

BIGFISH TECHNOLOGY PTY LTD

PRIVACY POLICY



BIGFISH
TECHNOLOGY

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1. Introduction

- 1.1 We understand that the privacy of your personal details, and the security of your transactions with us, is of paramount importance to you. Bigfish Technology has therefore adopted data protection policies with respect to your privacy and security. Bigfish Technology's Privacy Policy sets out the rules we will abide by when dealing with personal information we collect from individuals in the course of our business.
- 1.2 We may make alterations or additions to this policy from time to time. Should we do so, we will update the policy on our web site. We require that all our customers agree to abide by our Privacy Policy as part of our terms of trade. This policy also applies to all users of our web site whether or not customers of Bigfish Technology.
- 1.3 Please note that we cannot and do not assume any responsibility for the privacy or security practices of any other web sites which you may be able to access through our site, or for our customers' level of compliance with our code.

2. What Information Do We Collect?

Bigfish Technology collects different information about you at different times. There are four broad categories of information that we collect from you:

- 2.1 Information we require to supply our services.
 - (a) When you first sign up or contract with Bigfish Technology for our services, or when you make an inquiry about our services, we request information such as your name, address, telephone number, domain name, email details of your primary and secondary contacts, credit card details (if you are paying online). We may also ask for your date of birth and gender.
 - (b) We may also monitor and/or record telephone conversations with you from time to time in order to train staff and to improve our service to you.
- 2.2 Non personally identifying information.
 - (a) In addition to the information you specifically provide above, Bigfish Technology operates statistics gathering software on its web site to collect information about the number of visitors coming to the site. No identifying information is collected by this software. The software records the IP address of the visitor only. We use this information to improve our own technical structure and performance, and to determine which areas of our web site are most popular.
 - (b) We also use 'cookies'. Cookies are pieces of information that a web site can transfer to an individual's computer in order to allow that web site to store information about user preferences. We use cookies which expire once the visitor leaves our web site. Cookies are used to collect session ID's. It is possible to adjust your internet browser to refuse cookies, but you may find that this reduces the functionality of this site.
- 2.3 Other demographic information.

If you respond voluntarily to our surveys or other interactive communications, we collect the responses and use the information to improve the quality and range of Bigfish Technology's products and services.
- 2.4 Computer Username, password and configuration information.
 - a. The nature of our business requires us to collect detailed information about our client computer and all associated network information.
 - b. Details such as system configuration, licence codes, usernames, passwords, IP address information, Internet/Online access information

- c. (such as ISP username and password and eMail username and password information) may at any time be collected by us.

2.5 Personal information stored on a web site hosted by Bigfish Technology.

Bigfish Technology will have personal information stored on our internal and external servers due to the fact that we host web sites of other organisations as part of the services. Any information that is submitted to or collected by these organisations will be physically located on a Bigfish Technology server. This information, whether voluntarily provided or not, will not be used or released by Bigfish Technology in any manner, and it will be kept strictly confidential, unless we are required to release the information by law.

3. How Do We Use Personal Information We Have Collected?

3.1 We collect and use your personal information to operate our web site and deliver all of our services to you. We will use your personal information to provide you with:

- technical support;
- billing and credit control;
- sales support;
- product upgrades; and
- information.

3.2 You may stop the delivery of future promotional email from Bigfish Technology by following the specific instructions in the email you receive. These instructions will tell you how to remove your name from that particular promotional email list.

3.3 We may use your personal information to:

- (a) Contact you in relation to upgrading your use of our services, special offers (from us, or on behalf of third parties), with newsletters, surveys, and individual service audits. We may give extracts of our customer lists containing personal information to third party contractors to do this on our behalf. We will ensure that those contractors are bound to protect your personal information to the same standard that we are;
- (b) Identify the source of new customers to Bigfish Technology;
- (c) Monitor and address complaints, other feedback, and to resolve disputes;
- (d) In the case of credit cards, to bill you for services;
- (e) In the case of ABNs, to verify your identity;
- (f) In the case of our partners who are IT professionals, to ascertain your areas of speciality and to refer prospective customers to you; if you attend our presentations, we may have a record of your attendance and areas of special interest;
- (g) Maintain a technical and account history of your dealings with us, and to re-establish your account with us where you rejoin as a customer within six months after having terminated your account;
- (h) Provide a stream lined and complete service to you during the completing of future work that you require. It is may be collected and or used by any Bigfish employee, contractor or partner that we deal with to provide our service to you.
- (i) Monitor your compliance with our Acceptable Use Policy and other terms and conditions of supply;
- (j) Comply with our reporting and other obligations to third party licensors (such as reporting to software suppliers the number and identity of software licenses we have issued as part of our products).

3.4 We will treat all information we collect from you as strictly confidential. Bigfish Technology does not rent or lease its customer lists to third parties (unless they have a specific need to fulfil a Bigfish Technology service such as referred to in

clause 3.3(a)). We will not reveal, disclose, sell, distribute, rent, licence, share or pass onto any third party (other than those who are contracted or supply services to Bigfish Technology) any personal information that you may have provided to us unless we have your express consent to do so, other than in the circumstances set out in the next paragraph.

- 3.5 We will disclose your personal information, without notice or your consent, only if:
- (a) we are required to do so by law or in the good faith belief that such action is necessary to conform with the laws, applicable code of conduct or legal process served on us in relation to our business or web site;
 - (b) to protect and defend the rights or property of Bigfish Technology;
 - (c) if we consider it necessary to do so in order to enforce or apply the terms of any of our agreements with you;
 - (d) if we sell our business or part of it; and
 - (e) in extreme circumstances, to protect the personal safety of users of Bigfish Technology's services, its web site, our staff or the public.

4. Security

- 4.1 The information that Bigfish Technology stores about you is kept within our networks and only employees or contractors are given permission to view this information. Where necessary, your information is protected with passwords given only to the required Bigfish employees.
- 4.2 You can elect to provide your details via our secure web browser which encrypts information. In order to access your personal information on our secure web browser you will be required to input your username and password. For this reason, it is safe to transmit your credit card number over the internet, although no data transmission can be absolutely guaranteed as secure. Please note that this encryption is only available if you choose to use the encrypted order form (SSL Security). If you use the normal order form encryption will not take place and we cannot assure the security of your details.
- 4.3 If you do not wish to provide your credit card details over the internet when joining Bigfish Technology you can download and complete the "print and fax order form".

5. Other Disclosure by You

- 5.1 You might provide personal information through your participation in chat sessions, message boards, email exchanges or newsgroups accessed via bigfishtech.com.au, or another service provided by Bigfish Technology. This information is public and immediately available to anyone who has access to such a site; it is not private. Bigfish Technology urges you to enter only information that you are comfortable to share with the public at large in this public domain. This Privacy Policy does not apply to such information.
- 5.2 You should never reveal your password to third parties. If you lose control of your password, you may lose control over your personal information and may be liable for actions taken on your behalf by third parties using your password and/or personal information. Therefore, if your password has been compromised for any reason, you should immediately change it.
- 5.3 If you collect personal information which you keep on servers provided by Bigfish Technology as part of our service to you (including email), you alone are responsible for compliance with the Privacy Act 1988 (Cth) in respect of that information. We take no responsibility for your dealings with personal information you collect.

6. How to Access & Correct Your Personal Information

- 6.1 From time to time you may need to update your personal information. Please contact us to have this information updated.

7. Children's Privacy

Bigfish Technology does not knowingly collect, use or market any information to children without seeking parental or a guardian's consent. We also urge you to familiarise yourself with your legal responsibilities with regard to children and the internet, which can be found in our Acceptable Use Policy.

8. Complaints

If you have a complaint about any aspect of our Privacy procedures, please contact our Privacy Officer on privacy@bigfishtech.com.au. We will deal promptly with your complaint. If we cannot resolve the complaint to your satisfaction within a reasonable time, you or we may refer the complaint to the Privacy Commissioner.