

Privacy Policy

Last updated 26 March 2021

In this Privacy Policy, **us, we** or **our** means KYIT Pty Ltd (ABN 68 631 911 478) and our related bodies corporate. We own and operate the KYIT Fishbowl Cloud Hosting Service platform (“Platform”), which comprises of the Cloud Hosting VM platform for hosting of Fishbowl’s inventory software.

We are committed to respecting your privacy. Our Privacy Policy sets out how we collect, use, store and disclose your personal information. We are bound by the Australian Privacy Principles contained in the Privacy Act 1988 (Cth) (**Privacy Act**) and to the extent applicable, the EU General Data Protection Regulation (GDPR).

By providing personal information to us, you consent to our collection, use and disclosure of your personal information in accordance with our Fishbowl Cloud Hosting Service Agreement, Privacy Policy, Terms of Use and any other arrangements that apply between us.

Personal information includes information or an opinion about an individual that is reasonably identifiable. For example, this may include your name, age, gender, postcode and contact details. It may also include financial information.

This Privacy Policy explains how we manage your personal information, including:

- what personal information we collect;
- why we collect, hold, use or disclose personal information;
- to whom we disclose your personal information;
- whether we disclose your personal information outside of Australia;
- how we collect personal information when you use or access the Software;
- how we keep your personal information secure;
- how you can make a complaint or contact us for further information.

1. What personal information do we collect?

We only collect personal information for purposes which are directly related to our services, functions or activities, and only when it is necessary for, or directly related to these purposes. If you do not provide this information, we may not be able to provide some or all of our services to you and you may not be able to access the Platform.

When you are first registered as a user of our Platform, we may collect the following types of personal information from your employer or your contractor: your name, email address, phone number and position.

We will then provide you with login credentials in order for you to access the Platform.

2. Why do we collect, hold, use and disclose personal information?

We may collect, hold, use and disclose your personal information for the following purposes:

- to enable you to access and use the Platform and our services;
- to contact and communicate with you;
- to provide you with information about our products and services and the products and services of our business partners;
- to operate, protect, improve and optimise the Platform, and our services, business and users' experience.
- to send you service, support and administrative messages, reminders, technical notices, updates, security alerts, and information requested by you;
- to comply with our legal obligations, resolve any disputes that we may have with any of our users, and enforce our agreements with third parties.

In order to improve our products and services, we also collect data about how users interact with our Software and related services, the characteristics of our user base and other data derived from the data we collect from or about our users. We may use or disclose such data to a third

party, but we will only do this where we have processed this data into a format such that you will not be able to be identified.

3. To whom do we disclose your personal information?

We may disclose personal information for the purposes described in this privacy policy to:

- our employees and related bodies corporate;
- your employer or contractor, including your employer's or contractor's management team and select personnel;
- third party suppliers, service providers and our business partners;
- the Software and/or our business or in connection with providing our products and services to you);
- our existing or potential agents, business partners or partners;
- anyone to whom our assets or businesses (or any part of them) are transferred;
- specific third parties authorised by you to receive information held by us; and/or
- other persons, including government agencies, regulatory bodies and law enforcement agencies, or as required, authorised or permitted by law.

4. Disclosure of personal information outside Australia

We may disclose personal information to related bodies corporate of your employer or contractor outside of Australia for some of the purposes listed above in section 2. When you provide your personal information to us, you consent to the disclosure of your information outside of Australia and acknowledge that we are not required to ensure that overseas recipients handle that personal information in compliance with Australian Privacy Law. We will, however, take reasonable steps to ensure that any overseas recipient will deal with such personal information in a way that is consistent with the Australian Privacy Principles and to the extent applicable, the EU General Data Protection Regulation (GDPR).

5. Using the Platform

We may collect personal information about you when you use and access the Platform.

While we do not use browsing information to identify you personally, we may record certain information about your use of the Platform, such as which parts of the Platform you visit, the time and date of your visit and the internet protocol address assigned to your computer or mobile device.

6. Security

We may hold your personal information in either electronic or hard copy form. We take reasonable steps to protect your personal information from misuse, interference and loss, as well as unauthorised access, modification or disclosure and we use a number of physical, administrative, personnel and technical measures to protect your personal information. However, we cannot guarantee the security of your personal information.

7. Accessing or correcting your personal information

You can access the personal information we hold about you by contacting us using the information below. Sometimes, we may not be able to provide you with access to all of your personal information and, where this is the case, we will tell you why. We may also need to verify your identity when you request your personal information.

If you think that any personal information we hold about you is inaccurate, please contact us and we will take reasonable steps to ensure that it is corrected.

8. General Data Protection Regulation (GDPR) for the European Union (EU)

We will comply with the principles of data protection set out in the GDPR for the purpose of fairness, transparency and lawful data collection and use.

We process your personal information as a Processor and/or to the extent that

we are a Controller as defined in the GDPR.

We must establish a lawful basis for processing your personal information. The legal basis for which we collect your personal information depends on the data that we collect and how we use it.

We will only collect your personal information with your express consent for a specific purpose and any data collected will be to the extent necessary and not excessive for its purpose. We will keep your data safe and secure.

We will also process your personal information if it is necessary for our legitimate interests, or to fulfil a contractual or legal obligation.

We process your personal information if it is necessary to protect your life or in a medical situation, it is necessary to carry out a public function, a task of public interest or if the function has a clear basis in law.

We do not collect or process any personal information from you that is considered "Sensitive Personal Information" under the GDPR, such as personal information relating to your sexual orientation or ethnic origin unless we have obtained your explicit consent, or if it is being collected subject to and in accordance with the GDPR.

You must not provide us with your personal information if you are under the age of 16 without the consent of your parent or someone who has parental authority for you. We do not knowingly collect or process the personal information of children.

9. Your rights under the GDPR

If you are an individual residing in the EU, you have certain rights as to how your personal information is obtained and used. We comply with your rights under the GDPR as to how your personal information is used and controlled if you are an individual residing in the EU

Except as otherwise provided in the GDPR, you have the following rights:

- to be informed how your personal information is being used;

- access your personal information (we will provide you with a free copy of it);
- to correct your personal information if it is inaccurate or incomplete;
- to delete your personal information (also known as "the right to be forgotten");
- to restrict processing of your personal information;
- to retain and reuse your personal information for your own purposes;
- to object to your personal information being used; and
- to object against automated decision making and profiling.

Please contact us at any time to exercise your rights under the GDPR at the contact details in this Privacy Policy.

We may ask you to verify your identity before acting on any of your requests.

10. Making a complaint

If you think we have breached the Privacy Act, or you wish to make a complaint about the way we have handled your personal information, you can contact us at the email address below. Please include your name, email address and/or telephone number and clearly describe your complaint. We will acknowledge your complaint and respond to you regarding your complaint within a reasonable period of time. If you think that we have failed to resolve the complaint satisfactorily, we will provide you with information about the further steps you can take.

11. Contact Us

For further information about our Privacy Policy or practices, or to access or correct your personal information, or make a complaint, please contact us using the details set out below:

Privacy Information Officer at info@kyit.com.au