

## CARGOTECTION PRIVACY POLICY

This privacy policy applies to the handling of personal information by Cargotection Pty Ltd (ABN 61 676 288 145) and its related entities ("**Cargotection**", "**we**", "**our**" or "**us**").

Cargotection provides goods, devices, hire equipment, data services and technology systems relating to the management and monitoring of perishable cargo during transport when you order directly from us or through our software applications and platforms which we make available online via specified websites or via mobile app versions ("**Applications**") that may be downloaded to devices such as smartphones or tablets, (collectively, the "**Services**").

Cargotection is based in Australia but offers its Services to users all over the world.

We are committed to protecting your privacy and personal information that we collect in accordance with the *Privacy Act 1988* (Cth) ("**Privacy Act**") and the Australian Privacy Principles ("**APPs**") set out in the Privacy Act.

For the purposes of this privacy policy, "personal information" has the meaning given in the Privacy Act ("**Personal Information**") and, in general terms, includes information or an opinion about you from which you can be reasonably identified.

This privacy policy sets out the way we collect, hold, use or disclose Personal Information that you provide to us or that we collect when you interact with us by using our Services or accessing and using our Applications.

To the extent that Cargotection offers its Services and Applications to individuals in the European Union and the United Kingdom, or otherwise monitors the behaviour of individuals in the European Union and the United Kingdom, this privacy policy sets out how we comply with the European Union's General Data Protection Regulation ("**GDPR**"). For the purposes of the GDPR, Cargotection is both the "data controller" and a "data processor" of Personal Information and is responsible for how Personal Information is collected and used.

### What information do we collect?

The types of Personal Information we collect will depend on the type of dealings you have with us and includes information that is needed to provide you with our products and services. We may collect and hold one or more of the following types of Personal Information about you:

- your name and contact details (including email address, mailing address, telephone number, shipping information, company name and job title) and/or date of birth where you make an application for a credit account with us;
- information about the device you use to access and use the Company's products and/or services (including username, login information, location information), access logs and system usage information or other non-personally identifiable information (such as anonymous usage data, aggregated information, IP addresses, location and browser etc.) via tracking technologies such as cookies, web beacons and measurement software;
- banking details such as bank account numbers, credit card details and other account details where you have an account with us for ordering our Services and/or make payments to us or you use our Applications to make payments online or "credit information" as defined in the Privacy Act where you make an application for a credit account with us; and
- any other information you elect to provide to us relating to you, your business or relevant to our supply of the Services to you or your use of our Applications.

We do not collect "sensitive information" as defined in the Privacy Act.

## Why do we need your Personal Information?

We collect or hold Personal Information for legitimate purposes where it is reasonably necessary for our business functions or activities. In particular, we need your Personal Information to:

- **provide you with the Services we offer** to enable you to access and use the Services, which includes communicating with you (such as via direct marketing) about the Services, the Applications and our other products and/or services, including to provide you with selective access to data in accordance with our contract with you;
- **maintain our business relationship with you** by answering your questions or queries about Cargotecture or the Services we provide, communicating with you about our Services, creating and updating our database(s) and other records, internal record-keeping, administering your account with us (including for the purposes of assessing a credit application, assessing credit worthiness and collecting overdue payments), providing sales and support services to you and otherwise responding to your enquiries;
- **assessing applications for commercial credit** where you apply for a commercial credit account with us, including to obtain, use or disclose credit information for the purposes of processing a commercial credit application, assessing your credit worthiness, obtaining consumer and commercial credit reports from credit reporting bodies, banks or trade referees, monitoring credit worthiness and managing the ongoing credit that we provide, collecting amounts you owe us, participating in the credit reporting system and providing information to credit reporting bodies as permitted by the Privacy Act, or dealing with complaints or regulatory matters relating to commercial credit account or credit reporting as required or permitted by the Privacy Act;
- **market and advertise to you** including by sending you newsletters, alerts, special offers, and promotions, engaging third party service providers (such as marketing automation platforms, and email marketing service providers) or otherwise contacting you about our Services or information we think may interest you via email, phone, or SMS (if you have registered with us and have not "opted-out");
- **improve the quality and design of our Services** and for business analysis purposes by storing, tracking, analysing and processing customer and user preferences and trends, using information (such as usage data, internet protocol addresses ("**IP Addresses**"), browser or platform type etc.) as well as user activity on our Applications, to customise the user experience for each user, to create new features, functionality and services in relation to the Applications and to communicate these to you;
- **comply with legal requirements** including any contractual obligations we may have with you; and
- **exercise our legal rights** including exercising rights we may have under law or a contract between us and you, or between us and a third party,

(together "**Primary Purposes**").

If you do not provide us with your Personal Information, we may not be able to carry out some or all of our Primary Purposes.

By submitting your Personal Information to us, you consent to us using your Personal Information for:

- the Primary Purposes;
- any purpose related to one of the Primary Purposes or that could reasonably be anticipated at the time the Personal Information was collected ("**Secondary Purpose**");
- any purpose to which you otherwise consent (including as disclosed to you in an information collection statement at the point where we collect your Personal Information);

- in the event of a reorganisation, merger, sale, assignment, bankruptcy or other disposition of our business, in which case the transferred information will remain subject to the terms of this Privacy Policy or a privacy policy in substantially similar terms; and
- any other purpose required or authorised by law.

Secondary Purposes may include: improving our Services; sending you direct marketing about our Services or promotions; conducting customer surveys; managing our relationship with you; monitoring how you interact with us on our Applications; or helping you to complete an activity that you have chosen to undertake.

Where we have your express or implied consent, or where it is otherwise permitted by law, we may use your personal information to send you information about promotions, products or services we offers, as well as other information. If you do not wish to receive such communications, you may opt out at any time by using the unsubscribe facility we include in our electronic messages.

## **How we collect Personal Information**

Generally, we collect your Personal Information directly from you as part of providing and offering our Services to you when you contact, or are contacted by us or our service providers, or when you use our Applications, including when you set up an account with us or when you make enquiries or otherwise communicate with us. This includes when you provide Personal Information to us by: (i) registering to use our Applications; (ii) completing any online forms; (iii) making any requests or transactions through our Applications or otherwise by using our Services; or (iv) communicating with us in person, during phone calls, by email, or otherwise via customer enquiries or communications including providing us with feedback or participating in surveys.

We may also collect your Personal Information from other people or organisations (for example, from our partners and third party providers such as support service providers, website hosting, analytics providers, cloud service providers and payment providers), or otherwise where you have given them your consent. Where we have collected your Personal Information from a third party, we will be hold, use and disclose it in accordance with this privacy policy.

We may collect information automatically about your interaction and communications with our websites and Applications, including information we receive from devices you use, when you access, visit or use our websites and Applications.

We may from time to time use cookies, web beacons, , unique identifiers, measurement software and tools and other similar technologies to collect information about your use of our websites and Applications.

Cookies are small data files sent by a website or application and stored on a user's computer or device at the request of that site or app. Cookies store information related to a user's browser, user name, time or duration of the user's visit, location information, computer and connection information (such as statistics on page views, traffic to and from sites, referral URL, ad data, IP address, browsing history, and web log information) or other unique identifiers which enable us to recognize the browser on return visits to our websites and Applications

Cookies assist us to store information about how you use our websites and Applications, your usage preferences and to provide you with a more consistent user experience across our websites and Applications. We may use knowledge of your user experience collected through the cookies and web beacons to collect statistical information, analyse trends, administer our services, diagnose problems and target and improve the quality of our products and services. We may use third-party service providers to assist us in collecting and understanding the usage information.

We do not use information from cookies to personally identify you however, if cookie information is linked with Personal Information (as described above), that cookie information becomes personal information and will be treated in the same manner as the Personal Information to which it has been linked.

Most browsers can be set to detect browser cookies and to let you choose which cookies to accept or reject if you do not want information collected through the use of cookies. You can remove or reject cookies by adjusting the settings on your web browser. Please note that some parts of our website or

Applications may not function fully for users that disable cookies. By using our Applications, you agree to the use of these tracking technologies and you consent to the processing of your usage data by us and by our service providers.

If you give us Personal Information about someone else, you must do so only with that person's authorisation. You should inform them how we collect, use, disclose, and retain their Personal Information according to this privacy policy.

### **Can you remain anonymous or use a pseudonym?**

We will, if practicable, allow you to use a pseudonym or to remain anonymous (unless this is impractical or against the law).

In some instances, if you do not provide us with certain Personal Information we may not be able to provide you with the relevant product, service or information you have requested. This may have an effect on whether we can begin or continue a relationship with you, and whether you can use or access the Applications or the full range of our Services.

### **What disclosures do we make?**

We may disclose your Personal Information for our Primary Purposes described above. We do not sell, rent or trade personal information to, or with third parties.

We may disclose your Personal Information to our related entities or third parties in limited circumstances, including to external providers that perform services on our behalf, or in other ways with your consent, where we are authorised or required to do so by law (including under the Privacy Act).

We may disclose Personal Information to our partners, suppliers, distributors and service providers (including website hosting and cloud service providers, payment processors, security service providers, and support service providers) in order to assist us to provide our Services to you.

Some of our related entities, partners and service providers or the services they provide (such as cloud storage services), may be based outside of Australia (including in the United Kingdom, Europe, Asia and the United States of America). By providing us with your Personal Information, you acknowledge and consent to your Personal Information being used, stored and disclosed overseas, including in jurisdictions that may not provide equivalent levels of data protection as your home jurisdiction.

In some cases, we may use and share personal information in anonymised and aggregated form to improve the quality and design of our Services, including our websites and Applications. Information in this form may also be used by us or provided to others for marketing, advertising or research purposes.

Our websites and Applications may contain links to other websites, platforms or applications which are not under our control. We do not share your Personal Information with those websites and we are not responsible for the privacy practices of the operators of those websites, platforms, or applications. We recommend that you read the privacy policy and terms and conditions of any linked website, platform, or application before you disclose any of your Personal Information on those websites, platforms, or use such applications.

If we sell, assign or otherwise transfer part or the whole of our business, any Personal Information which we collected may be among the items transferred or sold to the extent that it is relevant to enable the purchaser to continue the business. We will use reasonable endeavours to continue to ensure the confidentiality of any such Personal Information. We reserve the right to transfer or assign the information we have collected as part of such sale, assignment or transfer and you consent to the transfer of your Personal Information in such circumstances.

## **Is your Personal Information confidential and secure?**

We take reasonable steps to keep Personal Information secure and to protect it against misuse, loss, unauthorised access, modification or inappropriate disclosure. We may hold Personal Information in electronic forms and will adopt appropriate technical and organisational security measures to protect it including by storing it in secure systems accessible only to authorised personnel.

Our data security practices have been adopted to protect the data held by us in an effort to prevent interference or access from outside intruders. However there are inherent risks associated with the transmission of data over the internet and other mediums and we cannot guarantee any transmission will be completely secure and we are not responsible for security breaches not reasonably within our control.

We urge you to take steps to keep your Personal Information safe, such as choosing a strong password and keeping it private, as well as logging out of your account on our Applications, and closing your web browser when you are finished using our Applications on a shared or unsecured device.

We will take reasonable steps to permanently de-identify or responsibly destroy Personal Information if it is no longer needed for the purpose for which the information was collected, used or disclosed.

## **Managing Personal Information**

You may contact us to request access to your Personal Information that we hold in accordance with the Privacy Act, subject to any limitations at law. You may ask us to correct information about you that you may believe is inaccurate, incomplete or out of date. We may require you to verify your identity before giving you access to, or correcting, your Personal Information. We will respond to requests within a reasonable period after the request is made. There is no charge to make a request, however we may charge a reasonable fee to cover the administrative costs of retrieving your Personal Information.

In certain circumstances, we may refuse, or be unable, to correct or provide you with access to your Personal Information. In these circumstances, we will write to you to explain the reasons why this is the case.

## **Users based in Europe**

If you access our websites and Applications from Europe or the United Kingdom, you may have additional rights under the GDPR in relation to the handling of your Personal Information.

When you access our websites and Applications, we may monitor your activity using automated processes, including for the purposes of counting usage of our websites and Applications and providing you with more tailored and relevant products and services.

In certain circumstances, in addition to the rights above, you may also have a right to:

- request a copy of Personal Information that that you have provided to us, in a commonly used electronic format;
- request that we delete any Personal Information that we hold about you, subject to any legal obligations we have to retain your Personal Information; and
- withdraw your consent to the processing of the Personal Information that we hold about you. Once you have withdrawn your consent, we will no longer process your Personal Information for the purpose(s) you originally agreed to, unless we are required to do so by law. If you choose to limit the Personal Information we process about you, we may not be able to communicate with you or fulfil our Primary Purposes outlined above. This may include limiting or ceasing your use of the Applications or ceasing to provide you with some of our Services. This will not affect the lawfulness of any processing of Personal Information based on your consent before its withdrawal.

Where your Personal Information is transferred outside of Europe or the United Kingdom, it will only be transferred to countries that have been identified as providing adequate protection for Personal

Information, or to a third party where we have approved transfer mechanisms and/or contractual obligations in place to protect your Personal Information.

### **Queries, complaints and how to contact us**

If you have a question or want to make a complaint about how we handle Personal Information please contact us using the details below.

Please note, we may require further information from you in order to resolve any complaints and we may ask that you provide your concerns in writing so that we can fully investigate your complaint.

We will review any question, complaint or concern you may have and will respond to you after we have carefully considered it. We will endeavour to investigate and respond to your complaint within 30 days.

If we need more time, we will notify you about the reasons for the delay and seek to agree a longer period with you. If we cannot resolve a complaint related to your privacy information, you may contact the Office of the Australian Information Commissioner ("OAIC") at [www.oaic.gov.au](http://www.oaic.gov.au) to have the complaint heard and determined.

We can be contacted via:

Email: [info@Cargotection.com](mailto:info@Cargotection.com)

Phone: +61 3 9652 3600

Post: Cargotection Pty.Ltd., 368 Ferntree Gully Road, VIC 3168 AUSTRALIA

For more information about privacy in Australia and protecting your privacy, please visit the Office of the Australian Information Commissioner (OAIC) website at [www.oaic.gov.au](http://www.oaic.gov.au) or write to the OAIC at GPO Box 5218, Sydney NSW 2001.

For more information about the GDPR, please visit the website of the European Data Protection Supervisor, the European Union's independent data protection authority at: <https://edps.europa.eu/> or the relevant Data Protection Authority in your country.

### **Changes to our Privacy Policy**

We may need to change this privacy policy from time to time. When we do amend it, the changes will be effective immediately upon being made public on the Applications, including by updating this webpage. We will use reasonable measures to notify you of any relevant changes to this privacy policy, but please be aware that it is your responsibility to review our privacy regularly and make sure you keep up to date with any changes.

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