

# ACADS-BSG Pty Ltd

## Privacy Policy

Last modified: 29 September 2020

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### **1. Preliminary**

#### **1.1 General**

ACADS-BSG Pty Ltd ACN 634 117 785 (“we”, “us”, “our”) are committed to protecting your privacy. We understand that users of our services and software products are concerned about their privacy and the confidentiality and security of any data that is provided.

This Privacy Policy sets out how we collect, use, store and disclose (**Process**) all personal data, whether received through our website <[www.acadsbsg.com.au](http://www.acadsbsg.com.au)> (**Website**), our software products and solutions (**Software**) or through our general interactions with you.

We will only Process personal data in accordance with this Privacy Policy, and the laws applicable in the jurisdiction in which we are Processing that data. If there is any inconsistency between this Privacy Policy and an applicable law, the applicable law will prevail to the extent of any inconsistency.

#### **1.2 Contact**

Our contact details are:

Online support form: Click [here](#) (use this option for fastest service)

Telephone: +613 9885 6586

Post: PO Box 775, Camberwell South, Vic 3124

Privacy Issues Email: [admin@acadsbsg.com.au](mailto:admin@acadsbsg.com.au)

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### **2. Nature of Personal Data**

In this policy when we talk about “personal data” we are referring to any information which can, directly or indirectly, be used to identify you. For example, names, addresses, personal identification numbers, location data and other online identifiers (such as email addresses).

#### **2.1 Anonymised Data**

Whenever you visit our Website, our servers automatically record information for statistical purposes about your usage of the Website such as:

(a) the type of browser used;

(b) the referring URL;

- (c) the IP address;
- (d) the number and type of pages viewed;
- (e) the date and time of visits; and
- (f) the exit URL.

This information we collect about you is not personal data and, in any event, remains anonymous. We do not link the anonymous information to any other personal data and we will not link a record of your usage of our Website to you personally.

## **2.2 Personal Data**

When using our Software we ask you for certain personal data to provide you with the products or services that you request from us. This may include, for example, when you create a user account in order to enable you to access our Software services. We may also collect personal data when you have made an enquiry or request from us, or when you otherwise interact with us generally (such as by telephone, in person or by email).

The nature of the personal data that we collect includes:

- (a) your contact details (full name, email, telephone number and delivery and billing address);
- (b) the name of your employer or place of business;
- (c) login and account information; and
- (d) banking information (if this is being provided by you personally and not by an employer or organisation).

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## **3. Cookies and other tracking technologies**

To improve your experience on our Website, we may use cookies and other tracking technologies, such as pixel tags, web beacons, device IDs, or advertising IDs.

You may refuse the use of cookies by selecting the appropriate settings on your browser, however please note that if you do this, you may not be able to use the full functionality of our Website.

Our Website may use Google Analytics, a service which transmits website traffic data to Google servers in the United States. Google Analytics does not identify individual users or associate your IP address with any other data held by Google. We use reports provided by Google Analytics to help us understand website traffic and web page usage.

You can customise or opt out of Google Analytics for display advertising using the Ads Settings for your Google account.

Our Website uses cookies and other tracking technologies to support Google Analytics for:

- (a) Google Marketing Platform integrations;
- (b) Demographic and Interest Reporting;
- (c) Display Advertising including Remarketing and Google Display Network Impression Reporting to advertise our services online;

- (d) Optimizing and personalizing ad services based on your past visits to our Website; and
- (e) Reporting the use of ad services and interactions with ad impressions and how they are related to visits to our Website.

Cookies and other tracking technologies may also be used to support analytics by other third parties.

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#### **4. Purposes of collecting, holding, using and disclosing Personal Data**

##### **4.1 Collect from you only**

Where it is reasonable or practical to do so we will only collect personal data about you from you directly.

If we collect personal data which we have not sought or requested about you, and if we determine we are legally permitted to collect that information, we will deal with that information in accordance with the terms of this Privacy Policy. In all other circumstances, we will destroy or de-identify the relevant personal data as soon as practicable, where it is lawful and reasonable to do so.

##### **4.2 Purposes of collecting Personal Data**

We will only Process your personal data for the purposes of:

- (a) enabling us to provide you with our Software or any other products or services that you have requested;
- (b) creating user accounts within our Software;
- (c) providing technical support or responding to your general queries and enquires;
- (d) our internal research and statistical purposes;
- (e) marketing our Software and related products and services to you;
- (f) enabling us to forward to you other information or material which we genuinely believe may be of interest to you;
- (g) verifying and authenticating the payments to us, or enabling a payment processor to process payments that you make to us;
- (h) enabling us to defend or prosecute a legal proceeding, or to comply with the order of any court or regulatory authority; and
- (i) any other purpose specified in an agreement that we enter into with you.

If we Process your personal data for any other purpose other than that specified above, such use will relate to the above purposes, and will be within what you would reasonably expect us to use that personal data for at the time of collection.

**We do not sell personal data to any third parties or provide personal data to third parties for any business purpose (unless that business purpose has been specifically referred to in this Privacy Policy).**

#### 4.3 Direct marketing

From time to time we may use your personal data to provide you with current information about special offers you may find of interest, changes to our organisation, or new products or services being offered by us or any company we are associated with.

**You consent to us using your personal data to contact you on an ongoing basis for the purpose of us marketing our Software, related products and services to you, howsoever such advertising may occur.**

#### 4.4 Withdrawing Consent

You may withdraw your consent to our use of your personal data at any time by contacting us using the contact information contained in this Privacy Policy. However, this may affect or limit your ability to access our Website or the services available through our Software.

If you do not wish to receive marketing information, you may at any time decline to receive such information. We will take all reasonable steps to meet your request at the earliest possible opportunity.

#### 4.5 Holding of Personal Data

We will take reasonable steps to protect personal data that we hold from:

- (a) misuse, interference and loss; and
- (b) unauthorized access, modification or disclosure.

In the unlikely event that there is a serious data breach that is likely to result in a risk to your rights and freedoms, we will without undue delay notify the appropriate supervisory authority in your jurisdiction. Where there is a high risk that a serious data breach will impact upon your rights and freedoms, we will also notify you of that breach.

#### 4.6 International Data Transfers

Typically, all personal data that you provide to us will be processed within Australia.

However, in order to provide customer support, perform back office functions, deliver Software products and services to you, perform fraud prevention tasks we may need to allow our staff or third party service providers (who may be located in a location other than your country of residence) access to your personal data and, in particular, your name, delivery address and billing information.

We will always ensure that the recipient of your personal data offers an adequate level of protection, for instance by entering into the appropriate back-to-back agreements and, if required, containing the standard contractual clauses for the transfer of personal data as approved by the European Commission. Such transfers are necessary for us to perform our obligations and provide our products and services to you.

**Despite the above, by providing your personal data you are explicitly consenting to the international transfer and processing of such data in accordance with this Privacy Policy, in full and informed knowledge of the risks associated with such transfers and processing.**

#### 4.7 Unsolicited information

You may withdraw your consent to the international transfer of your personal data at any time by contacting us using the contact information contained in this Privacy Policy. However, this may affect or limit our ability to provide you with our Software and associated products or services.

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## 5. Destruction of Personal Data

We will keep your personal data only for as long as we need it to fulfill our contractual obligations to you, for our legitimate business purposes or as required by applicable law. We will take reasonable steps to erase any personal data that we hold about you where:

- (a) we no longer need the personal data for the purposes for which it was collected and we are not otherwise entitled to retain such data; and
- (b) we are not required or obligated by law, regulation or court order to retain the information.

If certain information has been provided to third parties in accordance with this Privacy Policy, retention of that information will be subject to the policies of the relevant third party.

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## 6. Access, correction and portability

### 6.1 Access to Personal Data

We will provide you with access upon request to the personal data held by us in relation to you except to the extent that:

- (a) giving access would be unlawful; or
- (b) denying access is required or authorized by or under a relevant law, regulation or court order.

To request access to your personal data, please contact us using the details provided in this Privacy Policy.

Following your request, we will contact you within one (1) month from the date of receipt of your request and provide you with the personal data requested, unless we have determined that some reason or obligation exists requiring us to withhold access to the personal data.

### 6.2 Third party disclosure

We do not sell your personal data to any third parties. Unless specifically referred to in this Privacy Policy, we also do not disclose your personal data to any third parties for other business purposes.

We will disclose personal data to our affiliates that assist in us providing our Software to you, assist us in providing our services generally, or that may offer complimentary or related products and services. You may at any time request that we provide a list of the relevant affiliates or that we do not make such disclosures. However, this may limit or restrict our ability to make our Software available to you.

You may at any time request that we provide confirmation that your personal data has not been sold to a third party, or request details of any third party to which information has been sold or disclosed for business purposes.

### 6.3 Data portability

Insofar as it does not adversely affect the rights and freedoms of others and where you have communicated a request to us:

- (a) where we have employed an automated means to process your personal data, we will provide you with a copy of such personal data in a structured, commonly used and machine-readable format; and

- (b) after receiving your request, where technically feasible, we will transmit your personal data directly to another data holder.

#### **6.4 Commercially sensitive information**

Where providing you access to your personal data would reveal commercially sensitive information, we are unable to give you access to that information. However, we will provide you with the reasoning behind our determination.

#### **6.5 Use of intermediaries**

Where we cannot directly provide you with access to your personal data we may, if it is reasonable, engage the services of an intermediary to do so.

#### **6.6 Correction and erasure of Personal Data**

It is your responsibility to ensure that the information you provide to us is accurate, and to update your personal data as necessary.

If for any reason you are unable to correct any personal data held by us through your user account in our Software, please contact us using the details provided in this Privacy Policy.

If after receiving your request we choose not to correct your information, we will notify you within one month of the reason of our refusal and the mechanisms available to you to object to our refusal.

If you wish to have your personal data erased, please communicate your request to us using the contact information provided above. The only circumstances in which we will not take reasonable steps to erase your personal data are where we need to keep it in accordance with another provision of this Privacy Policy, an applicable law, or the order of a court or regulatory authority.

If we correct or erase personal data about you that we previously disclosed to a third party, we will take reasonable steps to notify the third party of the correction or erasure and to request that they do the same.

#### **6.7 Refusal to correct or erase**

If at any time we refuse or deny you access to your personal data, or refuse to correct or erase your personal data, we will provide you with reasons we are unable to satisfy your request.

#### **6.8 Restriction of processing**

You may request that we limit or restrict the manner in which we Process your personal data, in which case we will only Process your personal data: with your consent; for the establishment, exercise or defence of legal claims against us; or for the protection of the rights of another person.

#### **6.9 Costs**

Access to, erasure and rectification of your personal data, including any communications related thereto, will generally be provided free of charge.

Where your requests are manifestly unfounded or excessive in nature (particularly due to repetitiveness) we may charge you a reasonable fee for providing the information or communication, or taking the action requested. Where your requests are manifestly unfounded or excessive in nature we may also refuse your request.

## **6.10 Specific objection rights**

If it becomes necessary for us to process your personal data without your consent for reasons of:

- (a) performing a task in the public interest;
- (b) the exercise of an official authority that has been vested in us; or
- (c) where it is in our legitimate interests or the legitimate interests of a third party to do so;

you will have the right to object to such use.

We will notify you of such instances. If you object to our use of your personal data we will refrain from using your personal data unless compelling legitimate grounds exist for us to use that personal data, or for the establishment, exercise or defence of legal claims.

If we have collected your personal data in accordance with this Privacy Policy and elect to use such personal data for the purposes of direct marketing (to which you consent), you have the right to object at any time to such use. Upon receiving an objection we will, as soon as is reasonably practical, cease using your personal data for the purposes of direct marketing.

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## **7. Complaints**

### **7.1 Making a complaint**

If you believe that we have used or disclosed your personal data in a manner which is contrary to this Privacy Policy or that otherwise breaches an applicable law, then you should email us at [admin@acadsbsg.com.au](mailto:admin@acadsbsg.com.au).

You also have the right to lodge a complaint with the relevant supervisory authority in your jurisdiction. If you are unsure who your relevant supervisory authority may be, please contact us so that we may provide you with assistance.

### **7.2 Our response**

Within 30 days of receipt of your complaint we will notify you in writing as to what action we propose to take in relation to your complaint and will provide you with details of what further action you can take if you are not satisfied with our response.

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## **8. Variations**

We reserve the right to vary this Policy from time to time. Any variations made will be updated on our Website. It is your responsibility to check our Policy periodically to ensure you are aware of any changes made to it.

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## **9. Further information**

For any further information about this policy please contact us at [admin@acadsbsg.com.au](mailto:admin@acadsbsg.com.au).