

DASHCAM FOOTAGE SUBMISSION PRIVACY POLICY

We provide this Privacy Policy under the *Privacy Act 1988* (Cth) to provide you details of what kind of information we may gather about you when you visit our site. The policy also explains how we may use that information, whether we disclose it to anyone, and the choices you may have regarding our use of, and your ability to correct this information.

1. Privacy Policy

1.1 This Privacy Policy is governed by the Australian Privacy Principles under the *Privacy Act 1988* (Cth), and where we obtain Personal Information from a data subject of a member state of the European Union, the European Union General Data Protection Regulation (Regulation (EU) 2016/679) (the **EU GDPR**).

2. Collection of Personal Information

- 2.1 We collect Personal Information when you:
- (a) submit Footage to us;
 - (b) commence the process of submitting Footage to us but do not finalise the submission;
 - (c) make contact via the phone, in person, email or via forms submitted on our Website and you provide us your details;
 - (d) purchase or subscribe to our products or services;
 - (e) subscribe to our mailing list;
 - (f) enter our competitions or promotions; or
 - (g) make contact with us for employment/contractor reasons;
 - (h) submit documentation/information to us via phone, in person, email or via forms submitted on or via our Website.
- 2.2 We collect Personal Information to:
- (a) improve our products and services;
 - (b) provide our product or service to you;
 - (c) communicate with you;
 - (d) offer you promotional product or market our product that you are interested in;
 - (e) keep our customer database;
 - (f) investigate any complaints that you make;

- (g) investigate whether you are in breach of our terms and conditions;
- (h) verify your identity;
- (i) notify you of vacant positions if you applied for jobs at our Business;
- (j) comply with the law or to use your information as permitted under the law;
- (k) use your information for purposes that are related to the above; and
- (l) produce and provide our product/service to the public.

2.3 We collect and hold the following types of Personal Information:

- (a) your contact details that may include, but are not limited to, your name, email address and phone number; and
- (b) optional Personal Information that you consent to provide.

2.4 We will only collect your Personal Information using fair and lawful means.

2.5 If we receive unsolicited Personal Information, we may destroy it or ensure that it is de-identified if it is lawful and reasonable to do so.

3. Consent

3.1 You understand and acknowledge that the consent you are to provide when submitting Personal Information is required in order for us to provide our products and/or services. Failing to provide consent may result in failure to issue the products and/or services.

Withdrawal of Consent

3.2 Consent may be withdrawn by contacting us in accordance with clause 12 of this policy.

3.3 After having received, reviewed and actioned your request, subject to clause 9, your withdrawal of consent will be noted on our system.

3.4 We will use our best commercial endeavours to action your request as soon as possible. However, we note that during the time between receiving your request to process the withdrawal of your Personal Information, you will not hold us liable for the use of your Personal Data during this processing time.

3.5 Personal Information will be marked as 'restricted' between the time of processing your request to withdraw until the actual time of the withdrawal being actioned.

4. Right to be Forgotten

- 4.1 In addition to the withdrawal of your consent, you may also contact us to erase your Personal Information.
- 4.2 You may contact us in accordance with clause 12 to have your Personal Data erased and we will use our reasonable discretion to erase same if:
- (a) the Personal Information provided is no longer necessary in relation to the purpose of having obtained your Personal Information;
 - (b) you have withdrawn your consent for us to hold your Personal Information;
 - (c) the legal retention period for holding your Personal Information has expired;
 - (d) you object to the use of your Personal Information; or
 - (e) the processing of your Personal Information was not in accordance with the EU GDPR.

5. Anonymity and Pseudonymity

- 5.1 You may interact anonymously or by using a pseudonym with us and you may refuse to give your details.
- 5.2 You must provide your Personal Information when you:
- (a) purchase goods that require delivery;
 - (b) register for membership;
 - (c) sign up for mailing list;
 - (d) lodge a complaint; and
 - (e) are required to provide Personal Information under the law.

6. Disclosure of Personal Information

- 6.1 We only disclose your Personal Information for purposes that are reasonably related to our Business.
- 6.2 We will not disclose your Personal Information to third parties for payment, profit or advantage.
- 6.3 We may disclose your Personal Information to third parties, from time to time, to assist us in conducting our Business, including:
- (a) technology service providers including internet service providers or cloud service providers;
 - (b) couriers such as Australia Post;
 - (c) data processors that analyse our Website traffic or usage for us;
 - (d) agents that perform functions on our behalf, such as mailouts, debt collection, marketing or advertising;
 - (e) our related bodies corporate; and
 - (f) to persons, entities or courts as required under the law.

- 6.4 We may disclose your Personal Information to third parties:

- (a) to provide the service you wish to use;
- (b) to improve our Business, services, products and Website;
- (c) to customise and promote our services which may be of interest to you;
- (d) to comply with or as permitted under the law; or
- (e) with your consent.

- 6.5 You understand the Personal Information provided to us may be held offshore by entities that assist us to carry on the Business. By providing such information, you consent to the disclosure of such information. We will use reasonable endeavours to ensure they are subject to similar privacy legislation when handling such information.

- 6.6 We use our every and best endeavours to ensure each third party we directly contract with, in the dealings of Personal Information, are aware of their processor liability provisions under the EU GDPR and also are aware of privacy obligations in the dealings with Personal Information.

7. Cookies

- 7.1 We may, from time to time, use 'cookies' which are small data files placed on your machine or device to store information.

- 7.2 We use cookies in many ways including:
- (a) authentication cookies;
 - (b) session cookies that allow you to remain logged in and keep track of your activities until the browser shuts down; and
 - (c) persistent cookies that help us monitor our services by recording your browser activities and they do not expire upon browser shut down.

- 7.3 We use cookies for many reasons including but not limited to:

- (a) improve the performance by reporting any errors that occur;
- (b) provide statistics about how the Website is used;
- (c) remember settings that you used on our Website;
- (d) identify that you are logged into the Website;
- (e) link to social networks like Facebook and Twitter; and
- (f) provide ads that are tailored to you.

- 7.4 Please note that although cookies do not generally store Personal Information, they may contain your IP address. However you are effectively anonymous to us as this information cannot be linked to the Personal Information supplied.

7.5 We have obtained your consent to the use of particular types of cookies which may deal with Personal Information. The types of cookies the Website uses include, but are not limited to:

- (a) Session identifier cookies which are necessary to provide you with our services to the best of our knowledge, do not store Personal Information and cannot be used to track your behaviour across sites. They contain a session identifier which is used to maintain sessions between page loads.
- (b) Third party Analytics cookies and/or other tracking cookies. We understand these types of cookies to be able to track your behaviour across sites.
 - (i) These analytics and tracking platforms can be used to collect information such as IP addresses, geo location and user behaviour. We recommend you visit the Google Analytics Privacy Policy for more information.

7.6 You may disable and delete cookies in your browser if you do not want us to use cookies but doing so may detract from the correct functioning of our Website, which may result in the inability to interact with us and/or obtain our products and/or services.

8. Security

8.1 We use a database management system to store Personal Information received and it may contain security features, such as encryption, firewall and anti-virus, to ensure the protection and integrity of all data.

9. Retention of Personal Information

9.1 Personal Information held by us is securely retained after the collection of your Personal Information.

9.2 Personal Information is deleted after it is no longer required/necessary to be held.

10. Direct Marketing to You

10.1 We will not send you unsolicited commercial electronic messages in contravention of the *Spam Act 2003* (Cth).

10.2 We may use the non-sensitive information you gave us for the purpose of promoting and marketing our Business to you if we:

- (a) use the information that you reasonably expected us to use for promoting and marketing our Business to you; and
- (b) provide you a simple method to opt-out.

11. Personal Information Breach

- 11.1 In the unlikely event of a breach of privacy:
- (a) we employ practices to notify the relevant bodies under the Privacy Act 1988 (Cth) and the EU GDPR within the required timeframes.
 - (b) we will notify you without undue delay, should it be found the breach places your rights and freedoms at a high risk.

12. Accessing and Correcting Your Personal Information

Accessing Your Personal Information

- 12.1 You may request access to your Personal Information that we hold and we will:
- (a) verify your identity;
 - (b) reasonably charge you to cover the cost of meeting your request, if any, but not for the request itself, should your application not be subject to the EU GDPR; and
 - (c) within a reasonable period of time, comply with your request.

12.2 We may refuse to allow you to access your Personal Information if we are not required to do so under the Australian Privacy Principles, therefore meaning your application is not subject to the EU GDPR.

Correcting Your Information

12.3 You may request to correct your Personal Information that we hold and we will update your Personal Information so that it is up-to-date, accurate, complete, relevant and not misleading.

How to Contact Us

12.4 If you would like to access or correct your Personal Information, please contact us by:

- (a) email: ancap@ancap.com.au
- (b) writing to:
ANCAP
PO Box 4041
Manuka ACT 2603
Australia
- (c) phone: +61 2 6232 0232.

13. Complaints

13.1 If you believe we breached the Australian Privacy Principles under the *Privacy Act 1988* (Cth) or a registered Australian Privacy Principles Code, or the EU GDPR, you may lodge a complaint as follows:

- (a) firstly, contact us in writing to the email or postal address in clause 12.4 and include the following in your complaint:

- (i) your contact details;
 - (ii) section or provision of the Australian Privacy Principles or Code or EU GDPR that you believe we breached; and
 - (iii) our practice or policy that you believe breaches the relevant Australian Privacy Principle or Code,
- (b) and you must allow us a reasonable time, about 30 days, to reply to your complaint; and
- (c) secondly, you may complain to the Office of the Australian Information Commissioner or our nominated supervisory authority should you be subject to the EU GDPR if:
- (i) you are not satisfied with our response; or
 - (ii) we do not respond to you within a reasonable time without sufficient explanation.

14. Definitions and Interpretation

14.1 Unless contrary intention appears:

- (a) **Australian Privacy Principles** means the principles under the Schedule 1 of the *Privacy Act 1988* (Cth).
- (b) **Business** means ANCAP Australasia Limited ACN 120 448 044;
- (c) **Footage** includes but is not limited to images, photos, videos, audio, statements, text and any other outputs provided to us.
- (d) **Sensitive Information** means sensitive information as defined under *Privacy Act 1988* (Cth).
- (e) **Personal Information** means personal information as defined under *Privacy Act 1988* (Cth).
- (f) **You** (whether in capitals or not) means the user of our Website and Your and Yours have corresponding meanings.
- (g) **We** (whether in capitals or not) means ANCAP Australasia Limited ACN 120 448 044 and Us and Ours have corresponding meanings.
- (h) **Website** means www.ancap.com.au and any linked pages or platforms.