

PRIVACY POLICY

Introduction

iProximity Pty Ltd (**we, our, us**) recognise the importance of protecting the privacy and the rights of individuals in relation to their personal information this includes existing and prospective customers of our clients, potential and existing employees and contractors whom iProximity collects personal information from or is provided with such information from our clients.

This document is our privacy policy and it tells you how we collect and manage your personal information.

We respect your rights to privacy under the Australian Privacy Act 1988 (Cth) (**Act**) and we comply with all of the Act's requirements in respect of the collection, use, management, disclosure, quality, security, access and correction of your personal information.

What is your personal information?

When used in this privacy policy, the term "personal information" has the meaning given to it in the Act. In general terms, this is any information that can be used to personally identify you. This may include your name, address, telephone number, email address, credit card details, account number, and profession or occupation. If the information we collect personally identifies you, or you are reasonably identifiable from it, the information will be considered personal information

What personal information do we collect and hold?

We may collect the following types of personal information:

- name, mailing or street address;
- email address and telephone and facsimile number;
- age or birth date;
- system access passwords;
- profession, occupation or job title;
- details of the products and services you have purchased from us or our customers (on whose behalf we may provide products or services) or which you have enquired about, together with any additional information necessary to deliver those products and services and to respond to your enquiries;
- Credit card details;
- Details of your credit worthiness and credit history;
- In the case of our APP, iProximity Enabled, your account password, how you use the APP, and information regarding your APP activity when you use the APP;
- any additional information relating to you that you provide to us directly through our websites or indirectly through use of our websites or online presence, through our representatives or otherwise; and
- information you provide to us through our service centre, customer surveys or visits by our representatives from time to time.

Privacy Policy

It is important to appreciate that much of the personal information we collect and hold is done so by us when we are acting as the "agent" or service provider of our customer. For example, we operate proximity-marketing services on behalf of Australian & Overseas companies. When you interact with either our iProximity Enabled App or directly with one of our Customer's APPs that may work similarly, you may not necessarily be aware that the APP is operated by iProximity on behalf of our customer. We have set out in the Annexure to this policy some more detail around the information we may collect and hold. Please read this carefully.

We may also collect some information that is not personal information because it does not identify you or anyone else. For example, we may collect anonymous data or aggregated information about how users use our websites or Apps. We do not re-identify this information to turn it into personal information.

How do we collect your personal information?

Personal information is only collected by lawful and fair means in accordance with the Act. We collect your personal information directly from you. When collecting personal information from you, we may collect in ways including:

- through your access and use of our website, or websites hosted by us;
- through the use of our App, or third party Apps that contain our Software Development Kit (SDK)
- through your use of telephone and mobile communication (including but not limited to fixed line, IVR services, SMS and MMS);
- during conversations between you and our representatives;
- during correspondence between you and our representatives, including electronic correspondence; or
- when you complete an application, contract or purchase order.

Some of the personal information iProximity holds or deals with is not actually collected by iProximity. Because iProximity is an outsourced service provider, much of the data and personnel information it deals with is provided to it by its clients, and has not actually been directly collected by iProximity from the individual concerned. It is impracticable for us to collect information directly from you when we are acting as the “agent” or service provider of our client, our client has already collected the relevant information from you (or another third party), and our client has provided it to us for our use in providing services to or on behalf of our client. For example, we act on behalf of many customers in sending email and SMS communications. To enable us to do so we may use our customer’s database of personal information that our customer has supplied to us. It is impracticable for us to “recollect” this information from you directly before we use as requested by our client. In respect of personal information which is provided to us by our clients, we do seek client assurances that all such personal information has been collected lawfully and in compliance with the Privacy Act and that all required consents have been obtained for, and disclosure statements made in respect of, the intended use of that personal information. iProximity however will not be responsible for, and accepts no liability in respect of, any failure by a client to do so.

Cookies

In some cases we may also collect your personal information through the use of cookies.

When you access our website, or a website hosted or operated by us on behalf of a client, we may send a “cookie” (which is a small summary file containing a unique ID number) to your computer or mobile device.

This enables us to recognise your computer or device and greet you each time you visit our website without bothering you with a request to register. It also enables us to keep track of products or services you view so that, if you consent, we can send you news about those products or services.

We also use cookies to measure traffic patterns, to determine which areas of our website have been visited and to measure transaction patterns in the aggregate. We use this to research our users’ habits so that we can improve our online products and services. If you do not wish to receive cookies, you can set your browser so that your computer does not accept them.

We may log IP addresses (that is, the electronic addresses of computers connected to the internet) to analyse trends, administer the website, track users movements, and gather broad demographic information.

We may also log places you visit, Beacons, QR Codes, or NFC tags our iProximity Enabled Apps come into

contact with and determine your interest in certain product types and allow advertisers to deliver product advertising of a similar nature to your interests. You may disable these functions within the iProximity Enabled App settings.

In some instances, we may use third-party advertising companies to serve ads when you visit our websites or other unrelated websites. These companies may use information (not including your name, address, email address, or telephone number) about your visits to our websites and other websites in order to provide advertisements about goods and services of interest to you.

We have no access or control over third party cookies.

Page Tags and Web Beacons. Our Website may utilise electronic images called page tags (or web beacons, clear gifs, action tags, single-pixel gifs) that allow us to collect webpage usage information. These page tags are not used to access or collect personal information, but rather to inform us what content is effective. Page tags are techniques to compile aggregate statistics about webpage usage to improve the effectiveness of our services and advertisements. The information collected by the page tags may be shared with third parties for processing, so that they can understand the kinds of visitors to the websites and how those visitors use the webpages. Page tags may be rendered ineffective by changing the cookie setup options in your Internet Browser.

What happens if we can't collect your personal information?

If you do not provide us with the personal information described above, some or all of the following may happen:

- we may not give you access to the iProximity Enabled App or other Apps containing our SDK
- we may not be able to provide the requested products or services to you, either to the same standard or at all, or we may not be able to supply services to our clients which will enable our clients to do the same; or
- we may not be able to provide you with information about products and services that you may want, including information about discounts, sales or special promotions, or we may not be able to supply services to our clients which will enable our clients to do the same; or
- we may be unable to tailor the content of our websites to your preferences, or we may not be able to supply services to our clients which will enable our clients to do the same; or
- if you are a client of ours, we may not be able to provide you with the products and services you require; or
- if you are a contractor to us, you may not be able to provide your services to us.

For what purposes do we collect, hold, use and disclose your personal information?

We collect personal information about you so that we can perform our business activities and functions and to provide best possible quality of service to you and to enable us to provide products and services to our clients.

We collect, hold, use and disclose your personal information for the following purposes, in each case, either on our own behalf or when acting on behalf of a client:

- to provide our products and services to you and our clients and to send communications requested by you and/ or our clients;
- to answer enquiries and provide information or advice about existing and new products or services;
- to administer competitions and games of chance, or provide other information, promotions, coupons, offers, discounts or links to other programs through our website, 3rd party websites, our iProximity Enabled App or 3rd party Apps containing our SDK
- to provide you with access to protected areas of our websites;
- to assess the performance of our websites and to improve the operation of our websites;
- to conduct business processing functions including providing personal information to our related bodies

- corporate, clients, contractors, service providers or other third parties;
- to assess the provision of, and provide credit, to you;
- for the administrative, marketing (including direct marketing), planning, product or service development, quality control and research purposes of iProximity, its clients, contractors or service providers;
- to update our records and keep your contact details up to date;
- to process and respond to any complaint made by you; and
- to comply with any law, rule, regulation, lawful and binding determination, decision or direction of a regulator, or in co-operation with any governmental authority of any country (or political sub-division of a country).
- We may also use your personal information for the other purposes related to those described above which would be reasonably expected by you.
- Except as provided below, your personal information will not be shared, sold, rented or disclosed other than as described in this Privacy Policy.
- We do not disclose personal information we obtain when acting on behalf of one client, to any other client, unless directed by the client.
- iProximity sometimes handles personal information relying on exemptions under the Privacy Act, for example in relation to (i) employee records; (ii) related bodies corporate; (iii) provision of services to State or Territory authorities; and (iv) operations outside Australia relating to personal information of non-Australians. Any permitted handling of personal information under such exemptions will take priority over this Privacy Policy to the extent of any inconsistency.

To whom may we disclose your information?

We may disclose your personal information to:

- our employees, clients, contractors or service providers for the purposes of operation of our websites, our APP or our businesses, fulfilling requests by you, and to otherwise providing products and services to you and our clients including, without limitation, web hosting providers, IT systems administrators, payment processors, data entry service providers, electronic network administrators and professional advisors such as accountants, solicitors, business advisors and consultants;
- suppliers, clients and other third parties with whom we have commercial relationships, for business, marketing, and related purposes;
- some websites to use third party advertising companies to serve advertisements to you when you visit the site. These companies may use information about your visits to the website and other unrelated websites in order to provide advertisements and goods and services of possible interest to you; and
- any organisation for any authorised purpose with your express consent. We may combine or share any information that we collect from you with information collected by any of our related bodies corporate. Our clients may do likewise.
- **Direct marketing materials:** We may send you direct marketing communications and information about our products and services that we, or our clients, consider may be of interest to you. These communications may be sent in various forms, including, App Notifications, In App Messaging, SMS, MMS, phone calls and email, in accordance with applicable marketing laws, such as the *Spam Act 2003* (Cth). At any time you may opt-out of receiving marketing communications from us by contacting us (see the details below) or by using opt-out facilities provided in the marketing communications and we will then ensure that your name is removed from our mailing list (or where are using a mailing list provided by our client, we will pass your request on to our client). We do not provide your personal information to other organisations for the purposes of direct marketing (see also our use of cookies). However, where we are engaged by our clients to act on their behalf in collecting personal information then we will pass that personal information on to our client.
- **How can you access and correct your personal information?** You may request access to any personal information we hold about you at any time by contacting us (see the details below). Where we hold information that you are entitled to access, we will try to provide you with suitable means of

accessing it (for example, by mailing or emailing it to you). We may charge you a fee to cover our administrative and other reasonable costs in providing the information to you and, if so, the fees will be \$30 per hour of time spent. We will not charge for simply making the request and will not charge for making any corrections to your personal information. There may be instances where we cannot grant you access to the personal information we hold. For example, we may need to refuse access if granting access would interfere with the privacy of others or would result in a breach of confidentiality. If that happens, we will give you written reasons for any refusal. If you believe that personal information we hold about you is incorrect, incomplete or inaccurate, then you may request us to amend it. We will consider if the information requires amendment. If we do not agree that there are grounds for amendment then we will, where possible and practicable, add a note to the personal information stating that you disagree with it.

What is the process for complaining about a breach of privacy?

If you believe that your privacy has been breached, please contact us using the contact information below and provide details of the incident so that we can investigate it.

Our procedure for investigating and dealing with privacy breaches is to ascertain all relevant facts and correspond with those involved (including where relevant our clients), reach a view as to the existence, scope and cause of the issue, and where relevant and appropriate, implement corrective or rectification measures.

A request for access to the personal information held by iProximity concerning an individual can be made by that individual to iProximity's Privacy Officer on the numbers or address mentioned below or, in cases where iProximity is acting on behalf of a client, to iProximity's client. A fee may apply, the amount of which will be advised at the time of application.

Do we disclose your personal information to anyone outside Australia?

We may disclose personal information to third party suppliers and service providers located overseas for some of the purposes listed above. Indeed. Some of our suppliers are located overseas.

Except where specific individual consent has been obtained under APP 8.2(b), we take reasonable steps to ensure that the overseas recipients of your personal information do not breach the privacy obligations relating to your personal information.

We may disclose your personal information to entities located outside of Australia, including the following:

- our clients and their related entities located in foreign countries, to the extent that we are acting on their behalf or at their direction in using, storing, or collecting your personal information. Applicable foreign countries may include United States of America, Canada, New Zealand, Great Britain, Singapore and India.
- **Security:** We take reasonable steps to ensure your personal information is protected from misuse and loss and from unauthorised access, modification or disclosure. We may hold your information in either electronic or hard copy form. Personal information is destroyed or de-identified when no longer needed. As our website is linked to the internet, and the internet is inherently insecure, we cannot provide any assurance regarding the security of transmission of information you communicate to us online. We also cannot guarantee that the information you supply will not be intercepted while being transmitted over the Internet. Accordingly, any personal information or other information which you transmit to us online is transmitted at your own risk.

iProximity Enabled App

iProximity Enabled App and third party Apps utilizing the iProximity SDK are designed to help you discover

localised information based on your proximity. If you use this app:

1. If you link to social media or sign into one of our Customer's programs (such as a loyalty program) Your account name and username and any display photo or image attached to your user name will become public information. Whilst you may amend this information, it is available in the public domain.
2. Your comments and uploads will become public information. Content that is uploaded by you, including information, material, comments, views, video, photos, audio etc. may be made available to other App users and will be attached to your display name and display picture. If you do not wish for your content to be made public please do not upload it or link to social media or loyalty programs.
3. Even if you chose to cancel your account or if your account is otherwise terminated by us, all of your user content may remain available even after your account has been cancelled.
4. When you upload content you give us irrevocable permission irrespective of time, location or account status to use that content and make it available to App users, our Customers and effectively the public at large.
5. We may also log places you visit, Beacons, QR Codes, or NFC tags our iProximity Enabled Apps come into contact with and determine your interest in certain product types and allow advertisers to deliver product advertising of a similar nature to your interests. You may disable these functions within the iProximity Enabled App settings.
6. If you "favourite" an offer, then your personal details will be provided to the business that made that offer to you, to enable them to make further offers directly to you.

Links

Our website, communications with you or our Apps may contain links to other websites operated by third parties. We make no representations or warranties in relation to the privacy practices of any third party website and we are not responsible for the privacy policies or the content of any third party website. Third party websites are responsible for informing you about their own privacy practices.

Contacting us

If you have any questions about this privacy policy, any concerns or a complaint regarding the treatment of your privacy or a possible breach of your privacy, please use the contact link on our website or contact our Privacy Officer using the details set out below.

We will treat your requests or complaints confidentially. Our representative will contact you within a reasonable time after receipt of your complaint to discuss your concerns and outline options regarding how they may be resolved. We will aim to ensure that your complaint is resolved in timely and appropriate manner.

Please contact our Privacy Officer at:

Att: Privacy Officer, iProximity Pty Ltd, PO. BOX 169 Elwood, Victoria Australia 3184 Phone: 1300 477 694 E-mail: privacy@iProximity.net

For all other enquiries not relating to privacy matters, please email info@iProximity.net

Changes to our privacy policy

We may change this privacy policy from time to time. Any updated versions of this privacy policy will be posted on our website.

This privacy policy was last updated on 20 March 2014.

ANNEXURE

Specific examples of Personal Information held by iProximity

Business Activity	Types of Personal Information held and/ or collected
Promotion Management	Entrant name, address, contact details, personal information submitted as a part of the competition entry.
Mobile Marketing services	SMS - mobile telephone number, and other contact details, details relevant to the service provided
Email marketing services, data analysis and management services	Name, address, date of birth, Email addresses, other contact information, purchase information, websites visited, purchasing trends, interests, profile information, census data, and other information supplied to us by our clients or data providers and brokers.
Website development and hosting	Website user/ consumer details, name, address, contact details, payment details including bank account details, credit card information, purchase history, purchase trends, enquiries and other information provided by the website user
iProximity Enabled App and 3 rd Party Apps	<p>When creating an iProximity Account</p> <ul style="list-style-type: none"> • First Name, Email address, Password • Mobile phone number <p>We also from time to time may collect:</p> <p>The registered user's phone operating system</p> <ul style="list-style-type: none"> • Mobile browser type • Location of the user to verify beacon position • Date and time of interaction <p>A registered user may also:</p> <ul style="list-style-type: none"> • Specify their personal preferences in receiving offers and information from certain categories of vendors • Favourite certain vendors which request us to

	<p>pass the registered users details to link with a 3rd party loyalty application.</p> <ul style="list-style-type: none"> • If you “favourite” an offer, then your personal details will be provided to the business that made that offer to you, to enable them to make further offers directly to you. • Authorise iProximity to send offers from customers via email, SMS, notifications, the APP or via social media <p>When a registered User comes into contact with an iProximity Beacon</p> <p>We collect the following data:</p> <ul style="list-style-type: none"> • iProximity Beacon data • The time and date of the entry and exit from that iProximity Beacon. • Based on the user’s selected preferences we will also determine if the user has an interest in viewing the content related to this iProximity Beacon. • If a user interacts with content. • We may use this information to allow 3rd party to tailor advertising to your product or location interests. <p>Information collected from Customer’s mobile sites directed to by an iProximity Beacon.</p> <p>Customers may direct the user to their own mobile site within the iProximity Enabled App, any data collected by the Customer will be determined by that Customer and under the Customer’s own privacy policy. No additional information is collected or stored by iProximity when the user is on a Customer’s URL</p> <p>Information collected from Vendor’s mobile sites Hosted by iProximity.</p> <p>Customers may direct the user to a mobile site within the iProximity Enabled App. This site may have been built and hosted by iProximity acting as an Agent for the Customer. Any data collected by the Customer will be determined by that Customer and under the Customer’s own privacy policy. No information is collected by iProximity when the user is on a Customer’s URL</p>
<p>Customer Management</p>	<p>name, address, contact details, payment details including bank account details, credit card information, purchase history, purchase trends, enquiries,</p>

	<p>problems experienced, customer service issues.</p> <p>Where we are given access directly to our clients systems, we have access to the personal information held in those systems.</p> <p>Help desk and other customer issues support as required</p>
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