



# Privacy Policy

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Clear Objective Limited (ACN 084 294 502) and its Related Bodies Corporate (**Clear Objective**).

# Privacy Policy

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In this privacy policy, the expressions "Clear Objective", "we", "us" and "our" are a reference to Clear Objective Limited and its Related Bodies Corporate (as defined by s9 of the *Corporations Act 2001* (Cth)).

This privacy policy applies to personal information collected by us. We are bound by the *Privacy Act 1988* (Cth), which incorporates the Australian Privacy Principles (APPs), and which governs the way private sector organisations collect, use, keep secure and disclose personal information.

This Privacy Policy is to inform people of:

- how and when Clear Objective collects personal information;
- how Clear Objective uses and discloses personal information;
- how Clear Objective keeps personal information secure, accurate and up-to-date;
- how an individual can access and correct their personal information; and
- how Clear Objective will facilitate or resolve a privacy complaint.

If you have any concerns about the manner in which your personal information has been collected, used or disclosed by us, we have put in place an effective mechanism and procedure for you to contact us so that we can attempt to resolve the issue.

In order to resolve a complaint, Clear Objective:

- will liaise with you to identify and define the nature and cause of the complaint;
- may request that you detail the nature of the complaint in writing;
- will keep you informed of the likely time within which we will respond to your complaint;
- will inform you of the legislative basis (if any) of our decision in resolving such complaint; and
- keep a record of the complaint and any action taken in the Register of Complaints.

We can be e-mailed at [cossec@clearobjective.com.au](mailto:cossec@clearobjective.com.au) or write to us: Company Secretary, Clear Objective Limited, Suites 1 & 2, Level 1, Taringa Central, 165 Moggill Road, Taringa, Qld 4068 and we will then attempt to resolve the issue.

We recommend that you keep this information for future reference.

## 1. What is personal information?

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The *Privacy Act 1988* (Cth) defines "personal information" 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 be reasonably ascertained, from the information or opinion.

## 2. Sensitive Information

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### 2.1 What is Sensitive Information?

- (a) Sensitive information is a subset of personal information. It means information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political organisation, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, health information about an individual, genetic information, biometric information that is to be used for the purpose of automated biometric verification or biometric identification or biometric templates.
- (b) In general, we attempt to limit the collection of sensitive information we may collect from you, but depending on the uses you make of our products this may not always be possible and we may collect sensitive information from you in order to carry out the

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services provided to you. However, we do not collect sensitive information from you without your consent.

- (c) The type of sensitive information we may collect from you or record about you is dependent on the services provided to you by Clear Objective or the products purchased and will be limited to the purpose(s) for which it is collected. We do not use sensitive information to send you Direct Marketing Communications (as defined in paragraph 6 below) without your express consent.

## 2.2 Consent to collection of certain types of sensitive information

We may collect certain types of sensitive information where you have consented and agree to the collection of such information.

Generally speaking, we will obtain this type of consent from you at (or around) the point in time in which we collect the information, but the main type of sensitive information that we may collect (if any) will usually relate to:

- (a) the criminal record of an individual;
- (b) the health or medical information of an individual to the extent it is contained within our clients' data which we host or are otherwise given access to; and
- (c) the membership in a trade union of an individual to the extent it is contained within our clients' data which we host or are otherwise given access to,

but only to the extent that where you volunteer such information or if it is necessary for, or incidental to, the purposes of collection set out in paragraph 4.

## 3. Collection of your personal information

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3.1 We only collect personal information that is necessary for what we do and we hold the personal information we collect within our own data storage devices or with a third party provider of data storage.

3.2 The type of information we may collect from you includes (but is not limited to) the following:

- (a) your contact information such as full name (first and last), e-mail address, current postal address, delivery address (if different to postal address) and phone/fax numbers;
- (b) details relating to your employment (if applicable) or your previous employment, which shall include, but is not limited to, obtaining your tax file number, superannuation details, next of kin and bank account details;
- (c) details relating to your employment, such as certifications, to the extent it is contained within our clients data which we host or are otherwise given access to;
- (d) your date of birth;
- (e) proof of your date of birth (including, but not limited to, driver's licence, passport, birth certificate);
- (f) your opinions via surveys and questionnaires, if applicable, including but not limited to your views on the products offered by Clear Objective;
- (g) any sensitive personal information listed in paragraph 2.2;

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- (h) details relating to the products you have obtained from us;
  - (i) if you are requesting products or services (including our software and ERP products, packages and associated services) from us or we are purchasing goods or services from you, then any relevant payment or billing information (including bank account details, credit card details, billing address and invoice details);
  - (j) details relating to the shareholding and transfer(s) of shareholding, including but not limited to share certificate numbers, shareholder names and contact information, that are necessary for the efficient trading, management and administration of Clear Objective shareholdings; and
  - (k) your username and password when setting up an account with us, including on our software products or our website.
- 3.3 As much as possible, we will collect your information directly from you. If we collect details about you from someone else, we will, whenever reasonably possible, make you aware that we have done this and why.
- 3.4 When you engage in certain activities, such as having us implement systems for you, purchasing or licensing a product (including our software and ERP products, packages and associated services), signing up for a service, entering a contest or promotion, filling out a survey or sending us feedback, we may ask you to provide certain information. It is completely optional for you to engage in these activities.
- 3.5 Depending upon the reason for requiring the information, some of the information we ask you to provide may be identified as mandatory or voluntary. If you do not provide the mandatory data or any other information we require in order for us to provide our services to you, we may be unable to effectively provide our services to you.
- 3.6 If you use our Website, we may utilise "cookies" which enable us to monitor traffic patterns and to serve you more efficiently if you revisit the site. A cookie does not identify you personally but it does identify your computer. You can set your browser to notify you when you receive a cookie and this will provide you with an opportunity to either accept or reject it in each instance.
- 3.7 We may gather your IP address as part of our business activities and to assist with any operational difficulties or support issues with our services. This information does not identify you personally.

## **4. How we may use and disclose your personal information**

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- 4.1 We will only use or disclose your personal information for the primary purposes for which it was collected or as consented to and/or as set out below.
- 4.2 You consent to us using and disclosing your personal information to facilitate a purpose in connection with:
- (a) if required, the verification of your identity;
  - (b) if required, the verification of your date of birth;
  - (c) the provision of our goods and services to you (including our software and ERP products, packages and associated services), which shall include but is not limited to:
    - (1) the delivery of our goods to you;

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- (2) the administration and management of our goods and services, including charging, billing, credit card authorisation and verification, checks for credit-worthiness (including but not limited to undertaking an assessment for credit loss and obtaining credit references, if applicable), fraud and collecting debts;
    - (3) to offer you updates, or other content or products and services that may be of interest to you;
  - (d) to facilitate the administration and management of Clear Objective, including but not limited to:
    - (1) the use of your personal information collected in accordance with paragraph 3.2 in the administration and management of Clear Objective;
    - (2) the trading, management and administration of shareholdings held by our shareholders in Clear Objective;
  - (e) the improvement of our services (including to contact you about those improvements and asking you to participate in surveys about the goods and services);
  - (f) the maintenance and development of our goods and services, products, business systems and infrastructure;
  - (g) marketing and promotional activities by us and our related bodies (including by direct mail, telemarketing, email, SMS and MMS messages) such as our customer loyalty programs and newsletters;
  - (h) to provide customer service functions, including handling customer enquiries and complaints;
  - (i) to offer you updates, or other content or products and services that may be of interest to you;
  - (j) our compliance with applicable laws;
  - (k) the sale, and matters in connection with a potential sale, of our business or company to a third party; and
  - (l) any other matters reasonably necessary to continue to provide our products and services to you.
- 4.3 We may also use or disclose your personal information and in doing so we are not required to seek your additional consent:
- (a) when it is disclosed or used for a purpose related to the primary purposes of collection detailed above and you would reasonably expect your personal information to be used or disclosed for such a purpose;
  - (b) if we reasonably believe that the use or disclosure is necessary to lessen or prevent a serious or imminent threat to an individual's life, health or safety or to lessen or prevent a threat to public health or safety;
  - (c) if we have reason to suspect that unlawful activity has been, or is being, engaged in; or
  - (d) if it is required or authorised by law (including but not limited to regulatory bodies and Government agencies such as the Australian Securities and Investment Commission and Australian Taxation Office).

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- 4.4 In the event we propose to use or disclose such personal information other than for reasons in 4.1, 4.2 and 4.3 above, we will first seek your consent prior to such disclosure or use.
- 4.5 If you have received communications from us and you no longer wish to receive those sorts of communications, you should contact us via the details set out at the top of this document and we will ensure the relevant communication ceases. Any other use or disclosure we make of your personal information will only be as required by law or as permitted by the *Privacy Act 1988* or by this privacy policy or otherwise with your consent.

## **5. The types of organisations to which we may disclose your personal information**

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- 5.1 We may disclose your personal information to organisations outside of Clear Objective. Examples of organisations and/or parties that your personal information may be provided to include:
- (a) offshore service providers, if any;
  - (b) related entities and subsidiaries of Clear Objective;
  - (c) our contractors and agents (including data hosts and IT service providers); and
  - (d) third party service providers, such as accountants, solicitors and other companies that assist us in providing our goods and services to you, or as part of your employment with Clear Objective.
- 5.2 Your personal information is disclosed to these organisations and/or parties only in relation to the goods or services we provide to you or for a purpose permitted by this privacy policy.
- 5.3 We take such steps as are reasonable to ensure that these organisations and/or parties are aware of the provisions of this privacy policy in relation to your personal information.

## **6. Direct Marketing**

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- 6.1 You expressly consent to us using your personal information, including any email address you give to us, to provide you with information and to tell you about our products, services or events or any other direct marketing activity (including third party products, services, and events) (**Direct Marketing Communications**) which we consider may be of interest to you. You also expressly consent to us providing your details to third party contractors and agents who may send Direct Marketing Communications to you on our behalf.
- 6.2 Without limitation clause 6.1, if it is within your reasonable expectations that we send you Direct Marketing Communications given the transaction or communication you have had with us, then we may also use your personal information for the purpose of sending you Direct Marketing Communications which we consider may be of interest to you.
- 6.3 You expressly consent to us disclosing your personal information to other organisations (including but not limited to organisations such as those listed in paragraph 5.1) that may also use your personal information for sending you Direct Marketing Communications.
- 6.4 If at any time you do not wish to receive any further Direct Marketing Communications from us, or others under paragraph 6.3, you may ask us not to send you any further information about products and services and not to disclose your information to other organisations for that purpose. You may do this at any time by using the “unsubscribe” facility included in the email or by contacting us via the details set out at the top of this document.

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## 7. Cross Border Disclosure

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- 7.1 Any personal information provided to Clear Objective may be transferred to, and stored at, a destination outside Australia, including but not limited to those instances where we may utilise overseas data hosting facilities. Personal information may also be processed by staff or by other third parties operating outside Australia who work for us or for one of our suppliers, agents, partners or related companies. By submitting your personal information to Clear Objective, you expressly agree and consent to the disclosure, transfer, storing or processing of your personal information outside of Australia.
- 7.2 In providing consent under clause 7.1, you understand and acknowledge that countries outside Australia do not always have the same privacy protection obligations as Australia in relation to personal information. However, we will take steps to ensure that your information is used by third parties securely and in accordance with the terms of this privacy policy.
- 7.3 If you do not agree to the transfer of your personal information outside Australia, please contact us via the details set out at the top of this document.

## 8. Data quality and security

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- 8.1 We have taken steps to help ensure your personal information is safe. You will appreciate, however, that we cannot guarantee the security of all transmissions or personal information, especially where the Internet is involved.
- 8.2 Notwithstanding the above, we will take reasonable steps to:
- (a) make sure that the personal information we collect, use or disclose is accurate, complete and up to date;
  - (b) protect your personal information from misuse, loss, unauthorised access, modification or disclosure both physically and through computer security methods; and
  - (c) destroy or permanently de-identify personal information if it is no longer needed for its purpose of collection.
- 8.3 However, the accuracy of personal information depends largely on the information you provide to us, so we recommend that you:
- (a) let us know if there are any errors in your personal information; and
  - (b) keep us up-to-date with changes to your personal information (such as your name or address).
- 8.4 A mandatory data breach notification scheme exists in the form of the *Privacy Amendment (Notifiable Data Breaches) Act 2017* (Cth) (Act) under which Clear Objective is required to notify the Australian Information Commissioner and affected individuals as soon as we become aware of an eligible data breach (as defined by the Act).
- 8.5 If there has been an eligible data breach then, upon becoming aware of the breach, we will comply with our obligations under the Act.
- 8.6 If we suspect that there has been an eligible data breach, then we will carry out an assessment to ascertain whether or not an eligible data breach has occurred. This assessment will be completed within 30 days of us becoming aware of the circumstances which have given rise to the suspicion.

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- 8.7 Should an assessment determine that there has been an eligible data breach then we will comply with our obligations under the Act.

## 9. Access to and correction of your personal information

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- 9.1 You are entitled to have access to any personal information relating to you which we possess, except in some exceptional circumstances provided by law. You are entitled to edit and correct such information if the information is inaccurate, out of date, incomplete, irrelevant or misleading.
- 9.2 If you would like to access, or correct any records of personal information we have about you, you are able to access and update that information (subject to the above) by contacting us via the details set out at the top of this document.

## 10. Consent

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- 10.1 By using our website or by accepting the terms of one of our terms and conditions which refer to this privacy policy, you are agreeing to the terms of this privacy policy.
- 10.2 We reserve the right to modify our privacy policy as our business needs require. We will notify you of such changes (whether by direct communication or by posting a notice on our website), after which, your continued use of our products, services or website or your continued dealings with us shall be deemed to be your agreement to the modified terms. If you do not agree to our continued use of your personal information due to the changes in our privacy policy, please contact us via the details set out at the top of this document.

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