

# PRIVACY POLICY

## Who we are

Cixel Pty Ltd (ACN 634 896 898) (**Cixel, us, we**) owns and operates the Cixel website (at [www.cixel.com.au](http://www.cixel.com.au)) and business which provides services including website and app development, content creation, SEO, hosting, domain registration, branding, outsourced services and any other features, content, applications or services offered from time to time by Cixel (collectively, the **Cixel Services**). Cixel is based in Perth, Western Australia.

This document should be read in conjunction with Cixel's Terms of Use, which are available on the Cixel Website.

## Application of this Privacy Policy

Cixel respects and is committed to protecting your privacy.

The purpose of this Privacy Policy is to explain:

- o the application of this Privacy Policy;
- o the kind of information we collect about you and why we collect it;
- o how we collect and store that information;
- o how we may disclose that information;
- o how you can access and correct the information we hold about you;
- o when we may use your information to contact you; and
- o our use of cookies to collect information, and how you can control or delete these cookies (if implemented within the Cixel Services).

This policy informs you of your rights to privacy and describes how we comply with our privacy requirements as set out in the *Privacy Act 1988* (Cth) (**Privacy Act**), the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Cth) and the Privacy (Credit Reporting) Code 2014 (**Privacy Code**).

This policy deals with how we collect, manage, store and disclose your "personal information". Certain parts of this Privacy Policy also apply to "credit related information" and "sensitive information". These terms are discussed below.

## Your Consent

By using the Cixel Services you consent to the privacy practices set out in this policy.

If you do not agree with the policy and consent please discontinue use of the Cixel Services.

You have the option of remaining anonymous or use a pseudonym in your dealings with us. However, in most situations we will be unable to provide you with a good or service if you do not provide us with your personal information. We need to have your details in order to supply the Cixel Services. We are also unable to provide you with credit if you do not supply us with all the information we request from you.

If you have concerns about your rights to anonymity or the use of a pseudonym, you can contact our Privacy Officer (see below details under the heading “Complaints” below) on a no-names and confidential basis.

## **What is personal information, sensitive information and credit related information**

We collect personal information in the course of our business dealings with you. The term “personal information” is defined by the Privacy Act. Personal information is information or an opinion that can be used to identify you. This might include personal details like your name, address, date of birth, other contact information like your email address and phone number and financial information like your credit card number or bank details.

“Sensitive information” is a type of personal information. Sensitive information can include information like your racial or ethnic origin, health, political opinions, membership of a political association, professional or trade association or trade union and criminal record.

Sometimes, the personal information we collect from you may constitute credit related personal information. “Credit related personal information” is defined by the Privacy Code. Credit related personal information can include information about your identity, repayment history information, whether you have overdue payments, whether you have ever been the subject of credit related court proceedings or insolvency proceedings and whether, in the opinion of a credit provider, you have committed a serious credit infringement.

This policy applies to personal information, sensitive information and credit related personal information collected by us, whether we have asked for the information or not.

## **The kind of personal information we collect and hold**

The information that Cixel collects about you depends on how you use the Cixel Services, and the nature of our dealings with you. We collect personal information only when it is reasonably necessary for, or directly related to, a purpose related to your involvement with us.

Personal information we may collect includes:

- (a) names;
- (b) contact details, including address, phone number and email address;
- (c) signatures;
- (d) dates of birth;
- (e) bank account details;
- (f) credit card details;
- (g) employment details;
- (h) tax file numbers;
- (i) financial details;
- (j) opinions about our services, products and staff; and

- (k) any information sent to us through correspondence.

The different kinds of credit related personal information we may collect and hold include:

- (a) the personal information listed above;
- (b) applications for commercial credit, the type and amount of that credit and the fact that we have accessed consumer credit information to assess a credit application;
- (c) that we and other credit providers have provided credit to an individual, payments owed to us in connection with credit provided to an individual;
- (d) whether in our opinion, or the opinion of another credit provider, an individual has committed a serious credit infringement;
- (e) information about court proceedings, personal insolvency information and other credit related publicly available information;
- (f) whether an individual has entered into an arrangement with us or another credit provider in connection with credit provided to the individual;
- (g) scores, ratings, summaries, evaluations and other information relating to an individual's credit worthiness; and
- (h) certain administrative information relating to credit, such as account and customer numbers.

For ease of understanding and reading this policy we will refer to personal information and credit related personal information together as "personal information".

## **Sensitive Information**

Generally, we do not collect sensitive information. If we think any sensitive information is reasonably necessary to allow us perform our functions or activities we will ask for your consent to collect this information. We will comply with the Privacy Act in this regard.

If you apply for employment with us, we may collect sensitive information from you on our induction form. Sensitive information is required by us to assess whether you have any medical conditions that might impact on your ability to safely perform the role you have applied for. By providing us with this information and signing the induction form, you consent to us using that information for the purpose of assessing your employment application and, if you are employed, for purposes in connection with your ongoing employment with us.

## **Why we collect personal information**

We collect personal information for a number of reasons including:

- (a) to deliver products or provide our services to you;
- (b) to communicate with you;
- (c) to measure our performance and to improve our services;
- (d) for verification purposes;
- (e) to develop new services;

- (f) for analysis of usage of our services;
- (g) for marketing and promotion purposes;
- (h) to assess a credit application by you;
- (i) to assess your creditworthiness;
- (j) to decide whether to withdraw credit facilities;
- (k) to notify other credit providers of a default by you;
- (l) to exchange information with other credit providers as to the status of your credit account, if you are in default with other credit providers;
- (m) to better understand your requirements and preferences and improve our products and services;
- (n) to recruit employees and engage contractors and subcontractors;
- (o) to perform other administrative functions, like the daily operation of your credit facility;
- (p) to comply with legal requirements; and
- (q) for purposes directly related to any of the above.

We may not be able to do these things without your personal information and may not be able to manage your profile, receive payments or contact you.

## **How we collect personal information**

Cixel collects personal information from you in a number of ways including:

- (a) from you directly by personal contact when you create an account as well as through mail, telephone, email and online communications and interactions;
- (b) your account activity when you use the Cixel Services;
- (c) information from your social networks which you choose to connect to your Cixel account;
- (d) from third parties potentially including:
  - (i) Google;
  - (ii) Vercel;
  - (iii) contractors or recruitment agencies;
  - (iv) government agencies;
  - (v) law enforcement bodies;
  - (vi) publicly available records and registries;
  - (vii) court or tribunal records;
  - (viii) ratings and search agencies;
  - (ix) regulatory and licensing bodies;
  - (x) service providers;
  - (xi) parties to whom you refer us, including previous employers and referees;
  - (xii) recruitment agencies;
  - (xiii) online searches; and
  - (xiv) social media (such as Twitter, Instagram, LinkedIn and Facebook).

If you have applied for credit with us, we will collect and share credit related personal information from credit reporting bodies and other credit providers. We will only do this with your consent. We share credit related personal information with various commercial credit reporting agencies. More information in this regard can be obtained from our Privacy Officer.

We may also share credit related personal information with our debtor insurance provider, if we take out debtor insurance. Our debtor insurance provider will collect credit related personal information from credit reporting bodies and other credit providers and share this with us. We also share credit related personal information with our legal advisers if we need to take debt recovery action.

If you send us any personal information electronically, be aware that the information may be insecure in transit, particularly where no encryption is used (e.g. email, standard http). You agree that, even though Cixel uses reasonable endeavours to secure your personal information, Cixel cannot guarantee that any information sent or accessed electronically is secure.

To the extent practical, we will only collect information from you personally, rather than from a third party.

If you supply us with the personal information of a third party we accept that information on the condition that you have all the rights required from that third party to provide that personal information to us to use for our functions and activities.

## **How we store personal information**

We may hold your personal information in physical and electronic form both at our premises and with the assistance of our service providers and via the Cixel Services.

We store electronic personal information in the Cixel website and on our computer systems and computer servers. Most of our systems and servers are used and hosted by third party providers and are located in secure data centres that are managed by third parties. Some systems and servers are cloud hosted.

We prefer to use hosting companies that have servers physically located in Australia. However, we cannot guarantee that your personal information will always reside on servers that are physically located in Australia. Your personal information may be stored on servers located overseas, including in the United States of America. We also may use service providers and contractors located overseas, and your personal information may be disclosed to them.

We will take reasonable steps to ensure that any overseas recipient complies with the Privacy Act, where we are aware that they are located overseas. Where your personal information is stored or hosted overseas, access to and use of that personal information will be governed by laws that apply in those overseas locations.

Only our authorised personnel have access to our server and computer systems and our hard copy files. All of our server and computer systems are protected by password.

We also hold personal information in hard copy. Hard copies are stored in our offices located around Australia. We also store hardcopy files with offsite storage providers whose premises and access is strictly controlled.

All of our employees who might come into contact with personal information are educated about the terms of our Privacy Policy.

We regularly update our anti-virus software in order to protect our computer systems and take steps, like engaging professional IT service providers, to ensure that our computer systems and networks are secure.

You may also assist Cixel in keeping your personal information secure by maintaining the confidentiality of your account information and notifying Cixel immediately if there is any unauthorised use of your account, or any other breach of security relating to your account.

In the unlikely event of a suspected data breach, we will within 30 days assess and evaluate whether a breach has in fact occurred and will, if required, notify the relevant data protection authority unless the breach is not likely to present any risk to your rights.

## **How we disclose personal information**

We may disclose your personal information to third parties for the following purposes:

- (a) to provide the products or services you wish to use;
- (b) to customise and promote our services which may be of interest to you;
- (c) to assist us to run competitions and offer giveaways;
- (d) to provide support to you in connection with your use of the Cixel Services;
- (e) if permitted or required by law; or
- (f) otherwise, if we have your consent.

We may also provide your personal information to our related bodies corporate and our service providers who assist us with customer contact, archival, auditing, accounting, legal, business consulting, banking, delivery, data processing, website or technology services. We will take reasonable and practicable steps to ensure third parties we deal with take steps to protect your privacy. All of our employees are required to maintain the confidentiality of any personal information held by us.

We will never sell your personal information to anyone.

In some circumstances we are permitted or authorised by or under a law or a court/tribunal order to use or disclose your personal information. For example, if our disclosure of your information will reduce or prevent a serious threat to life, health or safety or our disclosure is in response to any unlawful activity.

If you apply for credit with us, we will disclose your personal information to credit reporting bodies and other credit providers.

If you use Cixel Services overseas then your personal information may be made available to Cixel's overseas partners and suppliers. Where these overseas partners and suppliers are located outside of the European Union (EU) or the European Economic Area (EEA) Cixel will put in place appropriate measures in accordance with its legal requirements.

Cixel may share aggregated, non-personally identifiable information publicly, for example, to show trends about the general use of Cixel Services.

## **Internet cookies**

Data collection devices, called "cookies", are files placed on your electronic devices to collect information. Cixel may use cookies to enhance the use of the Cixel Services. Cookies can record information about

your visit to assist us in better understanding your needs and requirements. You should be aware that any Internet browser you use will generally be set to automatically accept cookies. Our website uses cookies, tracking pixels and related technologies and uses cookies dropped by us or third parties for a variety of purposes including to operate and personalise the website.

Cookies may contain the following information:

- (a) the address of your server;
- (b) the date and time of your visit to our website;
- (c) the pages on our website that you access and download; and
- (d) the type of browser and search engine that you use.

If you do not want any cookies to be placed on your electronic devices, you can alter your browser settings to refuse to accept cookies. However, this may also limit the way you can use the Cixel Services if we use cookies.

Cookies may also be used to track how you use the site to target ads to you on other websites. We may use third party vendor remarketing tracking cookies, including Google Adwords tracking cookies. This means we may show adverts to you across the internet, including via Google and other commercial services and networks. Third-party vendors, including Google, may utilise cookies and web browsers in order to serve adverts to you based on visits to our website. This allows us to market our goods and services to those who have shown interest in our goods and services. To opt out of this you can visit the DAA opt-out site [www.aboutads.info](http://www.aboutads.info) or the Network Advertising Initiative opt-out site at [networkadvertising.org/choices](http://networkadvertising.org/choices), or for those in Europe, the EDAA opt out site at [youronlinechoices.eu](http://youronlinechoices.eu).

## **Direct Marketing**

We may use your personal information to send marketing materials to you if the marketing material is related to the purpose for which we collected that information.

We will ask for your consent before we use your personal information for marketing purposes if we have not collected that personal information directly from you or where sensitive information is involved.

If you receive marketing offers from us and do not wish to receive them in the future, please contact us.

## **Links**

The Cixel Services may contain links to third party websites. Cixel is not responsible for the information on these sites, or their privacy policies. Cixel may keep track of your interactions with third party websites provided on the Cixel Services in order to improve the Cixel Services and to aggregate statistics.

## **Destroying personal information**

We will destroy, or take steps to de-identify, personal information when it is no longer required by us. We otherwise destroy information after 7 years since we have last dealt with you.

We will also destroy or de-identify personal information when required to do so by law.

## **Access and correction of personal information**

Cixel takes reasonable steps to ensure that the personal information it collects, uses and discloses is

accurate, up-to-date and complete. Cixel will also take reasonable steps to protect personal information that we hold from misuse, interference, loss, unauthorised access, modification or disclosure. However, the accuracy of that information depends to a large extent on the information you provide. We therefore recommend that you:

- (a) let us know if there are any errors in your personal information we hold; and
- (b) keep us up-to-date with changes to personal information you have previously provided.

## **Your privacy rights**

### **Your Australian privacy rights**

Under the Privacy Act you have the right to request access to your personal information that is held by us about you. You also have the right to request correction of any of your personal information that we hold.

Please contact us if you would like to request access to the personal information we hold about you. You will need to put your request in writing for security reasons and send it to the Privacy Officer. Please provide us with as much detail as you can about the particular information you seek, in order to help us retrieve it. We will use commercially reasonable endeavours to provide the information within 10 business days of receiving your request. Please note that we may charge a fee to cover the cost of meeting your request.

In some cases, we may refuse to provide you with access to your personal information. We will only do this if an exception in the Privacy Act applies. If access is refused, we will write to you and explain why.

### **Your European privacy rights**

If you are a data subject in Europe under the General Data Protection Regulations 2016/679 ('**GDPR**') you have the right to:

- (a) request access to and obtain copies of the personal information we have collected from you in an easily readable format;
- (b) modify or rectify your personal information if it is no longer accurate;
- (c) exercise the "Right to be Forgotten" and request that we erase your personal information if you believe it is no longer required for the purposes for which we originally collected it; and
- (d) object to or restrict the collection or processing of the personal information we have collected from you.

Please contact us if you wish to exercise any of these rights. Please send your request to our Privacy Officer.

## **Complaints**

If you have any questions or complaints about the way we have handled your personal information you can contact our Privacy Officer as follows:

**By email: [lachlan@cixel.com](mailto:lachlan@cixel.com)**

**By telephone: 1300 472 203**



**By mail:** 172A Gaebler Road, Aubin Grove, Western Australia 6164

We take all enquiries seriously and will attend to your question or complaint promptly.

If you are not happy with the way we deal with your privacy complaint you can make a complaint to the Privacy Commissioner at the Office of the Australian Information Commission (**OAIC**). More information about making a complaint to OAIC is available at <http://www.oaic.gov.au/privacy/privacy-complaints>

## **Updates to this Privacy Policy**

We will review and update this Privacy Policy from time to time. If we make any changes to this Privacy Policy, we will upload them to our website.

This Privacy Policy will be available to anyone on request, whether at our office or on our website. If you would like a hard copy, please contact our Privacy Policy.

For more information about privacy issues, you can visit the OAIC website at <http://www.oaic.gov.au>

**Policy last updated July 2023.**