

Privacy Policy

Mi Kas Realty Bonaire

At Mi Kas Realty Bonaire, we respect your privacy and are committed to protecting your personal data. This Privacy Policy explains how we collect, use, store, and protect your information when you visit our website, contact us, or use our real estate services.

1. Identity and Contact Details

Mi Kas Realty Bonaire is a real estate agency providing services related to the sale, purchase, rental, and management of residential and commercial properties on Bonaire. If you have any questions regarding this Privacy Policy or your personal data, please contact us.

Mi Kas Realty Bonaire

Address: Kaya Aleksandrit # 14, Santa Barbara

Email: support@mikasrealtybonaire.com

Telephone: +599 796 2756

2. Personal Data We Collect

Depending on how you interact with us, we may collect the following information:

a. Information you provide:

- Full name;
- Email address;
- Telephone number;
- Postal address (where applicable);
- Property preferences;
- Budget information;
- Information regarding properties you wish to buy, sell, or rent;
- Any information included in messages submitted through our contact forms.

b. Information collected automatically

When you visit our website, our hosting provider automatically records technical data in server logs, including your IP address, browser type and version, device and operating system information, the date and time of your visit, the page requested, and the website you came from. We use these logs only to keep the website secure and available and to detect and prevent abuse. These logs are generated by the web server itself and do not involve analytical or tracking cookies. Cookie information is described in Article 5.

c. Information collected to comply with our statutory obligations

Where we are required by law to identify a client and to conduct client due diligence, in particular under the Wet ter voorkoming van witwassen en financieren van terrorisme BES (Wwft BES), we collect and record:

- A copy of a valid identification document, including the document number, date and place of issue, and your date and place of birth;
- Proof of residential address;
- Nationality and tax residency;

- Where the client is a legal entity: corporate registration details and the identity of its ultimate beneficial owners;
- Information on the origin of the funds used in a transaction and, where required, on the source of your wealth;
- Information on the nature and purpose of the intended transaction;
- The outcome of any screening against applicable sanctions lists and, where applicable, whether you qualify as a politically exposed person.

We collect this information only where a statutory obligation applies. If you do not provide it, we are not permitted by law to provide our services.

3. How We Use Your Personal Data

We process your personal data for the following purposes:

- Respond to your inquiries;
- Arrange property viewings;
- Assist you in buying, selling, renting, or leasing property;
- Provide information you have requested;
- Comply with our obligations regarding client identification, due diligence, and the prevention of money laundering and terrorist financing;
- Comply with other legal obligations, including tax and record-keeping requirements;
- Prevent fraud and maintain the security and availability of our website.

4. Legal Basis for Processing

We process your personal data in accordance with the Wet bescherming persoonsgegevens BES (Personal Data Protection Act BES) and, where applicable, the General Data Protection Regulation (GDPR). Each purpose described in Article 3 rests on one of the following legal grounds.

We rely on your consent for the placement of non-essential cookies and for any other processing for which we expressly ask your permission. You may withdraw your consent at any time, without affecting the lawfulness of processing carried out before withdrawal.

We rely on the performance of a contract, or steps taken at your request prior to entering into one, when we respond to your inquiries, arrange property viewings, provide information you have requested, and assist you in buying, selling, renting, or leasing a property.

We rely on compliance with a legal obligation when we identify clients and carry out client due diligence under the Wwft BES, when we retain records required by tax or anti-money-laundering legislation, and when we are required to report or disclose data to government authorities. Processing on this ground is not based on your consent and cannot be objected to, and the data concerned cannot be erased at your request for as long as the statutory retention obligation applies.

We rely on our legitimate interests in preventing fraud and maintaining the security and availability of our website, and in retaining records necessary to establish, exercise, or defend a legal claim. Before relying on this ground, we assess whether your rights and freedoms override those interests.

5. Cookies

Our website uses cookies and similar technologies to enable the website to function, to keep it secure, and to remember your preferences.

Detailed information about the cookies we use, their purposes, retention periods, and your rights and choices is provided in our Disclaimer & Cookie Policy, which forms an integral part of this Privacy Policy.

You may manage or withdraw your cookie preferences at any time through the cookie settings at the foot of every page, or by deleting or blocking cookies through your browser settings. Please note that disabling certain cookies may affect the functionality and performance of this website.

6. Sharing Your Information

We do not sell or rent your personal data.

We share your personal data with third parties only where this is necessary for the purposes described in this Privacy Policy, namely with:

- Our website hosting provider;
- Providers of email and cloud storage services used to receive and store documents;
- IT and technical service providers who support our website and systems;
- Notaries, legal professionals, and financial institutions, where required for a property transaction;
- Government authorities, where disclosure is required by law.

All third parties acting on our behalf are contractually required to safeguard your personal data and to process it only for the purpose for which it was provided.

7. International Data Transfers

Our website is delivered through a globally distributed hosting network. When you visit the website, your request is handled by the network location closest to you. As a result, technical data such as your IP address and the server logs described in Article 2 are processed in the jurisdiction of that network location, which varies depending on where you are at the time of your visit.

Personal data that you submit through this website is stored on a single origin server. Documents exchanged with us by email or through cloud storage, including the identification and due diligence documents described in Article 2, are stored with the providers of those services. Personal data processed by us or on our behalf is therefore stored and processed outside the Caribbean Netherlands, and outside the European Economic Area (EEA), in jurisdictions whose data protection laws differ from those applicable in the EEA or in your country of residence.

We engage only service providers that process personal data on our instructions under a written data processing agreement, and that apply a recognised transfer mechanism for personal data leaving the EEA, such as the Standard Contractual Clauses approved by the European Commission, together with technical measures including encryption in transit and at rest and restricted access to the data.

Where personal data is transferred to a recipient acting in its own right rather than on our behalf, including notaries, financial institutions, and government authorities as described in Article 6, that recipient processes the data under its own responsibility and in accordance with the laws applicable to it.

8. Data Retention

We retain your personal data only for as long as necessary for the purposes for which it was collected, or for as long as required by applicable law.

In practice, we apply the following retention periods:

- Inquiries, contact form submissions, and viewing requests that do not lead to an agreement: 24 months after our last contact with you;
- Prospect records, including property preferences and budget information: 24 months after our last contact with you, or until you ask us to remove them;
- Records relating to a concluded purchase, sale, rental, or brokerage transaction: for the statutory retention period applicable to our business records under the tax legislation of the Caribbean Netherlands, calculated from the end of the year in which the transaction was completed;
- Records of cookie consent: 12 months from the moment consent was given or last renewed;
- Server logs: 30 days from the date of the visit, unless a longer period is necessary to investigate a security incident;
- Client identification and due diligence records collected under the Wwft BES: for the statutory retention period following the end of the business relationship or the completion of the transaction. This period applies irrespective of any shorter retention period stated above, and irrespective of any request for erasure.

Where personal data is no longer required for the purposes described above, and where no legal retention obligation applies, it is securely deleted, anonymised, or otherwise disposed of in a secure manner.

We may retain personal data for a longer period where this is necessary to comply with a legal obligation, to establish, exercise, or defend a legal claim, or to resolve a dispute. In such cases, the data is retained only for that purpose and deleted once it no longer serves it.

9. Your Rights

Subject to applicable data protection laws, you may have the right to:

- Access the personal data we hold about you;
- Request correction of inaccurate or incomplete personal data;
- Request the deletion of your personal data where permitted by law;
- Request the restriction of the processing of your personal data;
- Object to the processing of your personal data;
- Withdraw your consent at any time where processing is based on your consent;
- Request a copy of your personal data in a structured, commonly used, and machine-readable format, where applicable;
- Lodge a complaint with the Commissie toezicht bescherming persoonsgegevens BES (CBP BES) or, if you reside in the European Union, with the competent supervisory authority in your country of residence.

Some of these rights do not apply to personal data that we are required by law to collect and retain, in particular data processed under the Wwft BES. We are not permitted to erase such data before the statutory retention period has expired, and we may be legally prohibited from informing you of a report made to the competent authorities.

To exercise any of these rights, please contact us using the contact details provided in Article 1 of this Privacy Policy. We will respond to your request within the time limits required by applicable data protection laws.

10. Security

We implement appropriate technical and organisational measures to protect personal data against unauthorised or unlawful access, loss, misuse, alteration, disclosure, or destruction.

These measures are designed to provide a level of security appropriate to the nature of the personal data we process and include, where appropriate, access controls, encryption, secure communication protocols, and other industry-standard safeguards.

We regularly review and update our security measures to address technological developments, emerging security risks, and changes in applicable legal requirements.

Although we strive to protect your personal data using commercially reasonable security practices, no method of transmission over the Internet or method of electronic storage can be guaranteed to be completely secure. Accordingly, we cannot guarantee absolute security.

11. Third-Party Links

Our website contains links to third-party websites, including our page on Facebook. Following such a link takes you to a website operated by that third party, where their own privacy policy and terms apply.

We are not responsible for the privacy practices or content of these external websites. We do not receive personal data from them as a result of your visit, unless you choose to contact us through them.

We encourage you to review the privacy policy of any third-party website before providing personal information.

12. Children's Privacy

Our website is not intended for individuals under the age of 16, and we do not knowingly collect personal information from children.

13. Changes to This Privacy Policy

We may amend this Privacy Policy from time to time to reflect changes in applicable law, regulatory requirements, our business operations, or the way we process personal data.

The version published on this website at the time of your visit applies to your use of the website and supersedes all previous versions. The date from which the current version applies is stated in the footer of this document.

Continued use of this website following the publication of an updated Privacy Policy constitutes acknowledgement of the revised Privacy Policy.

Where required by applicable law, we will notify users of material changes through this website or by other appropriate means. Where legally required, we will request renewed consent before such changes take effect.

14. Contact

If you have any questions about this Privacy Policy, the processing of your personal data, or if you wish to exercise any of your rights under applicable data protection laws, please contact us using the contact details provided in Article 1 of this Privacy Policy.

We will respond to your request within the time limits required by applicable data protection laws. Where additional information is reasonably required to verify your identity or process your request, we may ask you to provide such information before responding.