



**GuardPOINT**

## **Privacy Policy**

**Guard Point Pty Ltd ACN 639 579 025**

## Privacy Policy

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### 1. Background

Thanks for visiting our Privacy Policy (**Policy**), we are Guard Point Pty Ltd ACN 639 579 025 (**Guard Point, we, our, us and other similar terms**). We are committed to providing quality services to you and this policy outlines our ongoing obligations in respect of how we manage your Personal Information. It applies to our mobile application and website terms of use along with other agreements we may form with you.

When we talk about Personal Information, we mean information or an opinion about an identifiable individual (not a company), whether or not that information or opinion is true or in a material form (**Personal Information**).

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### 2. Disclaimer

While your Privacy is important to us, nothing in this Privacy Policy constitutes a voluntary opt in to any privacy laws, anywhere in the world, which we are not statutorily bound to comply with.

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### 3. Collection of Personal Information

#### 3.1 How we collect Personal Information

We collect Personal Information in the ordinary course of our business, which is the provision of mobile applications and software services that operate together to facilitate trusted communications between businesses and consumers. Personal Information is collected when you:

- (a) contact or correspond with us via email, telephone or via our website;
- (b) register an account via our mobile applications or software services;
- (c) subscribe to our newsletters or complete surveys and online forms;
- (d) purchase or enquire about our mobile applications and software services;
- (e) seek support in relation to our mobile applications and software services; or
- (f) make customer service-related enquiries.

Information will only be collected directly from you unless you authorise another person to provide the information.

#### 3.2 What Personal Information is collected?

The types of Personal Information we collect includes your name, address, telephone number, email, IP address, device identification and any additional information you provide to us.

Where you contact us on behalf of your employer, the information you provide often contains information about your employment, position and employers contact details. In those circumstances certain employment information is collected.

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### 4. How Guard Point uses Personal Information

#### 4.1 Why we collect Personal Information

We collect your Personal Information for the primary purpose of providing our mobile applications and software services to you. We may also use your Personal Information for secondary purposes closely related to the primary purpose, in circumstances where you would reasonably expect such use or disclosure.

Examples of when we may use your Personal Information include:

- (a) informing you about our mobile applications and software services;
- (b) providing you with the mobile applications and software services you have requested;
- (c) administration needs in relation to providing you with mobile applications and software services, including the administration of your account;
- (d) dealing with requests, enquiries or complaints and other customer care related activities;
- (e) arranging for the delivery of goods you purchase; and
- (f) carrying out any activity in connection with a legal, governmental or regulatory requirement imposed on us or in connection with legal proceedings, crime or fraud prevention, detection or prosecution.

#### **4.2 Direct marketing**

We will not market to you via our mobile applications. That is, you will not receive push notifications or SMS messages as a result of installing the app on your mobile device. The only information you will receive via our mobile applications will be directly related to the provision of our services.

However, where you provide us with consent to do so (e.g. if you have subscribed to our email lists or have indicated that you are interested in receiving offers or information from us), we send you marketing communications by email about our services that we feel may be of interest to you.

You can opt-out of such communications if you would prefer not to receive them in the future by using the “unsubscribe” facility provided in the communication itself.

#### **4.3 Use of de-identified data**

The data we collect may have analytical value to us, our business partners and our related entities. We reserve the right to process, distribute or sell information we collect through our services. However, we will only distribute data which has been de-identified or otherwise to our associates in accordance with this Policy.

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## **5. Cookies and browser analytics**

### **5.1 Cookies, pixels and logs**

When you visit our website or engage with us through social media, certain information is collected. This is generally anonymous information and it does not reveal your identity.

The following is the type of information which is collected:

- (a) your IP address or proxy server IP address;
- (b) the website which referred you to ours;
- (c) the domain name and web pages you access;
- (d) the name of your internet service provider may be captured depending on the configuration of your connection;
- (e) the date, time and duration of your visit to the website;
- (f) the number of times you access our site within any month;
- (g) the operating system of your computer or mobile device; and

(h) the technical capabilities of your web browser.

By modifying your browser preferences, you have the choice to accept all cookies, to be notified when a cookie is set, or to reject all cookies. If you choose to reject cookies some parts of our website may not work properly.

## **5.2 Use of Google Analytics**

This website uses google analytics, a web analytics service provided by Google LLC (**Google**). Google analytics uses cookies, which are text files placed on your computer, to analyse how you use the site.

The information collected by Google about your use of the website will be transmitted to and stored by Google on servers in the United States. Google will use this information for the purpose of evaluating your use of the website, compiling reports on website activity for website operators and providing other services relating to website activity and internet usage.

Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf.

By using this website, you consent to the processing of data about you by Google in the manner described in Google's privacy policy and for the purposes set out above. You can opt out of Google Analytics if you disable or refuse the cookie, disable JavaScript, or use the opt-out service provided by Google.

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## **6. Data retention and security**

### **6.1 Security mechanisms we employ**

Generally, we store your Personal Information using secure servers protected from unauthorised access, modification and disclosure. However, like most businesses we hold some information on our staff's computers (such as emails from you) and where necessary as hard copy files (such as printed invoices).

Our systems are by default located in Australia and the United States, however in some circumstances you may be offered options for where your data is stored at rest.

Personal Information that we store or transmit is protected by security and access controls, including username and password authentication, two-factor authentication, and data encryption (such as SSL) where appropriate.

In our dealings with third party service providers, we take care to work with subcontractors and service providers who we believe maintain an acceptable standard of data security compliance.

### **6.2 How long we keep your Personal Information**

We retain your Personal Information for as long as is necessary to provide the mobile applications and software services to you, as required for our internal business operations, and to comply with our legal obligations

If we hold Personal Information about you, and we do not need that information for any purpose, we will take reasonable steps to destroy or de-identify that information, in accordance with the Australian Privacy Principles (**APP**) and the European Union General Data Protection Regulation (**GDPR**), unless we are prevented from doing so by law.

Under Australian law, financial records, such as those relating to financial transactions, must be retained for 7 years after the transactions associated with those records are completed.

If you no longer want us to use your Personal Information, you can request that we erase it and close your account. Where possible we will do so in accordance with the APPs and GDPR. However, where you request the erasure of your Personal Information we will retain information from

deleted accounts as necessary for our legitimate business interests, to comply with the law, prevent fraud, collect fees, resolve disputes, troubleshoot problems, assist with investigations or requests by government, a court of law, or law enforcement authorities, enforce the terms of service and take other actions permitted by law. Any information we retain will be handled in accordance with this privacy policy.

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## **7. Disclosure of your Personal Information**

### **7.1 Who we share your Personal Information with?**

Your Personal Information may be disclosed to:

- (a) our employees, a related company and our professional advisers (lawyers, accountants, financial advisers etc.);
- (b) regulators and government authorities in connection with our compliance procedures and obligations, including law enforcement agencies to assist in the investigation and prevention of criminal activities;
- (c) a purchaser or prospective purchaser of all or part of our assets or our business, and their professional advisers, in connection with the purchase;
- (d) a third party, in order to enforce or defend our rights, or to address financial or reputational risks;
- (e) third party contractors, suppliers and service providers with whom we have a business association, including:
  - (i) information security auditors;
  - (ii) administration service providers;
  - (iii) marketing service providers; and
  - (iv) information technology service providers including cloud application providers.

We will not disclose your Personal Information other than in accordance with this Policy without your consent.

### **7.2 Offshore transfers**

We may disclose your Personal Information to third party contractors, service providers and suppliers with whom we have a business association who operate in Australia and the United States.

While we do not otherwise actively disclose your Personal Information to overseas entities, our engagement of service providers, such as those who operate cloud services, may have international data centres and disaster recovery sites. Consequently, these providers may have access to your information offshore. We rely solely on reputable organisations for such cloud services.

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## **8. Anonymity and use of Pseudonyms**

If you contact us with a general enquiry, we may interact with you anonymously or through the use of pseudonyms. However, you are required to provide true and accurate details when requesting the supply of goods or provision of services. You agree you will provide accurate information if we require it.

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## **9. Access to Personal Information and corrections**

We endeavour to only hold Personal Information that is accurate, complete and up-to-date. You have the right to make a request to access Personal Information which we hold about you and to

request corrections of any errors in that data. To make an access or correction request, contact us using the contact details provided at the end of this Policy.

If you have an account with us, you can access some of the Personal Information that we collect about you. By logging into your account, you can update or correct certain information.

In order to protect your Personal Information, when you contact us, we may require identification from you before releasing the requested information or making the correction.

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## 10. Additional rights for EU residents and citizens

For the purposes of the GDPR, we are a 'data controller' of Personal Information. If you're a citizen or resident of the European Economic Area, the following rights apply to you.

You are entitled to ask us to port your Personal Information (i.e. to transfer in a structured, commonly used and machine-readable format, to you), to erase it, or restrict its processing. You also have rights to object to some processing that is based on our legitimate interests, such as profiling that we perform for the purposes of direct marketing, and, where we have asked for your consent to process your data, to withdraw this consent.

These rights are limited in some situations – for example, we can demonstrate that we have a legal requirement to process your Personal Information. In some instances, this means that we may retain some data even if you withdraw your consent.

Where we require your Personal Information to comply with legal or contractual obligations, then provision of such data is mandatory and if you do not provide it then we will not be able to manage our contractual relationship with you, or to meet obligations placed on us. In those cases, you must provide us with your Personal Information, otherwise the provision of requested Personal Information is optional.

If you have unresolved concerns, you also have the right to complain to data protection authorities. The relevant data protection authority will be the data protection authority in the country:

- (a) of your habitual residence;
- (b) of your place of work; or
- (c) in which you consider the alleged infringement has occurred.

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## 11. Complaints

Your privacy is important to us. If you have a complaint or concern about our handling of your Personal Information, we ask that you first contact our privacy officer whose contact details are listed below. We will investigate your complaint and reply to you in writing if you provide us with contact details and request us to do so.

If, after we have conducted our investigations you are still not satisfied then we ask you to consult with the Office of the Australian Information Commissioner:

**Email:** [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
**Telephone:** 1300 363 992 (from overseas +61 2 9284 9749)  
**Post:** GPO Box 5218  
Sydney NSW 2001

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## 12. Contacting Guard Point

If you have any questions about our privacy practices, wish to make a complaint or have questions regarding the way in which we have been managing your Personal Information, please contact our privacy officer:

**Email:** privacy@guardpoint.com.au

**Post:** 12 Birkalla Street, Bulimba, QLD 4171 Australia

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## 13. Variations to this Policy

We will need to change this policy from time to time in order to make sure it stays up to date with the latest legal requirements and any changes to our privacy management practices.

When we do change the policy, we'll make sure to notify you about such changes, where required. A copy of the latest version of this policy will always be available on this page.

This policy was last updated on 23 March 2020