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Privacy Policy GDPR Compliant

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1. WARM WELCOME FROM XYZ

Welcome to XYZ and thank you for visiting us! We provide xyz services.

We wrote this Privacy Policy to give you a better understanding of how we collect, use, disclose and store your personal information. Please read it carefully as it gives you an understanding of our privacy practices.

By accessing or using XYZ, you agree to be bound by our Terms and Conditions and this Privacy Policy.

2. INTRODUCTION

In this Privacy Policy, “our” “we” or “us” means XYZ Pty Ltd (ACN/ABN) - the owner and operator of XYZ, and its related bodies corporate.

We are committed to protecting your privacy through compliance with the Privacy Act 1988 (Cth) (“Privacy Act”), the Australian Privacy Principles (“APP”), the General Data Protection Regulation (“GDPR”) and any other privacy laws applicable to our platform.

Where our platform contains links to third-party websites, these sites are not governed by this Policy. We are not responsible for their operation and their privacy practices so please check those.

3. TYPES OF DATA AND INFORMATION WE COLLECT

3.1 Personal information

Note to client: Under the GDPR (Article 13, 14 and 15) it is important to inform the user for each category of personal data:

- 1. The purpose for collecting/processing data and the legitimate interest being served by the collection*
- 2. The legal basis for processing data*
- 3. Whether automated decision-making takes place.*

We collect personal information from our visitors and members to provide you with a personalised, insightful and rewarding experience.

‘Personal information’ when used in this Privacy Policy has the meaning given to it in the Privacy Act but it generally means any information that can be used to personally identify you. When you sign up for or use xyz the type of personal information we collect includes name, address and contact details (including phone number and email address).

Your personal information will only be used and stored for the primary purpose for which it was collected and not for any other purpose, unless you would reasonably expect us to use or disclose the information for a secondary purpose or your consent has been obtained to use the information for additional purposes under clause 4 of this Policy.

3.2 Log data

When you use our platform, our servers record information including information that your browser automatically sends whenever you visit a website, or that your mobile app automatically sends when you’re using it (“log data”). This log data includes device identifiers, device type, geo-location information, connection information, statistics on page views, traffic to and from our platform, mobile network information, time, date, referring URL, the type of operating system and browser, ad data, IP address, server address, date and time of your visit to xyz, information of documents you download, pages visited, search terms, cookie information, and standard web log data.

The log data may be processed for the purposes of operating our platform, providing our services, ensuring our security, maintaining back-ups of our databases and communicating with you.

3.3 Cookies and other similar technologies

Note to client: Under the GDPR it is a requirement that the user is informed in regards to cookies and that it is in easy to understand language.

GDPR Recital 32 states the following (our emphasis): "...Silence, pre-ticked boxes or inactivity should not therefore constitute consent."

This means that "cookie wall" (unless users hit "I agree" to cookies and tracking, visitors can't navigate to the actual website) or passive pre-ticked boxes are no longer allowed under the GDPR.

To capture log data, we may use cookies and similar technologies like pixels, web beacons and local storage to collect and store personal and non-personal information about how you use xyz.

Cookies are files that store information on the device on which you are using or accessing our platform. Cookies also retain your details and preferences, so you can easily continue your browsing session upon return to our platform. If you do not want to activate cookies, you can opt-out of receiving them by amending the settings of your internet browser, although you may find that some parts of our platform will consequently have limited functionality and personalisation if you do so!

We try our best to handle any information collected by cookies in the same way that we handle other personal information described in this Policy.

3.4 Third party analytics tools

Third-party analytics tools collect non-personal information such as how often you visit our platform, the web pages you visit, add-ons, and other analytics data that assists us in improving our services. These tools might include Google Analytics, Google AdWords conversion tracking, Google Tag Manager, or Facebook Ads conversion tracking. Third-party cookies may be placed on your computer by a service provider to us, for example, to help us understand how our platform is being used. Third-party cookies may also be placed on your device by our business partners to advertise the service to you elsewhere on the Internet. We reserve our rights to modify, add or remove any third-party analytics tools. By using xyz you consent to the processing of any non-personal data these tools will collect in the way and for the purposes described above.

4. LEGAL BASIS OF OUR DATA PROCESSING (IN OTHER WORDS, WHY WE COLLECT YOUR DATA)

We reserve our rights to modify, add or remove any third-party analytics tools. By using xyz you consent to the processing of any non-personal data these tools will collect in the way and for the purposes described above.

We collect, store, use and disclose your personal information through lawful and fair means, so we can perform our business activities. The legal basis for our processing of your personal information and other data is based on:

- your consent through your voluntary submission of the information and agreeing to these terms or ticking "I agree" button on our platform;
- the information being necessary for the performance of a contract to which you are a party (primary purpose);

- for carrying out pre-contractual measures; and/or
- any other legitimate interests as detailed in this Privacy Policy.

By using xyz you provide your consent to us processing your personal information for secondary purposes including (without limitation):

- for internal operations such as record keeping, database management, data analytics or training
- sending you marketing and promotional messages and other information that may be of interest to you
- verifying your identity, investigating any complaints related to you, or if we have reason to suspect that you are in breach of any of our Terms And Conditions
- managing, researching and developing our products and services.

We may also use personal information to meet our internal and external audit requirements, information security purposes, and as we otherwise believe to be necessary or appropriate:

- under applicable law, which may include laws outside your country of residence
- to respond to requests from courts, law enforcement agencies, regulatory agencies, and other public and government authorities, which may include such authorities outside your country of residence
- to protect our rights, privacy, safety, property, or those of other persons.

5. **IF YOU CHOOSE NOT TO PROVIDE YOUR INFORMATION TO US**

We respect your privacy and personal choice when it comes to your data. You can choose not to provide us with your personal information. However, this may mean that:

- we will not be able to provide you with our services, or be limited in how we can do so
- we will not be able to interact with you
- we may be unable to process and open an account for you
- we will not be able to properly investigate or resolve any complaint you submit.

6. **OTHER WAYS WE COLLECT, USE AND DISCLOSE YOUR INFORMATION**

Use and disclosure of your information will only be made in accordance with APP 6.

6.1 **Collection from third parties**

To use your information in accordance with this Policy, we may also collect your personal information from third parties including:

- service providers
- credit reporting bodies
- marketing companies
- referrals who may have referred you to us