

SHAW DR Privacy Policy

1. ABOUT THIS POLICY

- 1.1 SHAW Dispute Resolution Pty Ltd ACN 225 978 965 ("**us**", "**we**", or "**our**") recognises the importance of your privacy and respects your right to control how your personal information is collected and used.
- 1.2 We are an APP Entity as defined in the Privacy Act 1988 (Cth) (the "**Act**"). This privacy policy is aligned with the Australian Privacy Principles as set out in the Privacy Act 1988 (Cth) (**Privacy Act**) and describes the way that we may collect, hold and disclose personal information.
- 1.3 This Privacy Policy applies to our website, shawdr.com.au (the "**Site**") which is operated by us, and to the SHAW Dispute Resolution services provided by us (collectively, the "**Services**").
- 1.3 SHAW Dispute Resolution is a national dispute resolution service provider.

2. DEFINITIONS

The following definitions apply in this Privacy Policy:

"**Personal Information**" means any information that may identify you, or by which your identity might be reasonably determined. The information you provide us may include, amongst other things, your name, address, email address, and phone number.

"**Sensitive Information**" means Sensitive Information as defined in the Act and may include information about an individual's racial or ethnic origin, political opinions, memberships of a political organisation, religious belief or affiliation, philosophical belief, membership of a professional or trade association, membership of a trade union, sexual preference or practices, criminal record or health information.

"**Identifier**" is a unique number assigned to an individual to identify uniquely the individual. Identifiers include Medicare Numbers and Tax File numbers.

"**Customer**" means a customer of SHAW Dispute Resolution who is a user of the Site and a subscriber of the Services.

3. TYPES OF INFORMATION WE MAY COLLECT

- 3.1 We may collect the following **Personal Information**:
 - (a) your contact details including your name, email address and contact phone number;
 - (b) your business or company name;



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- (c) *your payment and billing information, which we use to bill you for the Services and to process your payments, including credit card details;*
- (d) *details regarding conversations we have had with you, including information supplied in the course of mediation, FDR or arbitration; and*
- (e) *other information relevant to you that relates to the Company.*

3.2 *We also collect information about our Customers' use of the Services, including their order and billing history, Services usage and other information.*

3.3 *We automatically collect through our Site and Services, information that is often not personally identifiable, such as the website from which visitors came to our Site, IP address, browser type and other information relating to the device through which they access the Site. We may combine this information with the Personal Information we have collected about Customers.*

3.4 *We provide mediation, FDR and arbitration services for a very broad range of disputes. In order to provide our Services to you, we may also collect **Sensitive Information** about you. We will only collect Sensitive Information if you consent and it is reasonably necessary for us to do so.*

4. HOW WE USE PERSONAL INFORMATION

4.1 **Personal information** collected by us will generally only be used or disclosed for the purpose it was collected. We may from time to time use personal information for another purpose where it would be reasonably expected by you or if allowed by law, including:

- (a) *to efficiently and effectively maintain your account and contact details*
- (b) *to provide our products and Services to Customers, including to generate aggregate reports for Customers about Service usage;*
- (c) *to respond to requests or inquiries from Customers, to communicate with Customers about their accounts or orders, and for similar customer-service-related purposes;*
- (d) *to process Customer payments and to assess charges for our Services;*
- (e) *to effectuate or enforce a transaction or agreement with a Customer;*
- (f) *to tailor the information we send or display to Customers, including to market our Services or opportunities to attend events or seminars;*
- (g) *to analyse our Services or internal operations;*
- (h) *to provide Customers with information about our company or Services that we believe may be of interest, including to send marketing and promotional e-mails;*



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- (i) to improve our Site, offerings or Services and to better understand how Customers access and use our Site and Services, on an aggregated and individualized basis;
- (j) where disclosure or its use is required or authorised by law;
- (k) to administer our Site and keep it safe and secure;
- (l) in the ongoing administration of the shareholder register;
- (m) in preparation and distribution of the statements for handling mail;
- (n) in the process of procuring advice from legal and accounting firms, auditors, contractors, consultants and other advisors;
- (o) to provide you with notices required under legislations, including but not limited to the Corporations Act 2001 (Cth);
- (p) any other purpose for which you have consented.

4.2 **Sensitive Information** will only be used for the purpose of the mediation, FDR or arbitration. Sensitive Information will only be disclosed if required by a court, tribunal or regulatory authority or if you otherwise consent to its disclosure.

4.3 The information you give us is used to provide you with a product or service and/or to fulfil your order. Sharing of information will be limited to partners or third parties who are integral to the order fulfilment process. We may also use aggregated or non-personally identifying information about Customers for market analysis, research, marketing or other purposes.

5. ACCESS AND ACCURACY

5.1 Subject to exceptions allowed by law, you have the right to access personal information we hold about you and to seek its correction. Please contact us (at our contact details provided below) to request access to your information, or if you have a complaint concerning your information privacy.

5.2 We may decline a request to access or correct personal information where allowed under the Australian Privacy Principles and use reasonable endeavours to provide you with our reasons in writing.

5.3 Depending on the circumstances, we may charge you reasonable costs for providing access to your personal information. There is no fee for lodging a request for access.

6 HOW WE STORE PERSONAL INFORMATION

6.1 We will take reasonable steps to protect your personal information from misuse, loss, unauthorised access and modification or disclosure. If we no



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longer require the use of your personal information, we will take reasonable steps to destroy or permanently de-identify it.

6.2 *The internet is not always a secure environment. If you use the Internet to send us any information, it is sent at your own risk. Our websites may contain links to other websites. We are not responsible for the privacy practices or the content of such other websites.*

6.3 *Personal information may be stored electronically through third party data centres, which may be located overseas, or in physical storage at our premises or third party secure storage facilities.*

7 HOW WE DISCLOSE PERSONAL INFORMATION

7.1 *We may disclose any of the personal information we collect or receive through our site and services as follows:*

- *Our employees and related bodies corporate;*
- *to our contractors or third party service providers who provide services or perform functions on our behalf;*
- *our professional advisors and agents*
- *payment systems operators such as merchants or third party payment providers;*
- *in response to a subpoena or other legal process by a governmental entity or third party, or if otherwise required by law;*
- *to protect or enforce our rights or property;*
- *in the event of the sale or dissolution (bankruptcy) of assets, in whole or in part, of SHAW Dispute Resolution or any of its affiliates; and*
- *to our affiliates and subsidiaries, for purposes consistent with this Privacy Policy.*

7.2 *In addition, we may share aggregate or non-personally identifying information with selected third parties for marketing, advertising, research or other purposes.*

7.3 *We will not disclose, sell, share or trade your Personal Information to any third parties unless we first receive your consent.*

8 IDENTIFIERS

We will not adopt as our own any identifier of you, or use or disclose an identifier of you which has been assigned by a government agency, unless allowed by the National Privacy Principles set out in the Act.



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9 CAREER APPLICATIONS

Employment applications and resumes collected by us are safely and securely stored and only used for the purposes for which it was collected.

10 COOKIES, WEB BEACONS AND ANALYTICS

10.1 When you interact with our Site, we strive to make your experience easy and meaningful. We, or our third party service providers, may use cookies, web beacons (clear GIFs, web bugs) and similar technologies to track site visitor activity and collect site data. We may combine this data with the Personal Information we have collected from Customers. Examples of information that we may collect include technical information such as your computer's IP address and your browser type, an information about your visit such as the products you viewed or searched for, the country you are in, what you clicked on and what links you visited to get to or from our site.

10.2 If we identify you with this information, any use or disclosure of that information will be in accordance with this Privacy Policy.

10.3 A cookie is a text file that a website transfers to your computer's hard drive for record-keeping purposes. Cookies help us gather and store information about visitors to our websites and are intended to improve your website browsing experience whilst ordering. Our cookies assign a random, unique number to each visitor's computer. They do not contain information that would personally identify the visitor, although we can associate a cookie with any identifying information that is or has been provided by a Customer while visiting our Site.

10.4 We, or our third party service providers, use cookies that remain on your computer for a specified period of time or until they are deleted (persistent cookies). These cookies record clickstream information (data reporting the URLs, or names of the pages, on our Site that have been visited). We may also use cookies that exist only temporarily during an online session (session cookies) – these cookies allow you to log in to your account and they allow us to identify you temporarily as you move through the Site. Most browsers allow users to refuse cookies, but doing so may impede the functionality of some portions of our Site.

10.5 Web beacons are tiny graphics with a unique identifier, similar in function to cookies that are used to track the online movements of Web users. In contrast to cookies, which are stored on your computer's hard drive, Web beacons are embedded invisibly on webpages and may not be disabled or controlled through your browser.



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10.6 We may also engage third parties, including Google Analytics, to track and analyze Site activity on our behalf. To do so, these third parties may place cookies or web beacons to track user activity on our Site. The information generated by these cookies (including your truncated IP address) is transmitted to and stored by Google, and other third party providers, on servers in the United States. Google will use this information for the purpose of evaluating your, and other users' use of our website, mobile website, compiling reports for us on website activity and providing other services relating to website activity and internet usage.

10.7 We use the data collected by such third parties to help us administer and improve the quality of the Site and to analyse usage of the Site.

11 THIRD-PARTY LINKS

At times, our Site may contain links to other, third-party websites. Any access to and use of such linked websites is not governed by this Privacy Policy, but, instead, is governed by the privacy policies of those third party websites. We are not responsible for the information practices of such third party websites.

12 DIRECT MARKETING MATERIALS

We may send you direct marketing emails and information about products and services that we consider may be of interest to you. These communications will only be sent via email and in accordance with applicable marketing laws, such as the Spam Act 2004 (Cth) as you consented to upon registering for our Services. If, at any time, you would like to stop receiving these promotional emails, you may follow the opt-out instructions contained in any such email. Please note that it may take up to 10 business days for us to process opt-out requests. If you opt-out of receiving emails or promotions from us, we still may send you email about your account, your account or any Services you have requested or received from us, or for other customer service purposes. We do not provide your personal information to other organisations for the purposes of direct marketing.

If you receive communications from us that you believe have been sent to you other than in accordance with this Privacy Policy, or in breach of any law, please contact us using the details provided below.



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13 CONSENT TO TRANSFER INFORMATION OUTSIDE AUSTRALIA

We may disclose your personal information to organisations in other countries. Recipients may include:

- (a) Anyone that you have consented for us to disclose personal information to;
- (b) Our related entities, employees or officers;
- (c) External service providers that may assist us in our business providing administration, information technology or other services;
- (d) External service providers, if necessary for us to provide you with requests products or services;
- (e) Cloud providers and storage, data processors; and
- (f) Any other person or entity required by law.

We take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this privacy policy. It should be noted however, that international recipients may not have data protection laws that provide the same level of protection that exists under the Australian Privacy Principles.

14 SECURITY

We take appropriate measures to keep your Personal Information secure. We hold your Personal Information in a combination of hard copy and electric files. We use commercially reasonable physical, technical and administrative measures to protect the security of the Personal Information that we collect or receive, including, where appropriate, password protection, encryption, and SSL to protect our Site and the information we collect from loss, misuse, and unauthorized access, disclosure, alteration, and destruction.

Despite taking appropriate measure to protect personal information used and collected by us, please be aware that no data security measures can guarantee 100% security all of the time. We cannot guarantee the security of any information transmitted to us via the internet and such transmission is at your risk.

You are solely responsible for the maintaining the secrecy of any passwords and other account information pertaining to our Platform, apps or services.



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15 ACCESS TO AND CORRECTION OF YOUR INFORMATION

You can access and/or correct your Personal Information we hold about you at any time by contacting us at resolve@shawdr.com.au. We encourage you to contact us in order to keep your Personal Information up to date.

We will update your Personal Information within a reasonable time and may need to charge an appropriate fee to cover the costs of responding to your request, for example, where Personal Information is held in security. We may deny access to personal information if required by law or where the information may relate to existing or anticipated legal proceedings.

16 CHANGES TO THIS PRIVACY POLICY

We may change this Privacy Policy from time to time. Any updated versions of this Privacy Policy will be posted on our Site - you should check periodically to review our current Privacy Policy, which is effective as of the effective date listed below. Your continued use of any of our Site and Services constitutes your acceptance and understanding of the Privacy Policy as in effect at the time of your use. If we make any changes to this Privacy Policy that materially affect our practices with regard to the Personal Information we have previously collected from you, we will endeavour to provide you with notice in advance of such change by highlighting the change on the Site, or where practical, by emailing Customers. This policy is current as of 7 March 2018.

17 COMPLAINTS OR ENQUIRIES

If you have any questions or complaints regarding privacy, or if at any time you believe we may have wrongfully disclosed your Personal Information or breached our privacy policy, please contact us on 1300 768 496 or lodge your complaint in writing to:

*The Principal
SHAW Dispute Resolution
PO Box 6341, Halifax Street
Adelaide SA 5000*

or at resolve@shawdr.com.au

If you are not satisfied with our response you are entitled to contact the Federal Privacy Commissioner, by phoning 1300 363 992 or writing to the Director of Complaints, Office of the Federal Privacy Commissions, GPO Box 5218, Sydney NSW 1042.

