

Find Harry Privacy Policy

1. Introduction and purpose of this privacy policy

- 1.1 VT42 Pty Ltd as the Trustee of VT42 Unit Trust ABN 77 373 551 818 trading as Contact Harald (**Contact Harald, us, we or our**) has developed an intelligent location based product and software service by the name of "Find Harry" which connects Customers to their assets, their teams and their critical business information (the **Find Harry Service**). Our Customers use the Find Harry Service to find, locate or connect with their users, assets and operational information.
- 1.2 This privacy policy sets out:
 - (a) how personal information collected or given to us by our Customers (as **Controllers**) using the Find Harry Service will be handled by us in accordance with the *Privacy Act 1988* (Cth) (**Privacy Act**) and Australian Privacy Principles (together the **Privacy Laws**); and
 - (b) how we comply with our obligations under the Privacy Laws regarding the collection, use, disclosure, storage, security and access of your personal information.
- 1.3 We reserve the right to vary this privacy policy from time to time (at our sole discretion). If we make such a variation, the updated policy will be posted on our website and will apply to all personal information that we hold at the time of variation. Your continued use of our website, a product or service we supply after any change in this privacy policy will constitute your acceptance of such change.
- 1.4 This privacy policy does not apply to the services that our Customers provide to their personnel, contractors, visitors and other end users (**End Users**) or how our Customers collect, hold and use personal information belonging to its End Users. Our Customers have their own policies regarding the collection, use, and disclosure of the personal information belonging to their personnel and End Users. If you are an End User of one of our Customers and wish to learn about how that Customer handles your personal information, we encourage you to read the Customer's privacy policy. Only the Customer can assist you with requests for access, modification or deletion.

2. The Find Harry Service and End User personal information

- 2.1 The Find Harry Service allows each of our Customers in this privacy policy (our Customer also referred to as a **Controller** for the purpose of this policy) to report, distribute, manage and control data and information relevant to their own operations which from time to time will include personal information in respect of its End Users (such as you).
- 2.2 By way of example, a Customer of ours which operates a large construction site will procure the Find Harry Service for use by or with its End Users who may be its employees, contractors and visitors. These End Users will use the Find Harry Service for the purpose of accessing, giving and receiving information in respect of the Customer's operations or business, in respect of the site, the assets on the site and other people on the site. The Customer (as the Controller) will decide who is given access to the Find Harry Service, the rules for accessing and using the Find Harry Service (in respect of the Controller's operations or business), what the information relates to (eg: assets on the site, people on site, activities on the site) and how to manage such access and use. These are matters which we do not control.
- 2.3 To use the Find Harry Service, from time to time each End User will give the relevant Controller personal information which the Controller will access and manage including uploading such information to the cloud run by a third party cloud provider that the Controller engages. It is then for the Controller to:
 - (a) maintain and update such information in the cloud; and
 - (b) provide access to such information, ensuring it is accurately and securely kept for the End User.

Find Harry Privacy Policy

- 2.4 We do not manage your personal information on the Controller's database in the cloud. For account administration, operational, and product development purposes, we may keep and use a copy of your personal information as well.
- 2.5 How the Find Harry Service is used to send and receive communications and notifications are matters for the Controller and the User. These are matters out of our control because:
- (a) the Controller configures the Find Harry Service settings, applies the Find Harry Service to its site (including its assets and people), and uses the Find Harry Services in accordance with its business policies and procedures, compliance requirements and applicable law;
 - (b) the Controller is responsible and liable for the collection and management of the data and personal information belonging to End Users (including the accuracy and currency of such); and
 - (c) whether the Controller or the relevant End User/s are making certain communications and notifications as required is a matter for the Controller's policies and procedures, compliance requirements and applicable law.

3. End User acknowledgement

- 3.1 By giving your details to a Controller, registering to use the Find Harry Service or by actually using the Find Harry Service, you have agreed and consented to:
- (a) your relevant Controller being the entity responsible and liable for handling your personal information (not us);
 - (b) your relevant Controller using your personal information subject to:
 - (i) the Controller's privacy policy; and
 - (ii) the laws applicable to the jurisdiction the Controller is located within;
 - (c) our use of your personal information in accordance with this privacy policy (including keeping and using such personal information for account administration, operational and product development purposes);
 - (d) our collection of certain information and data via the Find Harry Service, keeping it on a secure cloud database server and using it in accordance with this privacy policy; and
 - (e) from time to time, and to the extent we cannot anonymise such information or data, we will share your personal information with our third-party product suppliers for the purpose of providing the Find Harry Service to you.
- 3.2 We may also collect your personal information from your Controller for the purpose of:
- (a) assisting or working with the Controller or the End User (or both);
 - (b) assisting or working with our suppliers; or
 - (c) assisting or working with relevant authorities;
 - (d) account administration, operational purposes and product development.

4. Types of personal information the Controller will collect

- 4.1 For a Customer (ie: the Controller) to provide the Find Harry Service to End Users and to support their use, including for Controllers and End Users to communicate with each other

Find Harry Privacy Policy

regarding such use, the Controller will collect personal information including but not limited to:

- (a) the End User's full name;
- (b) the End User's mobile phone number/s;
- (c) the End User's location details;
- (d) the End User's radio contact details;
- (e) the End User's email address/es;
- (f) that which is given by the End User whilst using the Find Harry Service (whether in respect of that End User or another); and
- (g) that which is provided for in the Controller's own privacy policy or document/s for the use of the Find Harry Service in accordance with its business rules.

4.2 What the Controller and its End Users do with such information is:

- (a) subject to the Controller's policies and procedures (including its privacy policy) and laws applicable to the jurisdiction the Controller is in;
- (b) within the control of, and the responsibility of, the Controller and its End Users; and
- (c) at the full liability of the Controller (and, to the full extent permitted at law, we have no liability for that which we do not keep or access).

4.3 Generally, personal information provided by End Users that is uploaded to the cloud (via the Controller) will be encrypted in transit and at rest.

4.4 Any third-party product that we supply and is integrated with the Find Harry Service may collect different or additional personal information, and the collection and use of personal information by such a supplier is subject to their privacy policy. Such third party products may include reporting software that the Controller uses or is integrated with the Find Harry Service.

5. Types of personal information we will collect

5.1 The amount or type of information and data we collect depends on the product or service that you use with the Find Harry Service and how you use the Find Harry Service.

5.2 If you choose to share additional information with us so that we can better customize your account and our services, we will process that with the same care and respect to that which we usually collect.

5.3 We will collect and process personal information in different ways when you (being either the Customer or an End User) use the Find Harry Service:

- (a) we process your personal information as a Customer (or potential Customer) of our services (we refer to this information as "**Customer Account Data**" (e.g. your contact information)) when you visit our website, contact us or sign-up with us, have an account with us or use our products or services; and
- (b) we process the personal information of End Users who use or interact with the Find Harry Service. This includes information we use to facilitate communication, route messages and metadata about messages (we refer to this information as "**Customer Usage Data**") and it also includes the content of communications (we refer to as your "**Customer Content**").

Find Harry Privacy Policy

5.4 Information you may share directly with us includes:

- (a) name and contact information;
- (b) telephone number;
- (c) payment information;
- (d) proof of identity records. Due to your operational or compliance requirements or similar, you may have to share proof of identity records with the Controller, us, a local government authority or with the local telecommunications carrier that provides connectivity services;
- (e) personalization details. We may use these to personalise the Find Harry Service for you. We may also use these in connection with improving our internal processes and services or to train our team members.

5.5 Information we otherwise generate or collect:

- (a) when you sign up for an account with us, we ask for certain information such as your contact details and billing information to communicate with you and facilitate payment;
- (b) when you interact with our website or the Find Harry Service, we collect your IP address and other data through tracking technologies like cookies, web beacons, and similar technologies;
- (c) where you type in your information into web forms we make available. We collect this information to provide you with what you request through the web form, to learn more about who is interested in our products and services, and to improve navigation experience on our pages;
- (d) we collect IP addresses when you make requests to our APIs and in our server logs. We use this information to understand how Customers and End Users are using the Find Harry Service, who those Customers and End Users are, from which jurisdiction they are logging in, and to help improve the navigation experience;
- (e) we collect some information automatically, such as your IP address, when you log in to your account or when your software application interacting with the Find Harry Service makes requests to our APIs. We use this to understand who is using our services and how, and to detect, prevent and investigate fraud, abuse, or security incidents;
- (f) we collect information about your device, such as your computer or mobile device operating system type and version number, manufacturer and model, unique identifiers, and general location information such as jurisdiction, region, city or town; and
- (g) from time to time, we also collect the data and content resulting from the use of the Find Harry Service (we do this for account administration, operational and product development purposes).

5.6 We process these categories of personal information differently because the direct relationship we have with our Customers is different from the indirect relationship we have with End Users (who "belong to" Customers).

5.7 From time to time, we may share personal information with our suppliers and service providers primarily to provide the services you have requested from us, and as needed for our operational purposes (eg: to do the things we need to do to function as a business, such as collecting payment).

Find Harry Privacy Policy

- 5.8 We may also use data about our Customers and End Users to detect, prevent, or investigate security incidents, fraud, or abuse and misuse of our platform and services.
- 6. Information you share directly**
- 6.1 We will ask you for information in order to respond to your requests, whether through our sales or support staff, or through a webform.
- 6.2 We may also ask you for additional information to help us understand you better as a Customer, such as your Find Harry Service use case, your company name, or your role at your company.
- 6.3 If you contact us, we will often keep a record of the inquiries we receive from you and from Customers generally so we can improve our products and services and provide training to team members. This information also helps our teams manage our ongoing relationships with our Customers.
- 7. Data about our Customers' End Users**
- 7.1 We use Customer Usage Data and Customer Content to provide services to the Customer and the End User in order to deliver the Find Harry Service (including account administration, operational purposes and product development).
- 7.2 Often, the particular End User personal information we process and the reasons we process End User personal information, depends on how the Customer and End Users use the Find Harry Service.
- 7.3 In many cases, you can opt to store records of your communications or other activities on the Customer's or your own database or cloud, and these records may include your End Users' personal information.
- 7.4 You may also have the option to use additional features or tools within the Find Harry Service that allow you to do things such as analyse the records (including End User personal information) in your Find Harry Service account. In those cases, we will process this information as part of the Find Harry Service functionality.
- 8. How long we store Customer and End User data**
- 8.1 We will store and process Customer Account Data and Customer Usage Data (including personal information) for as long as required by the purpose it was collected for, to provide you with our services and to operate our business.
- 8.2 The Find Harry Service includes a number of self-service features, including the ability of our Customers and their users to access your information and data (including that in respect of End Users), update any incorrect data, download a copy of your data, delete your data, or restrict the use of your data. You can make various choices about your Customer Account Data through the relevant account portal when you log into your Find Harry Service account.
- 8.3 If the Customer instructs us to delete any records, we will do so subject to our account administration compliance and record keeping requirements. Please note that it may take a reasonable period of time for the data to be completely removed from all systems.
- 8.4 In some cases, we may retain a copy of your usage records, including the personal information contained in them, to carry out necessary functions such as billing, invoice reconciliation, troubleshooting, along with detecting, preventing, and investigating spam, fraudulent activity, and network exploits and abuse. Sometimes legal matters arise that also require us to preserve records, including those containing personal information. These matters include litigation, law enforcement requests, or government investigations.
- 8.5 We may also retain or use records after they have been anonymized.

Find Harry Privacy Policy

8.6 We may also have a legal obligation to collect personal information from you or may otherwise need the personal information to protect your vital interests or those of another person, such as in the case where we request personal information from you in the context of a government audit or in response to a request from law enforcement.

9. Unsolicited collection of personal information

9.1 If we receive unsolicited personal information, we will, as soon as practicable, destroy, delete or de-identify the personal information if it is lawful and reasonable for us to do so.

10. Our use of personal information

10.1 Although the Controller manages your personal information, broadly speaking, we may also use your information (including Customer Account Data and Customer Usage Data) to further our legitimate interests and to assist a Controller or an End User. As such, we will primarily use personal information for the following purposes:

- (a) understand who our Customers and potential Customers are and their interests in our product and services;
- (b) to supply the Find Harry Service;
- (c) to carry out our obligations and enforce our rights arising from any contracts entered into between our Customers and us, including for billing and collections;
- (d) to supply and support our products and services, administer your account and provide information in respect of such;
- (e) manage our relationship with you and other Customers (including service and support);
- (f) to deal with public authorities as required by law;
- (g) to allow our Customers (as Controllers) to maintain an account with us, and so that we can communicate effectively with our Customers (for example by email in relation to the Customer account and orders);
- (h) carry out core business operations such as accounting, filing taxes, record keeping and fulfilling regulatory obligations;
- (i) detect, prevent, or investigate security incidents, network exploits, fraud, or abuse and misuse of our platform and services;
- (j) debug, troubleshoot, or investigate security incidents;
- (k) undertake research and development of our products and services; or
- (l) as stated elsewhere in this policy or any other agreement we may have with you

10.2 We may also use automated decision making leveraging a variety of signals derived from records (including personal information) we collect to help monitor, identify, and suspend accounts sending spam or engaging in other abusive or fraudulent activity. Holders of accounts suspended under these circumstances will be notified of the suspension and given an opportunity to request human review of the suspension decision.

10.3 We do not sell personal information or share person information with third parties for those third parties' own business interests or marketing purposes. We will only disclose personal information to a third party:

- (a) if it is consistent with a purpose listed in paragraph 10.1;

Find Harry Privacy Policy

- (b) who is a Controller (in connection to you);
 - (c) who is a relevant government authority, agency or regulator;
 - (d) we reasonably believe that disclosure is compelled by applicable law, regulation, legal process, or a government request (including to meet national security, emergency services, or law enforcement requirements);
 - (e) to enforce our agreements and policies;
 - (f) to protect the security or integrity of our services and products;
 - (g) to protect ourselves, our other Customers, or the public from harm or illegal activities;
 - (h) to respond to an emergency which we believe in good faith requires us to disclose data to assist in preventing a death or serious bodily injury;
 - (i) where the disclosure is consistent with this privacy policy;
 - (j) the End User has consented (including implicitly consented by giving your contact details to be sent elsewhere);
 - (k) in order to provide our products and services to you, such as:
 - (i) to store data you ask us to store;
 - (ii) to third-party vendors and service providers to carry out certain data processing functions on our behalf. These providers are limited to only accessing or using this data to provide services to us and must provide reasonable assurances they will appropriately safeguard the data;
 - (iii) to our suppliers that are permitted to process data for which we are a processor;
 - (iv) to our add-on partners who provide "add-ons" of additional features, functionality or services and who are third parties not affiliated with us. Where we make add-ons available, some add-ons may need to access or collect some of your information, including personal information. If you choose to use an add-on, we will share your information with the add-on partner so you can use the relevant add-on. We do not control the add-on partners' use of your information and their use of your information will be in accordance with their own policies. If you do not want your information to be shared with an add-on partner, then you should not use the relevant add-on;
 - (l) who is a related body corporate of ours;
 - (m) in order to go through a corporate sale, merger, reorganization, dissolution or similar event (as the personal information we gather from you may be part of the assets transferred or shared in connection with the due diligence for any such transaction); or
 - (n) the disclosure is required or authorised at law, by a court order, or by a decision of a government agency or department.
- 10.4 We might also share data about our Customers with third parties if the data has been de-identified or aggregated in a way so it cannot be used to identify you or your End Users.
- 10.5 In any event, we may also disclose your personal information where a "permitted general situation" exists as defined in the Privacy Act, such as:

Find Harry Privacy Policy

- (a) use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual or to public health or safety and it is unreasonable or impracticable to obtain consent;
- (b) we have reason to suspect that unlawful activity or misconduct of a serious nature has been (or may be) engaged in and use or disclosure is necessary in order for us to take appropriate action;
- (c) use or disclosure is reasonably necessary for the establishment, exercise or defence of a legal or equitable claim; or
- (d) use or disclosure is reasonably necessary for a confidential alternative dispute resolution process. This may be the case where the counter party to your transaction is based overseas.

11. Overseas disclosures

- 11.1 Personal information may be kept in the cloud in a jurisdiction where the Controller resides, the End Users reside or in a jurisdiction foreign to both.
- 11.2 We have no control over the cloud being located where the Controller or End Users reside as we do not control or manage the Controller or the End Users or the cloud they provide.
- 11.3 Due to certain of our service providers being multinational entities, we may need to transfer your personal information to those service providers located in various countries and jurisdictions around the world. We will only do this where:
 - (a) the Controller makes a service or support request or otherwise instructs us to do so;
 - (b) you request it; or
 - (c) if it is consistent with this privacy policy.
- 11.4 We mitigate the risk associated with sending personal information to service providers overseas (including data into the cloud) or outside where the Controller resides by:
 - (a) taking reasonable steps to ensure that the cloud provider employs industry standard levels of information protection;
 - (b) requiring a commitment from our cloud providers that they will not use information for a purpose other than for the purpose it was collected and provided to them (including that they must not use for on-selling, disclose for an unrelated purpose or for direct marketing purposes);
 - (c) seeking from cloud providers a commitment or warranty that it is substantially compliant with:
 - (i) the privacy legislation with which it is required to comply which has the effect of protecting personal information in a way that, overall, is at least substantially similar to the way in which the Australian Privacy Principles protect personal information; or, in the alternative
 - (ii) the Privacy Laws.
- 11.5 We may also provide your personal information to overseas recipients where:
 - (a) you give us your consent;
 - (b) we are required or authorised by law to do so; or

Find Harry Privacy Policy

- (c) we suspect that unlawful activity or misconduct of a serious nature is being or may be engaged in.

12. Integrated functionality

- 12.1 The Find Harry Service is integrated with third party functionality and, from time to time, data that includes personal information will travel between us and the relevant service or product provider. You acknowledge and agree we do this so that you can enjoy the benefit of an integrated and intelligent location based product and software service solution.
- 12.2 When we work with such providers overseas, we endeavour to do so using anonymised or encrypted information. Where we do wish to transmit personal information overseas:
 - (a) we will use encryption to the extent it is practicable to do so;
 - (b) we will not do so in a manner that is inconsistent with this privacy policy or, failing that, without the consent of, as relevant, the Controller or User; and
 - (c) paragraph 11 of this privacy policy will apply.

13. Mailouts and direct marketing

- 13.1 Except in cases where you explicitly request or provide consent for us to do so, we do not:
 - (a) use End User personal information for direct marketing or mail-outs to End Users; and
 - (b) we do not supply any personal information to be used by third parties for their own marketing purposes.
- 13.2 If you are a Customer or potential Customer, we use your email address to send you information about our products, services or events in which we think you may be interested. You can opt out of receiving marketing communications from us at any time through your marketing preferences page by clicking the "unsubscribe" link at the bottom of any marketing email you receive from us.
- 13.3 However our Customers and End Users may receive correspondence from us even if they opt-out of receiving marketing material. You will not be able to opt out of service emails from us, such as product maintenance and support information, password reset emails, billing emails, or notifications of updates to our terms. If this remains an issue, please contact us directly.

14. Security of personal information

- 14.1 We take reasonable steps to protect End User personal information from misuse, interference, loss, or unauthorised disclosure. We do this by using encrypted technologies and by engaging third party cloud service providers and third party security providers. From time to time we will monitor and review our third party provider information security capabilities for currency with industry standards, however we will not be responsible for data security held by third parties as:
 - (a) it is the Controller's responsibility to upload, maintain and download End User data to and from the cloud;
 - (b) we cannot access End User data on its cloud without first receiving consent from the Controller or having a lawful reason for such access;
 - (c) the Controller is responsible for account access and login information, including passwords.

Find Harry Privacy Policy

14.2 Where it is no longer required for record keeping purposes or the Controller has ended its relationship with us, we may destroy or delete information and data stored on the servers we pay for (unless we are keeping it for administrative or record-keeping purposes, or are otherwise required or authorised by law to retain it).

15. Right to be forgotten

15.1 Under the Privacy Act, in Australia you do not have "the right to be forgotten".

15.2 We will retain personal information in accordance with this privacy policy.

15.3 Please note that the Controller and/or we may anonymise personal information to the extent that it has the actual or practical effect of deleting your personal identifiers, or that we cannot identify it as yours to remove or delete.

16. Consent and responsibility

16.1 If at any time the Controller provides us with personal information about someone other than itself (eg: an End User), it warrants that it has the relevant individual's explicit consent to provide such information for the purpose specified. The Controller acknowledges that we may require proof of such consent to be given to us.

16.2 The Controller acknowledges that it is responsible and liable for the management of the End User personal information consistent with this privacy policy. What the Controller does with the End User's personal information is the responsibility and full liability of the Controller.

16.3 The Controller warrants that it has given all relevant notices and obtained all relevant consents for it to use the Find Harry Service at its site and that End Users and other individuals onsite may be subject to monitoring, observance and recording.

17. Access and correction requests

17.1 If you are an End User seeking to access or correct your personal information that you have given, please contact the Controller. Your request will be subject to the Controller's privacy policy, business rules and laws that you have the benefit of as an individual.

17.2 It is the Controller's responsibility and liability to respond to requests for access to personal information and must do so within a reasonable period of time. When doing so, the Controller shall generally provide the End User with the following:

- (a) confirmation of whether personal information is being collected and used (or not);
- (b) the purpose/s of collecting and using personal information;
- (c) the categories of personal information that it holds about the End User (please refer to paragraph 4 of this privacy policy);
- (d) the recipients or categories of recipients to whom the personal information has been or will be disclosed to;
- (e) the period of time that personal information will be stored (where possible); and
- (f) notification of the End User's rights.

17.3 The Controller shall take reasonable steps to correct personal information, taking into account the purpose for which it is held, its accuracy, the reasonableness and the relevance of an End User's correction request.

17.4 If the Controller refuses a request for access or a correction, it shall give reasons for the refusal and information about the complaint mechanism/s that are available. If personal

Find Harry Privacy Policy

information the subject of a correction has been disclosed to a third party, the Controller will take reasonable steps to notify the third party of any such correction.

17.5 We are unable to access or correct the End User's personal information without receiving consent via the Controller or unless compelled to by a relevant government authority.

17.6 If you contact us for access to or for the correction of your personal information, we may refuse the request on the basis that the Controller has not communicated your consent or where the relevant government authority has not compelled us to provide such access or correction.

18. Cookies and web beacons

18.1 We use common information-gathering tools such as cookies, beacons, pixels and other similar tracking technologies to automatically collect information from your account with us and as you navigate our website.

18.2 Cookies are small pieces of information stored by a browser or other application and used to connect your computer with information stored about your online activity, searches, preferences, product purchases and use of the Find Harry Service. This makes navigating and interacting with our website, the Find Harry Service or your account more efficient, easy and meaningful for you.

18.3 You can disable or limit cookies and beacons, but if you do so you may not be able to participate in certain activities and you may limit our ability to tailor promotions and communications to you. Our website does not control or guarantee the effectiveness of browser-based tools for managing cookies.

18.4 Please note that certain required cookies and beacons cannot be disabled and if you decide to opt-out of certain functional cookies, certain functionality of our website or your account may be impacted.

18.5 We also use beacons to gather data about your use of our website and your account. Web beacons are clear electronic images that can recognize certain types of data on your computer, like when you view a particular website tied to the web beacon, and a description of a website tied to the web beacon. We use web beacons to operate and improve our website and email communications to you.

19. Making a complaint

19.1 If you have a complaint to make regarding your privacy in respect of the Find Harry Service, we ask that you first make a complaint to the Controller who gave you access to the Find Harry Service (and is responsible for the management of it).

19.2 If you think we have failed to comply with our privacy obligations in respect of the Find Harry Service, we ask that you contact us. We will acknowledge your complaint in a prompt manner and give you an estimated timeframe for our response. We are committed to dealing with your complaint in a reasonable and effective manner.

19.3 If we are unable to resolve your complaint or if you are unhappy with the outcome, you may lodge a complaint with the Office of the Australian Information Commissioner (www.oaic.gov.au).

20. Contact us

20.1 If you have any questions about this privacy policy, please contact us at privacy@contactharald.com.

This policy was last updated **12 December 2022**.