

PRIVACY POLICY - CAPSHUL

Last updated: 10/10/2024.

In this policy **we**, **our** or **us** means:

- Capshul Pty Ltd, ABN 15 670 744 671; and
- any related entities of Capshul Pty Ltd, including its holding company and any subsidiaries.

To provide you with the best possible service, we collect and use certain personal information about you. Your privacy is important to us and we are dedicated to ensuring your personal information remains private. The following privacy policy sets out how we handle your personal information, consistent with the *Australian Privacy Principles* within the *Privacy Act 1988* (Cth).

For the purposes of this policy, “personal information” means information or an opinion about an identified individual, or an individual who is reasonably identifiable.

In general, we will only use your personal information for the purpose(s) that you gave it to us for.

We review this policy periodically to ensure it is kept relevant and up to date and we may make changes at any time by publishing the amended version on our website.

The laws of Victoria, Australia govern this Privacy Policy.

1. Information we collect

The Capshul app is a holistic platform for users to store and share their memories. The platform is targeted towards users who are looking to create a memory vault and capture their favourite memories, locations, photos, videos, songs. It is up to individual users to decide what information they choose to store and share using our platform.

In the process of conducting our business, we may collect a range of personal information from current and prospective customers, clients, users, service providers, job applicants and other individuals where it is necessary in order to operate our business. The kind of information collected will depend on the nature of your dealings with us, but may include:

- contact information and identification such as your name, date of birth, contact number, e-mail address, residential and/or business address, demographic information (such as your postcode, age and gender) and driver’s licence or other identification document details;
- payment details (such as account or credit card details) and payment related information in connection with your purchase of our goods or services; or
- information collected from marketing campaigns, member surveys and your interactions with us, including via social media.

If you do not provide us with the personal information we request, we may be unable to provide you with the full range of our services and, depending on the information withheld, you may be ineligible to use our services.

Sensitive information

We will only collect sensitive information about you with your consent (unless we are otherwise allowed or required by law to collect that information). If you provide us with sensitive information, such as health information, information about your race, gender, sexual orientation, ethnic origin and religious beliefs, on your own accord, we will treat it with the highest confidence and only disclose it as instructed by you.

2. How we collect information

Information collected from you

Most of the personal information we collect will be collected directly from you. This may occur when you:

- contact or interact with us in person, by e-mail, phone or other forms of communication, or via forms on our

- website, or social media accounts;
- sign up to purchase any of our services;
- respond to any of our job advertisements;
- visit our premises;
- sign up to purchase any of our services; or
- attend events hosted or operated by us.

Information collected from third parties

We may sometimes collect your information from third parties such as:

- information held by online third-party services, that you have granted us access to (e.g. Google, Facebook, etc.);
- parties you refer us to, or who refer us to you, including personal referees when you apply for a job with us;
- where you are employed or engaged by an entity that purchases services from us, from an authorised representative of that entity;
- contractors that we engage to provide services to us;
- third party recruitment agencies you have provided your details to; or
- marketing agencies or providers of similar lists or information which have been legally acquired by us.

Information collected automatically

When you visit or interact with our website, our online platform Capshul, or any other online platform operated by us (**Platforms**) we (as well as any of our third party service providers) may use a variety of technologies that automatically or passively records information about how the Platform is accessed and used (**Usage Data**). Usage data may include your IP address or other unique identifier for the device used to access a Platform, browser type, device type, date and time of visit, pages viewed and your use of features or applications on the Platform. Usage Data helps us to keep the Platforms relevant for our guests and members. Usage Data is usually non-identifying, but if it can be used to identify you, we will treat it as personal information.

We may use **Cookies** (data files placed on a device when it is used to visit a Platform) to keep track of personal preferences and compile aggregate data about Platform traffic and online interactions with us, so that we can offer you better experiences and tools in the future. Cookies may be used by us or our service providers for security purposes, or to facilitate site navigation and personalise your experience on the Platform. You should be able to configure your computer or other web browsing device so that it disables cookies or does not accept them. However, if you reject all cookies, you may not be able to use our products or services that require you to "sign in," and you may not be able to take full advantage of our services provided via the Platforms.

3. Purpose of use or disclosure

We collect, use and disclose your personal information for a variety of purposes, including:

- to provide you with our services;
- for any purpose which we notify you about when we collect your information, or to which you have provided your consent;
- to provide various business support services to our customers and/or users;
- to notify customers and/or users of news and event information;
- for security and safety purposes;
- responding to your enquiries, concerns or complaints;
- to consider and assess your application for as a potential job applicant or contractor;
- to distribute promotional material and inform you about products, services, special offers and events;
- to customise, measure and improve our services;
- improving your experience with us and our marketing, including through data analytics, product planning and research;
- to process or verify payments authorised by you;
- to comply with the law, including a lawful request from law enforcement; and
- other purposes related to the provision of our services.

4. Disclosing your personal information

We may disclose your information to third parties, including:

- our agents or contractors who perform a particular function or service on our behalf;
- your employer or former employer as part of conducting a reference check.

Examples of our third-party agents or contractors include:

- mail distribution providers;
- secure data storage providers;
- information technology service providers;
- debt collection agencies; and
- accountants, lawyers and other professional advisors.

We may also disclose your information to third parties where required or authorised by or under law.

We will not sell or provide your information to a third party for the purposes of direct marketing without your informed consent.

5. Direct marketing

Direct marketing is the promotion of goods and services directly to you including through emails, SMS, phone calls and the post. We will only send you direct marketing materials if you would reasonably expect to receive them, or you have consented. If it is impractical to gain your consent, we will always provide a simple and easy means for you to request not to receive the material, usually via your Capshul account or contact form on our website.

6. Cross-border disclosure

Our preference is to use third party service providers who are based in Australia, however we may use overseas service providers to process your personal information if we reasonably believe that the overseas entity is subject to the same or similar privacy laws to those found in Australia, or you have otherwise consented to us disclosing your personal information to the overseas entity.

7. Security

The security of your personal information is important to us and we take reasonable steps to protect your information from unauthorised access or disclosure and ensure the accuracy and proper use of your personal information, including using a range of physical, technical and administrative measures such as:

- using SSL encryption to store and transfer personal information on our Platforms;
- hosting of our Platforms on servers located in secure third-party centres, who use best-practice procedures to ensure the security of data;
- reviewing the adequacy of technical and physical security measures used by any third-party suppliers who will be processing or storing your personal information; and
- ensuring that all personnel or staff engaged by us are made aware of the contents of this Privacy Policy and any additional policies and procedures relating to the use protection and disclosure of personal information which we may introduce from time to time.

While we take all reasonable steps to ensure that your personal information is protected from misuse, interference or loss, no method of transmission over the internet, or method of electronic storage, is 100% secure. Each individual that provides personal information to us via the internet or by post does so at their own risk. We cannot accept responsibility for misuse or loss of, or unauthorized access to, personal information where the security of the information is not within our control.

If a data breach occurs, and there is a real risk of harm to you as a result of such breach, we will notify you as soon as possible.

In addition to the measures we take to protect your personal information, you should ensure that you keep secret and regularly change any access passwords to any accounts on our Platforms, and always logout of any secure pages at the end of your session.

8. Destruction

When we no longer need your personal information for a permitted purpose and we are not required to keep it to comply with any laws, we will take such steps as are reasonable in the circumstances to destroy your personal information, or to ensure that the information is de-identified.

9. Access and Correction

If you are a user of our Platforms, you can update your personal information at any time via your account on our Platform.

If requested by you by contacting us using the details contained in this privacy policy, we will take such steps as are reasonable in the circumstances to ensure that your personal information is accurate, up-to-date, complete and relevant.

Upon your written request we will provide you with a copy of your personal information that we hold, unless there is a legitimate reason at law not to do so. We will take reasonable steps to correct your personal information if we are satisfied that it is inaccurate, out-of-date, incomplete, irrelevant or misleading. This extends to third parties that we have provided your personal information to unless it is impracticable or unlawful to do so.

10. Resolving concerns

If you have a concern or complaint relating to our handling of your personal information, or if you feel that we have breached the privacy laws, we encourage you to first contact us in writing using the contact details provided below. Please detail the nature of your complaint so we can fully understand your concern. We will endeavour to respond to your complaint within 30 days of receipt.

Should your complaint not be resolved to your satisfaction, you have the option to request an internal review of the decision. We will provide details on how to initiate this process when we respond to your initial complaint.

If, following the internal review, your complaint remains unresolved, you may then opt to escalate your concerns to us for further discussion or take your complaint to the Office of the Australian Information Commissioner www.oaic.gov.au.

11. Contact Us

If you have questions or suggestions, please contact us at:

Email: info@capshul.com

Mailing address: PO Box 5605 Mordialloc, Victoria, Australia 3195

12. Updating this Policy

If we decide to change this Privacy Policy, we will post the changes on our webpage at capshul.com. Please refer back to this Privacy Policy to review any amendments.

We may do things in addition to what is stated in this Privacy Policy to comply with the Australian Privacy Principles, and nothing in this Privacy Policy shall deem us to have not complied with the Australian Privacy Principles.