

## PRIVACY POLICY

This website (**our Website**) is owned and operated by Business Positive (NSW) Pty Ltd (A.C.N. 634 390 104) (**we, us and our**).

By using our Website, you agree to be bound by this Privacy Policy. If you do not agree with this Privacy Policy, do not use our Website.

This Privacy Policy explains our approach to dealing with your Personal Information. We set out how we collect, hold, manage and use Personal Information, including when you visit, interact with or use our Website.

We may update our Privacy Policy from time to time by posting a new version on our Website and it will be binding on you and us from the date it is posted on our Website.

### Scope of Policy

1. This Privacy Policy applies to all Personal Information we hold.
2. "Personal Information" under the *Privacy Act 1988* (Cth) (the **Privacy Act**) is defined to mean information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

### Your Consent

3. By using our Website and accessing our goods and services, you consent to us using any Personal Information that we collect for any of the purposes set out in this Privacy Policy.

### Collection of Personal Information

*Why do we collect Personal Information?*

4. We collect and hold Personal Information that is reasonably necessary for the services we provide.

*How do we collect Personal Information?*

5. We will generally collect Personal Information from you directly through your use of our Website including when you visit, access, contact us or use other services provided on our Website.
6. We may also collect Personal Information through applications, email, or written communication with you, or through a face-to-face or telephone conversation with you.

*What form of Personal Information do we collect?*

7. We may collect and hold the following types of Personal Information:
  - (a) Your name;
  - (b) Your date of birth;
  - (c) Age range;

- (d) Your gender;
  - (e) Your phone number;
  - (f) Your nationality;
  - (g) Your email address;
  - (h) Your mailing address and delivery address;
  - (i) Job title;
  - (j) Payment details; and
  - (k) Information provided by you when you use or request other services available on our Website.
8. In the course of providing our services to you, we may also collect and hold more detailed personal information (for instance financial details if we are engaged to perform financial services, tax or credit information).
9. If you choose to correspond with us through email, we may retain the content of your email messages together with your email address and our responses. We provide the same protections for these electronic communications that we employ in the maintenance of information received by mail and telephone.

#### *Retaining your Personal Information*

10. We will retain your personal information for the duration of your use of the Website. When you cease use of the Website we will retain your Personal Information for no longer than 7 years or for any such period that it is necessary for us to retain your Personal Information (the **Retention Period**).
11. We will make your personal Information available to you if requested.

#### *Destruction of your Personal Information*

12. Once the Retention Period has lapsed, we will ensure the timely and secure destruction and/or disposal of your Personal Information, including both physical information and cyber information.
13. If at any other time, you request we destroy and/or dispose of your Personal Information, we will comply with your request in a timely matter, to the extent that it does not interfere with the conduct of our business.

### **Breach of Personal Information**

#### *Security of your Personal Information*

14. We will endeavour to protect your Personal Information from unauthorised interference (including access or disclosure).

#### *Informing you of a Data Breach*

15. A data breach will occur if there has been unauthorised interference to your Personal Information, and that interference is likely to result in serious harm to you (**Data Breach**).

16. If there is a Data Breach, we will determine if the Data Breach has caused or is likely to cause serious harm. If we determine that serious harm has or will be caused, we will notify you and the relevant reporting body of the Data Breach.

### **How we use your Personal Information**

17. We collect, use and disclose Personal Information for purposes associated with conducting our business, providing services to you, marketing and promotional efforts, and to improve our content and service offerings, including:
  - (a) Facilitating services between you and us, entities associated with us and/or third party individuals and organisations who we work with or alongside to provide services to you;
  - (b) Monitoring the use of our Website;
  - (c) Improving the quality of our service;
  - (d) Administrative purposes;
  - (e) Marketing communications purposes;
  - (f) Recruitment;
  - (g) Statistical analysis of the usage of our Website; and
  - (h) Complying with the law, including privacy legislation.
18. Occasionally, we may also use the Personal Information we collect to notify you about important changes to our Website and new services we think you will find valuable. You may notify us at any time if you do not wish to receive these offers by emailing us at the link provided on notifications or by contacting us at [hello@businesspositive.com.au](mailto:hello@businesspositive.com.au).

### **Direct Marketing**

19. If you have given us your express consent to:
  - (a) Provide you with direct marketing communications; or
  - (b) Provide your Personal Information to third party individuals and organisations who we work with or alongside to provide services to you),we may collect, hold, use and disclose Personal Information in accordance with that consent to enable us (or those third-party individuals and organisations, as the case may be) to provide you information about, and offer you, goods and services.
20. If you give us consent to provide you with direct marketing communications, you can later request not to receive direct marketing communications. You may also request that we do not provide your Personal Information to any of our third party providers in order for them to provide you with direct marketing communications.

### **Disclosure**

21. Such information may be shared with others as de-identified data in aggregated form.

22. Personally identifiable information or business information will not be shared with third parties except as required by law or where you have given us your express consent to do so.
23. We may need to provide your Personal Information to third parties who we engage to assist us to provide goods and services to you, such as:
  - (a) Service providers who we engage to assist us in providing services to you;
  - (b) Information technology service providers; and
  - (c) Payment processors.
24. Where your Personal Information is disclosed to these third parties, they will only be authorised to use your Personal Information for the purpose that we supplied it to them. If those third parties are located overseas, then your Personal Information may be transferred overseas.

### **Cookies and Data Activity**

25. We may use standard technology called 'cookies' and similar technologies on our Website. Cookies are small data files that are stored on your computer when you visit a particular app or website, which allow your web browser to remember certain information.
26. By using our Website, you agree to our use of cookies and our Website will issue cookies as soon as you visit our Website. You may disable cookies by turning them off in your browser, however some functions of our Website will not be available to you if you do this.
27. Sometimes information that you upload is provided with associated metadata. If you do not want us to use the metadata you must remove it before uploading it onto our Website and other applications and tools.
28. We may collect data that is associated with your visit, including the pages you visit, the activities you do and the purchases you make etc. We may also collect information relating to the mobile phone or other device including the device type, the browser, location, IP address and search words used. We may collect, use and disclose and store this information in any of the ways set out in this Privacy Policy.

### **Data Security and Storage**

29. Personal Information collected by us will be stored and processed on servers located within Australia. To prevent unauthorised access, maintain data accuracy, and ensure the correct use of information, we have put in place appropriate physical, electronic, and managerial procedures to safeguard and secure the information we collect online.
30. In other limited circumstances, we may need to send your Personal Information overseas. These circumstances include:
  - (a) Where we have a supplier assisting us with the provision of goods and services and our business functions; and
  - (b) Where a third-party application is being used in connection with our interactions with you.

31. We will take all reasonable steps to maintain the security of Personal Information in these circumstances in accordance with this Privacy Policy, but our ability to ultimately control where these third-party providers host their applications or process their data may be limited.

### **Links to other Applications and Websites**

32. Our Website may contain links to other applications, websites and tools that are owned, controlled or operated by us. We are not responsible for the practices employed by applications linked to or from our Website or the information or content contained on them.
33. Please remember that when you use a link to go from our Website to another application, our Privacy Policy is no longer in effect. Your browsing and interaction on any other application, including applications that have a link on our Website, is subject to that application's own rules and policies. Please read over those rules and policies before proceeding.

### **Legal Disclosure of Personal Information**

34. We reserve the right to disclose any Personal Information which identifies you as required by law and when we believe that disclosure is necessary to protect our rights, or to comply with a judicial proceeding, court order, or legal process served on our Website.

### **How to Opt-out or Access your Personal Information**

35. If you:
  - (a) Want to find out what Personal Information we hold about you;
  - (b) Believe any of your Personal Information held by us is inaccurate, out of date, incomplete or it is not necessary for us to continue to hold it;
  - (c) Want to request not to receive direct marketing communications or that we do not provide your Personal Information to any of our third party providers in order for them to provide you with direct marketing communications; or
  - (d) Wish to make a complaint about a breach of the Privacy Act, Australian Privacy Principles or a privacy code that applies to us,

please contact us by emailing us at [hello@businesspositive.com.au](mailto:hello@businesspositive.com.au).

36. If you are not happy with our response, you may complain directly to the Australian Privacy Commissioner.