore does not respond to Do Not Track (“DNT”) signals. However, some third party sites do keep track of your browsing activities when they serve you content, which enables them to tailor what they present to you. If you are visiting such sites, your browser allows you to set the DNT signal so that third parties (particularly advertisers) know you do not want to be tracked. You should consult the help pages of your browser to learn how to set your preferences so that websites do not track you.

6. Children

Although this Website is not targeted toward children, we are concerned about the safety and privacy of children who use the Internet. If a child under 13 has provided personally identifiable information to us through the Website, a parent or guardian may inform us at the address for legal notices above, and we will use commercially reasonable efforts to delete it from our database, subject to applicable law and this Privacy Policy.

7. International Use

NEMAH makes no claims that materials on the Website are appropriate or may be downloaded for use in locations outside of Curaçao. Access to the Website from countries or territories where such access is illegal is prohibited. Furthermore, our databases are located in Curaçao. If you access this Website from outside Curaçao, you do so at your own risk. By sending us your data, you consent to its collection and storage within Curaçao. Those who access the Website from outside Curaçao do so on their own initiative and are responsible for compliance with local laws, rules and regulations.

8. Limitation of Liability and Disclaimers

IN NO EVENT SHALL NEMAH OR ITS RELATED PERSONS (AS DEFINED BELOW) BE LIABLE TO ANY PARTY FOR ANY CLAIMS, LIABILITIES, LOSSES, COSTS OR DAMAGES, INCLUDING BUT NOT LIMITED TO ANY DIRECT,

INDIRECT, PUNITIVE, SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES (“DAMAGES”) ARISING OUT OF OR IN CONNECTION WITH ANY ACCESS, USE (OR INABILITY TO USE) OR DISTRIBUTION OF THE WEBSITE, INCLUDING DAMAGES CAUSED BY ANY FAILURE OF PERFORMANCE, ERROR, OMISSION, INTERRUPTION, DELETION, DEFECT, DELAY IN OPERATION OR TRANSMISSION, COMPUTER VIRUS, COMMUNICATION LINE FAILURE, THEFT, DESTRUCTION OR UNAUTHORIZED ACCESS TO, ALTERATION OF OR USE OF ANY ASSET, WHETHER FOR BREACH OF CONTRACT, TORTIOUS BEHAVIOR, NEGLIGENCE OR UNDER ANY OTHER CAUSE OF ACTION, OR ANY CONTENT OBTAINED THROUGH USE OF THE WEBSITE. THIS IS TRUE EVEN IF NEMAH HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES OR LOSSES.

NEMAH its affiliates and their respective officers, directors, managers, partners, members, shareholders, employees, affiliates and agents (collectively “Related Persons”) make no representations or warranties and specifically disclaim any and all warranties of any kind, express or implied, with respect to the Website, including any representations or warranties with respect to merchantability, fitness for a particular purpose, title, non-infringement, availability, security, accuracy, freedom from viruses or malware, completeness, timeliness, functionality, reliability, sequencing or speed of delivery.

While we use reasonable efforts to obtain information from reliable sources, NEMAH does not warrant that the information in this Website is accurate, reliable, complete, or correct, or that this Website will be available at any particular time or location. Such information or materials are provided “as is” and “as available”. Please be aware that there is no such thing as “perfect security” on the Internet, and third parties may unlawfully intercept or access transmissions or private communications, and accordingly electronic mail and other transmissions to and from the Website or made via the Website may not be secure.

9. Governing Law and Forum

The laws Curaçao govern this Privacy Policy and the Terms of Use. Any dispute relating to this Privacy Policy, the Terms of Use or your use of the Website shall be resolved solely in the court located in Willemstad. You agree to waive trial by jury in any such action.