

## Privacy Notice

### I.- IDENTITY AND ADDRESS OF THE RESPONSIBLE PARTY

Lost Lagoon S de RL de CV (the "Company") and its affiliate Gastown S de RL de CV, are commercial entities established in compliance commercial entitie established in compliance with Mexican Law, primarily engaged in activities related to the real estate industry, among other activities, and with address at Rincón de las Animas Calle Camino Real S/N Animas Bajas La Playa, San José del Cabo, Baja California Sur, Mexico.

### 2.- INFORMATION

The Company gathers information provided by its, clients, suppliers, service providers, commercial partners, employees, or any third party with access to the products and/or services provided by the Company. For purposes of documenting our relationship with each one of them, they provided us willingly and freely, information that is included in contracts, letters, forms, databases or other means, as applicable, for us to keep appropriate record of our relationships and to meet legal requirements, when so mandated.

Among such personal data, including sensitive personal data (hereinafter "Personal Data"), but not limited to, is included the following:

#### Individuals

- Complete name (paternal surname, mother surname and name (s))
- Home address (street name, exterior number, and if applicable, interior number, neighborhood, Zip Code, Delegation or Municipality, City, State and Country)
- Nationality.
- Date of birth and place of birth.
- Marital status.
- Profession or current occupation.
- Activity of the business.
- Home, office and mobile telephone number.
- Email address.
- The Unique Key of the Record of Population (CURP).
- Contributor.s Federal Record (RFC).
- Personal reference information.
- Educational information.
- Union membership information.
- Current health and medical information.
- Training information.
- Safety and environmental testing information.
- Income information.
- Gender.



- Bank account information and salary.
- Tax ID number.

#### Entities

- Name or trade name
- Commercial activity or corporate purpose
- Contributors. Federal Registration (RFC)

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- Address: street, exterior number and if applicable, interior number, Zip Code, Delegation or Municipality, City, State and Country.
- Date of incorporation.
- Nationality.
- Phone number.
- E-mail or address of their website, if applicable.
- Name and nationality and information of the individual with authority to represent it, which may be: the administrator or administrators, the director, general manager, legal representative or attorney-in-fact.

This Personal Data is gathered in compliance with what is established in applicable law, as well as in compliance with the terms of the contracts entered into with the parties that provide said Personal Data voluntarily.

### 3.- CONFIDENTIALITY AND HANDLING OF PERSONAL DATA

**Confidentiality:** The Personal Data referred to by the Federal Law for the Protection of Personal Data held by Obligated Parties, are provided to the Company by its employees and third parties with their consent, are handled and stored in a confidential manner.

Also, through technological means and internal protection procedures, the Company constantly does its best effort to maintain the safety of the Personal Data that is provided to the Company to avoid the unauthorized access to it.

**Handling:** The Personal Data that is provided to the Company is used to meet legal requirements, to keep appropriate record of personnel and providers of supplies and services, and to coordinate all services provided by and to the Company, including emergencies.

With the exception of Sensitive Personal Data, the personal information provided to the Company may also be used for means of publicity, promotion, telemarketing, transaction, website administration of the Company, administration of the services of the Company, development of new products and services, quality and client satisfaction polls, analysis of use of products, services and website, for the sending of notices regarding products and services operated by the Company and/or its affiliates, subsidiaries and/or its business partners when the Law requires

it, to request the update of their Personal Data and identification documents and generally to comply with the terms, conditions and operation, functioning and administration of the Company. Sensitive Personal Data is defined to mean the Personal Data that affects the more intimate sphere of its owner of which improper use might result in discrimination or may involve a material risk against the owner of such Sensitive Personal Data. In particular, Sensitive Personal Data includes data that may reveal aspects such as racial or ethnic origin, condition or health, either present or future, genetic information, religious, philosophical or moral beliefs, union affiliation, political opinions and sexual preferences.

Any Sensitive Personal Data that may be collected is used only for purposes of managing the business and/or the employer/employee relationship, and/or provide better service to our customers. When Personal Data is provided, it should be provided in a precise, complete and updated manner at the time that the gathering occurs, regardless of the fact that the Company may further verify the accuracy of said Personal Data and that the provider of the Personal Data may exercise the right to rectify such data, as provided in chapter 5.- below, in case they detect or identify that the Personal Data that was provided to the Company is inaccurate, incomplete, or not updated.

The Company is not required to have the previous consent of the owner of the Personal Data for its handling, in the following cases: (i) when the Company acts in direct compliance with applicable law (ii) the Personal Data is in public access sources, (iii) the Personal Data has been submitted previously to any procedure; (iv) for the fulfillment of the obligations that, in its case the Company has acquired with the owner of the Personal Data as a result of a contract entered into with it; (v) there is an emergency situation that may potentially harm an individual or his/her/its property; (vi) it is indispensable for medical attention, prevention, diagnosis and providing of sanitary aid, as long as the owner is in no condition of granting consent in terms of what is established in the General Health Law and other applicable provisions and that said handling of Personal Data is made by an individual subject to professional secrecy or an equivalent obligation; or (vii) when ordered by a competent authority.

The Company may transfer the Personal Data, including Sensitive Personal Data throughout its related entities, for administrative purposes. Such shared Personal Data will be treated under the principles of legality, consent information, quality, purpose, loyalty and responsibility in accordance with the Law and the provisions hereof.

The Company does not collect personal information through the use of cookies, and other technology, such as:

- The type of browser and operating system.
- The Internet pages consulted.

-The links below.

-IP address.

-Sites previously visited.

The Company will provide to clients the option to receive notices through electronic communications or printed material.

#### 4.- LIMITATIONS OF USE AND DISCLOSING OF DATA

The Personal Data that is provided to the Company through legitimate means is handled in an appropriate and confidential manner. Regardless of the foregoing, the Personal Data will be employed and disclosed for and with the purpose of fulfilling the objectives established in the "Handling" section of this Notice as well as for statistical means, dissociated and for the improvement of our products, services, operation, activities and regarding the update of the contents published on our website.

Personal Data will be transferrable to third parties to (a) fulfill existing legal obligations, (b) comply with a legal or judicial ruling; and (c) as long as it is necessary for the operation and functioning of the Company. In case of transfer of the Personal Data, this will occur through means and legal instruments that provide an adequate protection level and security measures for said data.

The Company will adopt necessary and reasonable measures to cancel the identification of the Personal Data that is provided to it, when these are no longer necessary for the purpose referred to in this Notice and/or when there is no legal obligation for the Company to keep them.

#### 5.- MEANS TO EXERCISE RIGHTS OF OWNER OF THE PERSONAL DATA.

The owner of the Personal Data may request to the responsible party of the Company at any time to access, rectify, cancel or correct his/her/its Personal Data (ARCO DATA-Access, Rectification, Cancellation or Opposition Data). For such end, the owner of the Personal Data shall direct a written request to the Responsible Party, which shall at least contain the following information:

- a) Name of the owner and address or other means to communicate the answer of his/her/its request.
- b) The documents that evidence the identity, or if applicable, the legal representation of the owner.
- c) The clear and precise description of the Personal Data regarding those on whom the exercise of rights is intended.
- d) Any other element or document that may facilitate the location of the Personal Data, as well as any other document required by the current laws at the time of the filing of the request.



The owner of the Personal Data has the right to request to the responsible party by via e-mail the changes of the modification that he/she requires at [acre@acrebaja.com](mailto:acre@acrebaja.com)

#### 6.- REVOCATION

The owner of the Personal Data may revoke the current consent for the handling of personal information at any time. To such end, he/she/it shall file a request via e-mail at [acre@acrebaja.com](mailto:acre@acrebaja.com)

Such communication shall comply with the applicable request requirements indicated in the section above.

#### 7.- MODIFICATIONS TO THE PRIVACY NOTICE

The Company reserves the right to modify this Notice, in which case it will communicate such through its website at [www.acrebaja.com](http://www.acrebaja.com)

#### 8.- CONSULTATIONS

For any doubts, comments or consultations regarding this Notice, you may file inquiry via email at [acre@acrebaja.com](mailto:acre@acrebaja.com)

a) Any complaints of information regarding the processing of Personal Data or questions regarding the General Law of Protection of Personal Data Held by Obligated Parties or its Regulations, may be conducted at the Mexican Institute of Access to Information website at [www.ifai.org.mx](http://www.ifai.org.mx).

b) **Governing Law:** The interpretation and application of this Notice is governed by the General Law of Protection of Personal Data in Possession of Obligated Parties, the Federal Civil Code and other applicable provisions.

Last Modification: December 10th 2020