

## INTRODUCTION

Your privacy is important to us. We take our obligations under the Australian Privacy Principles, Australian State and Territory privacy legislation and other applicable data protection and cybersecurity laws seriously. We are committed to keeping your personal information safe and your data secure, providing you with a positive experience while using our websites, products and services.

This Policy governs how Montu collects, processes and uses your Personal Data. This Policy can be read alongside our "APP5 Notification of the Collection of Personal Information" notice which will be provided to you whenever your privacy consent and personal information is collected.

## SCOPE

This policy applies to all patients, staff, customers, website users, suppliers and contractors of Montu Group Pty Ltd and its subsidiaries Australian operations.

## DEFINITIONS

The following definitions shall apply to this Policy:

**"Data Protection Legislation"** means the Privacy Act 1988 (Cth); Spam Act 2003 (Cth); Do Not Call Register Act 2006 (Cth); state and territory based health record legislation and other data protection legislation approved in Australian jurisdictions from time to time.

**"Health Information"** means any personal information about your health or disability. It includes information or opinion about your illness, injury or disability.

**"Montu", "we", "us", "our"** means one of Montu Group Pty Ltd or its subsidiaries, being the Montu entity to which this Policy relates.

**"Personal Data"** has the meaning given to it or any similar term (e.g., "personal information", "nonpublic personal information", "PII", "personally referable information") in applicable Data Protection Legislation and for the avoidance of doubt means any information which directly or indirectly identifies or otherwise relates to an individual, which is in the possession or under the control of Montu (or its representatives or service providers). Such Personal Data may include, without limitation, the name, age, identification number, email address, address, telephone number, location data, health information, financial data, or online identifier of that individual. In addition to factual information, such Personal Data includes any expression of opinion about an individual and any indication of the intentions of Montu or any other person in respect of an individual.

“**Sensitive Personal Data**” has the meaning given to it or any similar term provided by applicable Data Protection Legislation (e.g., “sensitive personal information”, “sensitive data”, or “special categories of personal data”).

“**Websites**” means Montu websites that link to this Policy unless such websites have their own data protection policy and privacy notice. These include:

- [www.montu.com.au](http://www.montu.com.au)
- [www.alternaleaf.com.au](http://www.alternaleaf.com.au)
- [www.leafio.com.au](http://www.leafio.com.au)

## 1. TYPES OF DATA WE COLLECT

Montu may collect and process the following categories of Personal Data about you from the sources identified as follows:

- **Patient Data** We collect names, contact details, gender and age, as well as referral information to access health services delivered by Montu and patient case notes which briefly summarise your consultations with our medical team, clinical assessment and any prescriptions issued. Some of this information will be Sensitive Personal Data.
- **Website Data.** When you browse the Websites, depending on how you interact with the Websites, we may collect (i) information submitted as part of completing online forms on the Websites (including, but not limited to, name, age, date of birth, e-mail address, address, telephone number, identification number, online identifier, location, gender, nationality, citizenship and contact information); and (ii) technical information collected by cookies (see below) about the services that you use and how you use them, which may include device-specific information, your navigation throughout the Websites, and other technical and browsing preferences including your location and entry point to the Websites. Please note that if you do not provide certain Personal Data to Montu when requested (and where relevant, provide your consent) we may not be able to provide you with access to all areas of the Website and associated services.
- **Identity Verification Data.** We may collect identity verification information from you, such as images of your government issued ID, passport, national ID card, or driving license, as permitted by applicable laws, or other authentication information.
- **Communications Data.** We may collect Personal Data that you provide when you contact Montu for any reason, such as to express an interest in obtaining additional information about our services, direct questions or concerns about our services to us, use a “Contact Us” form or similar features, sign up for our emails or attend an

event, or download certain content. Such information may include contact information such as name, job title, company name, phone number, location and email address.

- **Reputation & Background Check Data.** If you are a service provider or a business partner or are a representative of one of our service providers or business partners, we may collect Personal Data from you and from third parties that includes contact details, information concerning business practices, criminal history, creditworthiness, reputation and business history, and job titles or roles.
- **Data Montu Generates.** We may generate Personal Data about you when we interact with you or perform services for you. This data may include information about your relationship with us or the services we are providing you.

## 2. HOW WE COLLECT PERSONAL DATA

Montu may collect the types of Personal Data described above in Section 1:

- Directly from you, including, for example, through your use of the website, when you send us an email, speak to us on the phone, or otherwise contact or communicate with us;
- From automated tracking technology and monitoring tools, for example, cookies that track your access and use of our website and other online services;
- From within Montu and our subsidiaries Alternaleaf and Leafio;
- From a third party acting on your behalf, for example, an intermediary, lawyer or service provider;
- From publicly available sources;
- From other organizations, for example fund administrators and other service providers.

Privacy consents will be obtained from individuals whose Personal Data is being collected.

Calls to our Patient Experience Team are recorded for training purposes, and callers are informed of this practice. Clinical consultations are not recorded.

## 3. HOW WE USE YOUR PERSONAL DATA

Montu collects and holds personal information for a variety of purposes relating to its functions and activities including:

- determining your suitability for a consultation with our nurses and doctors for medical treatment, your treatment plan, and what support you need in order to provide you with medical care;

- performing its employment and personnel functions in relation to Montu staff and contractors;
- conduct background checks and commercial due diligence;
- performing its legislative and administrative functions;
- policy development, research and evaluation;
- complaints and enquiries handling;
- program management;
- supplier and contract management;
- investigations, audits and compliance functions; and
- management of correspondence and marketing communications with the patients, employees and other members of the public.

Montu will only collect sensitive information where the information is reasonably necessary for one or more of our functions or activities.

#### **4. DISCLOSURE OF YOUR PERSONAL DATA TO THIRD PARTIES**

We may disclose your personal information for any of the purposes for which it was collected, or where it is under a legal duty to do so. This may include third parties such as:

- Montu's pharmacy and delivery partners to facilitate the supply and delivery of products in accordance with your prescription(s);
- External suppliers that we contract with to assist with the administration and management of our organisation and service provision;
- Providers including but not limited to GPs and other treating health services or organisations that enable us to coordinate the best support for you;
- Government and law enforcement agencies as required by law.

NB. Clinical records will not be shared with GPs/other treating health services unless there is a specific request to do so. Medical cannabis prescriptions are recorded on the Real Time Prescription Monitoring system and will be visible to your other treating doctors when prescribing certain medicines. Treatment from the Alternaleaf clinic will not appear on your MyGov My Health Record.

Montu may disclose your personal information outside of Montu if authorised under the Privacy Act including if we are required or authorised by or under law. For example, if we are required to respond to a subpoena or court order.

Montu may share anonymous or aggregated data with third parties such as service providers in order to facilitate our business operations or for research and analytic purposes. In these situations, you will not be informed that your data has been used nor informed of any findings. You will not be personally identified in any research unless you provide us with your explicit written consent to do so, for example a story of your patient journey.

We may process some of your Personal Data automatically, but we do not use computer algorithms to make automated decisions based on your Personal Data.

## **5. TRANSFERS OF PERSONAL DATA**

Montu operates globally. This means Personal Data may be processed and disclosed as described above, in any country in which we conduct business or have a service provider. Accordingly, when you provide your Personal Data to Montu, you acknowledge and agree that we may disclose your Personal Data to recipients (including, but not limited to service providers, Montu affiliates or agents, and Montu IT servers) located in jurisdictions other than your own, including but not limited to Australia, Hong Kong, India, UK, USA, Germany, and New Zealand.

To the extent that applicable Data Protection Legislation does not allow or permit us to obtain your valid consent by virtue of providing this Policy to you, or otherwise rely on the other grounds set out in this Policy for disclosing your Personal Data outside of your jurisdiction, we will obtain your explicit consent through other means (if applicable) or, where relevant, ensure that the recipient is required to provide a standard of protection to your Personal Data that is equivalent to that under the Data Protection Legislation of your jurisdiction (e.g. by using standard contractual clauses for such international transfers).

In other circumstances, Data Protection Legislation may permit Montu to otherwise transfer your Personal Data outside your jurisdiction provided it is in compliance with such Data Protection Legislation.

## **6. HOW WE SAFEGUARD YOUR PERSONAL DATA**

Montu has implemented commercially reasonable controls and appropriate technical and organizational measures to protect Personal Data, as well as to maintain the security of our information and information systems in respect of Personal Data. Patient files are protected with safeguards according to the sensitivity of the information contained therein. Appropriate controls (such as restricted access) are placed on our computer systems and used where

appropriate. Reasonable measures are taken to ensure physical access to Personal Data is limited to authorized employees.

As a condition of employment, Montu employees are required to follow applicable laws and regulations, including in relation to Data Protection Legislation. Unauthorized use or disclosure of confidential patient information by a Montu employee is prohibited and may result in disciplinary measures.

When you contact a Montu employee about your file, you may be asked to provide evidence of your identity (e.g., driver's license or passport) and/or to confirm some details relating to the Personal Data Montu holds about you. These types of safeguards are designed to ensure that only you, or someone authorized by you, has access to your file.

## 7. RETENTION AND DESTRUCTION OF PERSONAL DATA

The period for which Montu will hold your Personal Data will vary and will be determined by the following criteria:

- a) **The purpose for which Montu is using it.** Montu is required to retain the Personal Data for as long as is necessary to satisfy or meet the purposes for which it was obtained including applicable legal or regulatory requirements; and
- b) **Legal Obligations.** Laws or regulations may set a minimum period for which Montu must retain your Personal Data.

Depending on the requirements of the Data Protection Legislation of your jurisdiction, Montu will take reasonable steps using appropriate technical methods in the circumstances to delete or destroy your Personal Data when we no longer have a legal basis to retain it or to ensure that the information is anonymized or irrecoverable.

## 8. YOUR RIGHTS

To the extent provided by the law of your jurisdiction, you may have legal rights in relation to the Personal Data about you that Montu holds. These rights may include:

- the right to refuse to provide any Personal Data and the right to object at any time to the processing of your Personal Data. Please note that such refusal or objection may prevent us from providing services to you;
- the right to confirm whether we process your Personal Data and to obtain information regarding the processing of your Personal Data and access to the Personal Data about you that Montu holds (including any available information as

to the source of the Personal Data and any safeguards that may have been used to transfer Personal Data outside of your jurisdiction, as referred to in Section 8 above);

- where consent was provided for certain processing activities, the right to withdraw your consent to the collection, processing, use and/or disclosure of your Personal Data at any time. Please note, however, that this will not affect the lawfulness of any collection, processing, use or disclosure undertaken before your withdrawal and that Montu may still be entitled to process your Personal Data if it has another legitimate reason (other than consent) or a consent exception for doing so. In some cases, withdrawing your consent to the collection, use process or disclosure of some or all of your Personal Data may prevent us from providing services to you;
- in some circumstances, the right to receive a copy of some Personal Data in a structured, commonly used and machine-readable format and/or request that Montu transmit that data to a third party where this is technically feasible. Please note that this right may, depending on the jurisdiction, only apply to Personal Data that you have provided to Montu;
- the right to request that Montu correct or rectify your Personal Data if it is inaccurate or incomplete;
- in some circumstances, the right to request that Montu delete or erase your Personal Data. Please note that such a request may prevent us from providing services to you and there may be circumstances where Montu is legally entitled to retain Personal Data regardless of any such request;
- in some circumstances, the right to request that Montu restrict, anonymize or block its processing of your Personal Data. Please note that such a request may prevent us from providing services to you and there may be circumstances where Montu is legally entitled to retain Personal Data regardless of any such request;
- in some circumstances, the right to obtain information about the public and private entities with which Montu made shared use of the Personal Data as a joint controller;
- in some circumstances, the right to receive information on the possibility of not providing consent and on the consequences of the refusal;
- in some circumstances, the right to non-discrimination against you for exercising your legal rights in relation to your Personal Data;
- where applicable, the right to lodge a complaint with the data protection regulator in your jurisdiction if you think that any of your rights have been infringed by Montu; and

- the right to request information concerning the measures that the overseas recipient of your Personal Data is taking to protect your Personal Data and its details, countries to which the relevant personal data is transferred, and the existence or non-existence of data protection legislation in the countries and the details thereof.

You can enquire about your rights, which are applicable to you, by contacting Montu using the details listed below.

## **9. CHILDREN**

The Websites are intended for use by those over 18. We do not knowingly solicit or collect personal information from children under the age of 18.

## **10. PROCESSING OF PERSONAL DATA FOR MARKETING PURPOSES**

To the extent permitted by applicable law, we may contact you by mail, e-mail, SMS/text, telephone and other electronic means to provide information on products and services that we believe will be of interest, unless you object to receiving such information. If you do not want to receive such communications from us please contact the Privacy Officer on the details set out below or by using the opt-out facilities provided within the relevant marketing material.

Your option not to receive promotional and marketing material: (a) shall not preclude us from corresponding with you, by email or otherwise, regarding your relationship with us (e.g., your account status and activity or our responses to questions or inquiries you pose to us); (b) shall not preclude us, including our employees, directors, officers, contractors, agents and other representatives, from accessing and viewing your Personal Data for our internal business purposes; and (c) shall not preclude us from disclosing your Personal Data as described in this Policy for purposes other than sending you promotional and marketing materials.

## **11. USE OF PERSONAL DATA IN RELATION TO DATA SUBJECTS IN AUSTRALIA**

Australian Anti-Spam Legislation requires that commercial electronic messages ("CEMs") sent within Australia or into Australia from another jurisdiction may only be sent to individuals who opt into receiving them, subject to certain exceptions. Such consent may be implicit, such as by engaging in a prior business relationship, or by virtue of having one's email address listed in a public directory. These anti-spam laws also require senders to include an opt-out



function such as an “unsubscribe” mechanism within a CEM. You may opt-out of the collection or use of your information by Montu. In some cases, withdrawing your consent to the collection, use or disclosure of some or all of your personal information will prevent us from providing services to you. To opt-out, please contact Montu’s Privacy Officer using the details set out below or use the opt-out facility provided in the CEM. Please note that in some cases Montu is permitted to send you certain CEMs after you opt out, such as where required to enforce legal rights.

## **12. ADDITIONAL PRIVACY NOTICE INFORMATION REQUIRED FOR AUSTRALIAN RESIDENTS**

We will deal with your Personal Data (which has the same meaning as “Personal Information” under the Privacy Act 1988 (Cth), namely any information from which your identity is apparent or can be reasonably ascertained), in accordance with Australian privacy requirements including the Privacy Act 1988 (Cth) and Australian Privacy Principles, the Spam Act 2003 (Cth), the Do Not Call Register Act 2006 (Cth) and any applicable state/territory privacy laws or industry codes. Information that is not “about” an individual is not considered “Personal Data” under Australian law.

If you contact us to access your Personal Data, to seek to correct it, or to make a complaint about privacy, we will respond as soon as we reasonably can, and in any event within any timescales stipulated by applicable law. We do not impose any charge for a request, but we may charge you a reasonable fee for our costs associated with providing you access and retrieval costs. For complaints about privacy, we will establish in consultation with you a reasonable process including time frames, for seeking to resolve your complaint.

## **13. QUESTIONS AND CONCERNS**

If you have any questions or concerns about Montu’s handling of your Personal Data, or about this Policy, please contact our Privacy Officer using the contact information set out below.

We are typically able to resolve privacy questions or concerns promptly and effectively. If you are not satisfied with the response you receive from our Privacy Officer, depending on your jurisdiction, you may have the option to escalate concerns to the applicable privacy regulator in your jurisdiction, the details of which can be obtained from the Privacy Officer.

## **14. PRIVACY OFFICER CONTACT INFORMATION**

Montu welcomes your comments regarding this Privacy Policy. Any questions about this Privacy Policy, or any complaint regarding treatment of your privacy by Montu, should be made in writing to Montu:

[privacy@montu.com.au](mailto:privacy@montu.com.au)

Privacy Officer  
Level 18/1 Nicholson St  
EAST MELBOURNE, VIC 3004

We will respond within 10 business days. Any breach of this Policy will be investigated and appropriate action will be taken to prevent any further breach.

In Australia, further information on privacy legal requirements can be obtained from the Australian Information Commissioner at [www.oaic.gov.au](http://www.oaic.gov.au) or by phoning 1300 363 992.