

PRIVACY POLICY

This notice describes the privacy policy (“**Privacy Policy**” or “**Policy**”) of our website - www.eastendcharters.com/ (hereinafter referred to as the “**website**”) which is operated by:

Company Name: East End Charters, LLC

Type: Limited Liability Company

Principal Office: 1100 Manhasset Ave, Greenport, NY, 11944 (USA)

(hereinafter referred to the “**Company**” or “**us**” or “**our**” or “**we**”). In this Policy, you shall be referred as “**you**” or “**your**” or “**user(s)**” or “**customer(s)**”.

This Privacy Policy explains what information of yours will be collected by us when you use or access the website or provide us information, how the information will be used, and how you can control the collection, correction, and/or deletion of the information. We will not knowingly use or share your information with anyone, except as described in this Privacy Policy. The use of information collected by us shall be limited to the purposes described under this Privacy Policy and our Terms & Conditions.

By using our website, or providing your personal information to us, you are accepting and consenting to the practices described in this policy. Please note that this includes consenting to the processing of any personal information that you provide, as described below.

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1. What information about the users do we collect?

- a) **Personal Information:** When you interact with our website or book a sail, we may collect personal information that can identify you or other people in your booking, such as name, email, phone number, and any additional personal information that you elect to provide during the booking process. We collect this information to communicate with you prior to and after your sailing charter. We only collect this information if you voluntarily provide it to us.
- b) **Website Usage Information:** When you visit our website, we may collect certain information about your usage of our website, including your IP address, browser type, operating system, referring website, pages visited, and the date and time of your visit. This information is collected through the use of cookies and similar tracking technologies.
- c) **Information collected from Social Media Platforms:** You can engage with us through social media platforms or mobile applications. When you engage with us through social media platforms, such as Facebook or Instagram, you allow us to have access to certain information from your social media profile based upon your privacy preference settings on such platform.
- d) **Customer Care:** If you contact our customer support via emails, in those cases, we collect all your interactions with our customer support.
- e) **Good Judgment:** We suggest that you exercise good judgment and caution while providing your personal information.

2. What is the lawful basis for which we use your personal information?

You hereby acknowledge that all processing of your personal information will be justified by a *"lawful ground"* for processing. In the majority of cases, processing will be justified on the basis that:

- **Consent:** You have given your consent for processing personal data for one or more specific purposes.
- **Performance of a contract:** Provision of personal data is necessary for the performance of an agreement with you and/or for any pre-contractual obligations thereof.
- **Legal obligations:** Processing personal data is necessary for compliance with a legal obligation to which we are subject.
- **Legitimate interests:** Processing personal data is necessary for the purposes of the legitimate interests pursued by the Company.

In any case, we will gladly help to clarify the specific legal basis that applies to the processing, and in particular whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract. Feel free to contact us for this purpose at info@eastendcharters.com.

3. How do we use this information?

We use all of the information we have to help us provide, support and improve our services. We use the information collected from you for one or more of the following purposes:

- a) For processing your booking and providing you the services that you booked.
- b) To assess queries, requirements, and process requests for various services.
- c) For sending you important updates, or information related to our services.
- d) To improve our website and our services.
- e) To be able to deliver our services, personalize content, and make suggestions for you by using this information to understand how you use and interact with our services and the people or things you are connected to and interested in on and off our services.
- f) We use your information to send you marketing communications, newsletter, communicate with you about our services and let you know about our policies and terms. We also use your information to respond to you when you contact us.
- g) We also use your information to ensure our services are working as intended, such as tracking outages or troubleshooting issues that you report to us. And we use your information to make improvements to our services.
- h) We use information to help improve the safety and reliability of our services. This includes detecting, preventing, and responding to fraud, abuse, security risks, and technical issues that could harm Company, our community, or the public.
- i) To respond to summons, court orders, directions, or other judicial processes.
- j) To provide information to law enforcement agencies or in connection with an investigation on matters related to public safety.

4. Deleting your information

We will retain your personal information for as long as necessary to fulfill the purposes outlined in this Privacy Policy, unless a longer retention period is required or permitted by law. We will securely dispose of personal information when it is no longer needed. Your information that you provide us is yours. You can at any time delete the same. However, you acknowledge that we may also retain some of the information so deleted for a reasonable period in order to comply with legal requests. You can request us to delete your information by writing to us at info@eastendcharters.com.

5. Cookies and Similar Technologies

Cookies are bits of electronic information that a website may transfer to a visitor's computer to identify specific information about the visitor's visits to other websites. We may use automated technologies including the use of web server logs to collect IP addresses, device details, cookies, and web beacons. The website uses a browser feature known as a cookie, which assigns a unique identification to your computer. However, in case you do not wish for us to collect such information, simply change the cookie settings on your web browser.

6. Sharing of Information

- a) We may share your personal as well as non-personal information with our third-party hosting and website building service provider namely, **GoDaddy** and **Wix**.
- b) We may share some of your personal as well as non-personal information with our employees and contractors whom we employ to provide our services. *We have the necessary non-disclosure contracts with our employees and contractors in order to protect your personal information.*
- c) For bookings and payments, we redirect you to, or use the API of, **FareHarbor**, which may collect and process your personal and financial information in line with their privacy practices. You can find the privacy policy of **FareHarbor** on this [link](#) (*external link*).
- d) We may share some of your personal as well as non-personal information with the third-party service providers (such as **Mailchimp** and **Google Analytics**) who we may use from time to time to provide or improve our services.
- e) We keep your information safe and do not share your information with any other third party. However, if we merge with or are acquired by another company or sell our website or business unit, or if all or a substantial portion of our assets are acquired by another company, in those cases, your information will likely be one of the assets that would be transferred.
- f) We may also share your information in response to legal request. Please refer to [Section 12](#).

7. Storage and Security of Information

- a) **Storage:** Some of your data is stored through **GoDaddy and Wix's** data storage, databases, and servers, while some is stored on cloud networks or our computers located in our office in **New York (USA)**. We do not share it with any third party, except for the limited purposes as mentioned in the [Section 6](#). The servers and databases in which information may be stored may be located outside the country from which you accessed this Site, and in a country where the data protection and other laws may differ (*and be less stringent*) from your country of residence. **You hereby consent to any such cross-border transfer of your personal information.**
- b) **Retention:** Personal information that we collect, access or process will be retained only so long as necessary for the fulfillment of the purposes for which it was collected, as necessary for our legitimate business purposes, or as required or authorized by law. Personal information that is no longer required to fulfil the identified purposes will be destroyed, erased, or made de-identified or anonymous.
- c) **Steps taken by us to protect your data:** We regularly take the following steps to protect the integrity of your information:
 - We protect the security of your information while it is being transmitted by using secure connection;
 - We use computer safeguards such as firewalls to keep this data safe;
 - We only authorize access to employees and trusted partners who need it to carry out their responsibilities;
 - We regularly monitor our systems for possible vulnerabilities and attacks, and we carry out penetration testing to identify ways to further strengthen security; and
 - We will ask for proof of identity before we share your personal data with you.

- d) **Data Retention:** We will retain your personal information for as long as necessary to fulfill the purposes outlined in this Privacy Policy, unless a longer retention period is required or permitted by law. We will securely dispose of personal information when it is no longer needed.
- e) **Security:** We employ reasonable security practices to ensure that the information is safe and secure with us. However, no information on the internet is 100% safe, and you accept and acknowledge such risk. Also, we will disclose the information so collected for limited purposes as mentioned in this Privacy Policy.

8. Links to other Sites

The website may contain links to third-party websites and online services that are not owned or controlled by us. We have no control over, and assume no responsibility for such websites and online services. Be aware when you leave the website; we suggest you read the terms and privacy policy of each third-party website, and online service that you visit.

9. California Resident Rights

This section of the Policy applies to you, if you are a California resident, as per **California Privacy Rights Act (CPRA)**, **California Consumer Policy Act, 2018** (simply called “CCPA”) and **California Online Privacy Protection Act** (simply called “COPPA”). This privacy notice section for California residents supplements the information contained in our Privacy Policy and it applies solely to all visitors, users, and others who reside in the State of California.

Categories of Personal Information Collected

We collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device. The following is a list of categories of personal information which we may collect or may have been collected from California residents within the last twelve (12) months.

Please note that the categories and examples provided in the list below are those defined in the CCPA. This does not mean that all examples of that category of personal information were in fact collected by us, but reflects our good faith belief to the best of our knowledge that some of that information from the applicable category may be and may have been collected. For example, certain categories of personal information would only be collected if you provided such personal information directly to us.

- **Category A: Identifiers.**

Examples: A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, driver's license number, passport number, or other similar identifiers.

Collected: Yes.

- **Category B: Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).**

Examples: A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.

Collected: Yes.

- **Category C: Protected classification characteristics under California or federal law.**

Examples: Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).

Collected: No.

- **Category D: Commercial information.**

Examples: Records and history of products or services purchased or considered.

Collected: Yes.

- **Category E: Biometric information.**

Examples: Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.

Collected: No.

- **Category F: Internet or other similar network activity.**

Examples: Interaction with our Service or advertisement.

Collected: Yes.

- **Category G: Geolocation data.**

Examples: Approximate physical location.

Collected: Yes.

- **Category H: Sensory data.**

Examples: Audio, electronic, visual, thermal, olfactory, or similar information.

Collected: No.

- **Category I: Professional or employment-related information.**

Examples: Current or past job history or performance evaluations.

Collected: No.

- **Category J: Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).**

Examples: Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.

Collected: No.

- **Category K: Inferences drawn from other personal information.**

Examples: Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behaviour, attitudes, intelligence, abilities, and aptitudes.

Collected: No.

We use the personal information that we collect or receive for the business purposes as described above. We may disclose the above listed categories of personal information to third parties for business purposes as described above. As previously mentioned in this Policy, we do not “sell” (as such term is defined in the CCPA) personal information.

You are entitled to the following specific rights under the CCPA and CPRA in relation to personal information related to you:

- You have a right to request that we will disclose certain information to you about our collection and use of personal information related to you over the past 12 months, including: (i) The categories of personal information that we collect about you; (ii) The categories of sources from which the personal information is collected; (iii) The purposes for collecting, using, or selling that personal information. (iv) The categories of personal information that we disclosed for a business purpose or sold, and the categories of third parties to whom we disclosed or sold that particular category of personal information. (v) The specific pieces of personal information that we have collected about you.
- You have a right to request that we delete personal information related to you that we collected from you under certain circumstances and exceptions.
- You also have a right not to be discriminated against for exercising your rights under the CCPA.
- You also have a right to submit your request via an authorized agent. If you use an authorized agent to submit a request to access or delete your personal information on your behalf, the authorized agent must: (1) be a person or business entity registered with the California Secretary of State to conduct business in California; (2) provide proof of such registration; and (3) provide documentation or other proof indicating

that they are authorized to act on your behalf. We may also require you to verify your identity directly with us, and directly confirm with us that you provided the authorized agent permission to submit the request.

- You have a right to opt-out of sale or sharing of Personal Information (“PI”) and limit the use or disclosure of your Sensitive Personal Information (“SPI”).
- You have a right to correction, where you can request to have your PI and SPI corrected if you find them to be inaccurate.
- You have a right to opt-out of automated decision making, where you can say no to your PI and SPI being used to make automated inferences, e.g. in profiling for targeted, behavioral advertisement online.
- You have a right to know about automated decision making, where you can request access to and knowledge about how automated decision technologies work and what their probable outcomes are.
- You have a right to limit use of sensitive personal information, where you can make businesses restrict their use of your SPI, particularly around third-party sharing.

To make such requests, please contact us at info@eastendcharters.com

The above rights will only become exercisable by California residents if our Company falls within the scope of CCPA and/or CRPA. Further, we will verify your request using the information associated with your account, including email address. Government identification may also be required.

A request for access can be made by you only twice within a 12-months period. Any disclosures that we provide will only cover the 12-months period preceding receipt of your request. We do not charge a fee to process or respond to your verifiable User request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will inform you of the reasons for such decision and provide you with a cost estimate before processing further your request.

10. Notice for Nevada Residents

Under Nevada law, certain Nevada residents may opt out of the sale of “personally identifiable information” for monetary consideration to a person for that person to license or sell such information to additional persons.

“**Personally identifiable information**” includes first and last name, address, email address, phone number, social security number, or an identifier that allows a specific person to be contacted either physically or online.

Please note, we do not sell your personal information to anyone.

11. Rights of Users from other Jurisdictions

For the purposes of the applicable law, your **DATA CONTROLLER** is: **EAST END CHARTERS, LLC**, having its registered office at **1100 MANHASSET AVE, GREENPORT, NY, 11944 (USA)**.

Depending upon the laws of your jurisdiction, you may be eligible for some or all of the following rights in respect of your personal information:

- i. Right to obtain information:** You may have a right to obtain information about how and on what basis your personal information is processed and to obtain a copy.
- ii. Right to rectification:** You may have the right to have any incomplete or inaccurate information we hold about you rectified and corrected.
- iii. Right of Erasure:** You may have the right to erase your personal information in limited circumstances where (a) you believe that it is no longer necessary for us to hold your personal information; (b) we are processing your personal information on the basis of legitimate interests and you object to such processing, and we cannot demonstrate an overriding legitimate ground for the processing; (c) where you have provided your personal information to us with your consent and you wish to withdraw your consent and there is no other ground under which we can process your personal information; and (d) where you believe the personal information we hold about you is being unlawfully processed by us.
- iv. Right of restriction:** You may have the right to restrict processing of your personal information where: (a) the accuracy of the personal information is contested; (b) the processing is unlawful but you object to the erasure of the personal information; (c) we no longer require the personal information for the purposes for which it was collected, but it is required for the establishment, exercise or defense of a legal claim or (d) you have objected to us processing your personal information based on our legitimate interests and we are considering your objection.
- v. Right to object:** You may have the right to object to decisions which are based solely on automated processing or profiling.
- vi. Right to ask for a copy:** Where you have provided your personal information to us with your consent, you may have the right to ask us for a copy of this data in a structured, machine-readable format and to ask us to share (port) this data to another data controller; or to obtain a copy of or access to safeguards under which your personal information is transferred outside of your jurisdiction.
- vii. Right to withdraw your consent.** You may have the right to withdraw your consent on using your personal data. If you withdraw your consent, we may not be able to provide you with access to certain specific functionalities of our services.
- viii. Request the transfer of your Personal Data.** If you so have this right, we will provide to you, or to a third-party you have chosen, your personal data in a structured, commonly used, machine-readable format. Please note that this right may only apply to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Data Protection Officer (DPO): Hannah Miller (hannah@eastendcharters.com)

To make such requests, please contact us at info@eastendcharters.com. Please note, we reserve the right to reject the request if you are not entitled to the right that you request to enforce.

12. How do we respond to legal requests?

We may access, preserve, and share your information in response to a legal request (like a search warrant, court order or subpoena) if we have a good faith belief that the law requires us to do so. This may include responding to legal

requests from law enforcement agencies, courts, tribunals, and government authorities. We may also access, preserve, and share information when we have a good faith belief it is necessary to: detect, prevent, and address fraud and other illegal activity; to protect ourselves, you and others, including as part of investigations; or to prevent death or imminent bodily harm. We also may retain information from accounts disabled for violations of our terms for at least a year to prevent repeat abuse or other violations of our terms.

13. Children Privacy

Protecting children's privacy is important to us, and therefore our Site or our services are not intended for children. We do not direct the Site or our services to, nor do we knowingly collect any personal information from, such children. If you are not of majority (*or above*) as per the law of jurisdiction that applies to you, you are not authorized to use the Site without your parent/guardian's consent. If we learn that a child has provided personally identifiable information to us without such consent, we will use reasonable efforts to remove such information from our database.

Please contact us at info@eastendcharters.com if you believe we knowingly or unknowingly collected information described in this Section.

14. How can I withdraw my consent? (OPT-OUT)

If you signup, you will automatically start receiving promotional emails and direct mail from us. If after you opt-in, you change your mind, you may withdraw your consent for us to contact you, for the continued collection, use or disclosure of your information, at any time, by contacting us at info@eastendcharters.com.

15. Governing law and Dispute Resolution

Unless provided by the relevant statute, rules, or directives applicable to the jurisdiction in which you reside, in case of any disputes, issues, claims or controversies arising out of or in relation to your use of the Site or our services, the laws of the **State of New York (USA)** shall be applicable, without regards to its conflict of law provisions, and the courts located at **Suffolk County, New York** shall have the exclusive jurisdiction over disputes.

16. Do you have questions or concerns about this Privacy Policy?

In the event you have any grievance regarding anything related to this Privacy Policy, Terms & Conditions, or with any content or service of Company, in that case you may freely write your concerns through your registered email to Grievance Officer/Designated Representative to below:

- **Name:** Hannah Miller
- **Email:** hannah@eastendcharters.com
- **Postal:** 1100 Manhasset Ave, Greenport, NY, 11944

17. Welcoming of suggestions

We welcome your comments regarding this Privacy Policy. Please write to us at info@eastendcharters.com.

Last updated on **June 08, 2023**